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MAR 20 1916

GIFT OF PUBLISHER

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 76 NEW YORK, MONDAY, APRIL 1, 1935 TEN CENTS

Reports Have New Fox Met Move in Work

Unnamed Circuit Is Said To Be Planning Offer

Reports that an established theatre company is interested in presenting a plan of reorganization or purchase of Fox Metropolitan Playhouses in competition with the Joseph M. Schenck-Fox Theatres' plan on file were plentiful over the week-end in circles close to Fox Met developments.

The identity of the prospective bidder could not be learned, despite the apparently general knowledge of the reports. Likewise, several phases of the available information were contradictory; one version having the prospective bid supported by Fox Met bondholders dissatisfied with the 25

(*Continued on page* 10)

Samuelson Selects Six Regional Aides

Prior to his departure with Nathan Yamins on Saturday for Minneapolis to attend the two-day Allied Theatres of the Northwest annual convention, which starts today, Sidney Samuelson, president of Allied, named six regional vice-presidents for his cabinet and the territories they will supervise.

Walter B. Littlefield of Boston will have jurisdiction over Maine, New

(*Continued on page* 9)

Whalen to Present New Quigley Awards

Official presentation of the February Quigley Awards to R. E. Knight and Ed Douglas will be made by Grover Whalen, at the M. P. Club Forum luncheon tomorrow at 12:45 o'clock.

This official presentation will mark the opening of the first annual "Show of Showmanship" luncheon forum at the club. Other guests will include

(*Continued on page* 9)

Quite a Dual

New Haven, March 31.— Loew's has reached the height of something or other hereabouts. "It Happened One Night" and "One Night of Love" are being shown on dual bills at the Bijou here and at other Loew first runs in Bridgeport, Meriden and Waterbury.

British Quota Jumps to 20% Levels Today

This Is Maximum Until Act Ends in 1938

By BRUCE ALLAN

LONDON, March 31.—One out of every five pictures handled by distributors here must be British-made under the rise in the percentage bracket from 17½ per cent to 20 per cent effective upon renters with the advent of April.

Thus, the Quota Act which became the law on April 1, 1928, to run for 10 years thereafter reaches its maximum insofar as the selling end of the industry here is concerned. With the two and one-half per cent jump, the 20 per cent bracket remains constant and will continue at its new level until the statute runs its course on March 31, 1938.

American companies in this market, of course, are familiar with the act,

(*Continued on page* 2)

Meyer Is Appointed 'U' Business Manager

HOLLYWOOD, March 31.—Carl Laemmle, Sr., in a surprise move yesterday, made Fred S. Meyer executive business manager of Universal City, the post formerly slated for Julius Bernheim. Henry Clark, studio comptroller, takes Meyer's former job as executive assistant to Laemmle, which he will handle in addition to his regular post.

Frank Mastroly, former studio manager, has been granted what is described as an indefinite leave of absence from the studio managership.

Succeeded?

Detroit, March 31. — Joe Bodner has quit as general manager of the Jake Schreiber theatres. Three weeks ago he succeeded Ben Wachnansky, who succeeded Ray Schreiber, who succeeded Ray Cloud, who succeeded Alex Schreiber, who succeeded Lew Kane, who succeeded George Sampson, who succeeded Joe La Rose, who succeeded Clare Gardner. No successor has been appointed.

Huffman Case Outside Code, Court Rules

DENVER, March 31.—Federal Judge J. Foster Symes ruled in the Harry Huffman case yesterday that the exhibition of films is an intra-state business and for that reason the industry code does apply in the case. Judge Symes also ruled the Colorado NRA act unconstitutional.

A further hearing will be held shortly on the question of whether the Huffman group constitutes a monopoly on first run films in Denver and

(*Continued on page* 4)

MPTOA Will Attack Pettengill's Bill

Disclosure of injuries to theatres threatened in the event of passage of the Pettengill anti-block booking bill, will be the subject of the forthcoming

(*Continued on page* 9)

Schaefer Is Again Boomed As Para. Head

Support Among Creditor Groups Being Voiced

George J. Schaefer's name again is figuring prominently in Paramount creditors' discussions of candidates for the presidency of the reorganized company and, to all indications, appears presently to have more favorable creditor sentiment behind it than at any previous stage of the reorganization proceedings in which his name has been linked with that post.

While it appears that there are almost as many slates of officers as there are creditor factions, nevertheless, several outstanding creditor groups which, up to several days ago, had favorite candidates of their own for the presidency, now seem to be in something of agreement on Schaefer. This, however, does not embrace all creditor groups.

No definite agreement on officers of the company is expected for sev-

(*Continued on page* 10)

Coast Meeting to Discuss Clearance

LOS ANGELES, March 31.—Local exhibitors will meet within the next few days to discuss the Los Angeles clearance and zoning schedule which has been held up again by Campi. The plan was slated to go into effect today,

(*Continued on page* 4)

Injunction Granted On Cleveland Duals

CLEVELAND, March 31.—Common Pleas Judge Dempsey yesterday granted a temporary injunction restraining the University from playing duals. It is understood that Max Lefkowich, operator of the house, will go back to singles on Monday and will not fight the case.

Para. Stays at 65

Paramount's schedule next season will adhere to the present lineup of 65 features and 100 single-reel shorts.

Details of the program will be announced at the annual sales meet at the Waldorf May 23-26.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Les Miserables"

(*20th Century-U.A.*)

By VICTOR M. SHAPIRO

HOLLYWOOD, March 31.—Nothing quite so powerfully human, nothing quite so heart-stirring has the talking screen captured on celluloid as is here revealed in this drama of one man, Jean Valjean, and through him the x-raying of the spiritual aspirations of all humanity.

As Victor Hugo explored people's tortured hearts and illumined their dreams, so have Producer Darryl F. Zanuck, Director Richard Boleslawski, Fredric March and Charles Laughton given dramatic fervor

(*Continued on page* 9)

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MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Insiders' Outlook

By RED KANN

H. G. WELLS, who is doing pretty well by himself in the ranks of contemporary authoring, delivered a talk at a dinner of the Authors' Club one night late last week. Among other statements, he described himself as a "journalist and literary hack," which was his privilege since he was directing criticism at his own efforts. But also did he touch upon films, commenting among other comment that authors should have more to say about the treatment their works receive in the process of translating them to the screen. Typical example was his novel, "Marriage," which, he pointed out, was sold eventually to be shorn of title, locale and plot by order of Hollywood and effort of scenarists which inhabit that scene. . . .

▼

THAT caused us to dig into a mental file which this column numbers among its possessions and which it tries mightily to keep alert. It reminded of the practice, unchecked for years, in which all producers have indulged when classics and near classics come across their line of vision. Long a matter of disturbance when this space goes editorial, we wonder why Hollywood does the things it does on this particular score. . . .

▼

THE habit, presumptuous to say the least, almost always calls for improvement of the printed page. Samuel Goldwyn did it with "Nana," as a case in point. But all of the bigwigs who make the film colony revolve on its axis have been guilty of the same charge. To what purpose, we should like to know, is judgment which, having determined in the first instance to film works of note and of established reputation, then determines to embellish the original? Also by what right? . . .

▼

WE strike today for the filmization of recognized works as the author wrote them or no filmization of them at all. Fidelity is an attribute which Hollywood, it is this opinion, is expected to observe and this has nothing to do with affairs of the heart, either. We remember the time when Merian C. Cooper spoke about plans for production of "Cyrano de Bergerac." Not satisfied with the manner in which Rostand wrote his play, Cooper's idea was to modernize this gem of beauty by giving it a World War background. Never did revolution seethe with greater fire within us. . . .

▼

PRACTICALLY all of the editorial roses stacked around the feet of "David Copperfield," it should be remembered, were predicated on the proper reverence, the respect for Dickens and his novel, in which the picture was soaked. Here was an instance of a book read by millions and about which the producer who dared improvement was embarking on a piece of extremely risky business. Merely to assume, however, that any work of lesser moment opens the door to revision is neither fair nor proper. "Copperfield" provides an object lesson and of a type easy to understand because it emerged as an artistic as well as a commercial success. Hollywood, are you listening? . . .

British Quota Jumps to 20% Levels Today

(*Continued from page* 1)

its intent and its operation. Designed to foster the British production industry, the impost started modestly at seven and one-half per cent on April 1, 1928, and remained at that figure until March 31, 1929, when it increased to 10 per cent. In April 1, 1932, the bracket rose to 15 per cent, the following year to 17½ where it was fixed until the maximum division is reached on Monday.

The quota, also compulsory on exhibitors, progresses at a slower pace beginning at five per cent for the year ending Sept. 30, 1929, and rising to 20 per cent by Oct. 1 where it will poise itself in the bracket similar to that imposed upon distributors until the act runs out in 1938.

Replying to a question from E. Doran, M.P., in the House of Commons, recently Walter Runciman, president of the Board of Trade, said he did not propose to introduce legislation varying British quotas stipulated by the Cinematograph Films Act.

The advisory committee under the Act is known to have made suggestions for its amendment for the purpose of controlling "quickies." Legislation for this purpose is not ruled out by the president's reply.

Other questions from Doran, who was prominent in the agitation preceding the passing of the original act, allege attempts on the part of foreign companies to defeat the measure and alluded to "alien film producers, who, having been put into liquidation in their own countries, were now seeking to exploit the British public."

Replying to these points, Sir John Gilmour, Home Secretary, promised to inquire into any facts placed before him.

New Four Per Cent Tax Up in Missouri

JEFFERSON CITY, Mo., March 31.—Swelling the flood of tax bills in the Missouri legislature, a measure has been introduced in the Senate for a four per cent levy on all transactions and services rendered.

The proposal was in the form of a resolution to submit a constitutional amendment to the voters. Revenue would relieve public school and road district taxes.

Industry representatives in Missouri conferred here on the two per cent sales tax which has passed the House. Some means of adding the assessment to theatre tickets will have to be found, so it will not become a burden on the exhibitor.

Meeting here were Fred Wehrenberg, president of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois; John C. Stapel, president, and R. R. Biechele, secretary, of the K. M. T. A., in the western half of the state; Jay Means, head of the Kansas City I. T. O., and Emanuel Rolsky, vice-president, and Arthur Cole of the Paramount exchange in Kansas City.

The only hearing on the proposed two per cent tax will be held next Wednesday before the Senate Ways and Means Committee. Opposition to the House bill is rampant in the Senate, and it is freely predicted a compromise measure will result.

One Man Bill Up in R. I.

PROVIDENCE, March 31.—Operators have a bill in the House here that provides for one man to every machine. Another measure pending provides that all films must be projected from machines on the ground floor, or the entrance floor, except in regulation booths.

Advance Maryland Race Tax

ANNAPOLIS, March 31.—The House has passed the Mullikin racetrack tax-relief bill and has sent it on to the Senate. The daily license fee of $6,000 would be reduced to $1,000, and the tax on money bets would be raised from one to two and a half per cent. The levy on net receipts would be raised from 20 to 25 per cent.

A one per cent sales tax on gross receipts has passed both Senate and House, but it does not affect theatres.

House bill 270 has been passed in the House. It vests in the Mayor and City Council of Hagerstown the control of Sunday pictures.

House bill 347 has passed in the House. It will permit Sunday shows in Prince George's County.

Paramount Will Run Peekskill Theatre

Paramount today assumes operation of the Peekskill, Peekskill, N. Y., under a long term pooling arrangement with Raymond Wittickson. Paramount has the Paramount and both houses will be under the supervision of George Walsh, division manager.

Wittickson also has the Pickwick, Greenwich, Conn., which is not involved.

Weiss Finishes Film

Louis Weiss, production head of Weiss Prod., Inc., has finished work on "The Drunkard." Stage & Screen Prod., Inc., will handle the release.

Open Oklahoma Empress

OKLAHOMA CITY, March 31.—This city now has five first runs. The Empress was opened today by Pat McGee for Standard Theatres.

Wall Street

Loew's Pfd. Rises 1 on Big Board

	High	Low	Close	Net Change
Columbia	39½	39½	39½	— ¼
Cons. pfd. (1v)	17	16½	17	+ ½
Eastman	120	119⅝	119¾	.....
Loew's	35½	35⅜	35⅜	.....
Loew's pfd	107	107	107	+1
Paramount	2½	2⅜	2½	+ ⅛
Pathe "A"	11¼	11¼	...	— ½
RKO	1½	1⅜	1⅜	.....
Warner	2¾	2¼	2¾	+ ⅛

Technicolor Gains ⅛ on Curb

	High	Low	Close	Net Change
Technicolor	18¾	18½	18¾	+ ⅛

General Theatre Bonds Show Gain

	High	Low	Close	Net Change
General Theatre Equip. 6s '40	7	6½	7	+ ½
Keith B. F. 6s '46.	67¾	67¾	67¾	— ⅜
Loew's 6s '41 ww deb rights	104⅞	104⅞	104⅞	+ ⅛
Paramount F. L. 6s '47	71	71	71	.....
Paramount Publix 5½s, '50	72¼	72	72¼	+ ⅛
Pathe 7s '37 ww	103⅜	103⅜	103⅜	.....
Warner Bros. 6s '39 wd	50¼	50¼	50¼	— ¼

(*v*) *Paid this year on account of accumulations.*

(Quotations as at close of March 30.)

WHAT A TIME THE BUYERS ARE GIVING THESE GIMME GALS!

m-h may 2, 1936



One look at their lines and they're dated for "A" TIME by film buyers everywhere! . . . . . For instance—

KEITH'S . . . . CINCINNATI	STRAND . . . . . NEW YORK
METROPOLITAN . . HOUSTON	ORPHEUM . . . MINNEAPOLIS
BROADWAY . . . PORTLAND	MARY ANDERSON . LOUISVILLE

—because they're delivering "more laughs than 'Convention City'"
(N. Y. American)

JOAN **BLONDELL** • GLENDA **FARRELL**

"Traveling Saleslady"

in

A First National Picture with

HUGH HERBERT • WILLIAM GARGAN • Directed by RAY ENRIGHT

WARNER BROS..... *Producers*

Coast Meeting to Discuss Clearance

(Continued from page 1)

but because of a petition by F. W. C., which was studied by Campi, it was decided to give all exhibitors as well as the protesting circuit a chance to be heard.

According to the F. W. C. consent decree handed down two years ago, certain prices must prevail for first run houses to maintain clearances provided therein. If prices are moved downward, a readjustment of the schedule must follow.

The Los Angeles schedule did not contain such a provision and Fox West Coast representatives in New York held that if the plan was put into effect, as adopted by Campi, the consent decree would be violated.

As a result of the consent decree, admission prices here have been boosted in numerous houses, it is stated. There are only a few theatres charging 15 cents, the general average being 25 cents.

More Court Battles On Bank Nights Due

DES MOINES, March 31.—Injunction suits similar to the one filed by A. H. Blank restraining the local grievance board from outlawing bank nights will be brought in other territories, it is said here. It is understood theatres in several states are planning such actions.

Hearing on a permanent restraining order against the local board will be held April 6 by Judge Charles A. Dewey in U. S. District Court here. The action is based on a cease and desist order issued against a Central States theatre at Ft. Dodge, Ia.

The theatre contends the awarding of the prize does not constitute a violation of the NRA. The suit also attacks the NRA's constitutionality. Six major distributors were named in the action, but merely as a formality.

Huffman Case Held Outside the Code

(Continued from page 1)

whether the theatres came into court with clean hands as a result of the operation of an alleged lottery involving the giving away of automobiles weekly as a means of drawing.

Huffman is still giving away cars weekly under the protection of a temporary injunction granted by the Court of Appeals and will continue to do so until the case is decided, it is understood.

La Hiff's Tavern

A chop house of exceptional merit

156-8 West 48th St., N. Y. C.

Purely Personal

JOHNNY O'CONNOR smiled gently and breathed easier over the week-end, for the Great Event came to pass. It's a seven pound girl born at 2:45 A.M. Saturday at the Medical Center. The family, including papa, is doing very well.

•

JAMES CLARK, president of National Film Carriers, Inc., and Horlacker of Philadelphia, was in town yesterday for a short while and returned to the Quaker City. He's due back tomorrow.

•

BRUCE GALLUP had a surprise party thrown at him at Sardi's Friday night, the cohorts being led by EDDIE CHURCHILL and trailed by 49 other officials and attaches of Donahue & Coe. Much went on.

Quip of the Day

Add similes, brainstormed by Ali Gaga:

"As silent as the reaction of an exhibitor viewing a hit picture he hadn't bought."

LEO SPITZ, representing the Skourases, left for Chicago Saturday but returns shortly in connection with final legalistic details of the Skouras-F. W. C. contract.

•

CHARLES L. O'REILLY has turned down an offer to attend the Minneapolis Allied session today and tomorrow. Too busy to get away.

•

Compliance Director SOL A. ROSENBLATT was in town over the week-end. It wasn't a business trip.

•

EUGENE PICKER is back on the job at Loew's after several days out with a bad throat.

•

DAVID LOEW returns from a three-month coast vacation today. His mind was on golf and nothing else.

•

JACK COHN and ABE MONTAGUE are expected back from Hollywood today or tomorrow.

•

IKE LIBSON has returned to Cincinnati after conferring with RKO circuit heads for several days.

•

ROGER FERRI is back from Atlanta where he put on another 'Baboona" air stunt.

•

JOHN A. CURTIS planes back to the California hills the latter part of the week in his own ship.

•

NATE BLUMBERG gets back from San Francisco today—via the sky route.

•

AL FRIEDLANDER is the proud owner of a ranch on the coast.

•

SPYROS SKOURAS may fly west any day now.

•

W. RAY JOHNSTON returns from Atlanta today.

•

NICHOLAS M. LUDINGTON gets in from Hollywood today by plane.

•

HARRY H. BUXBAUM is scheduled to end his Florida vacation this week.

GEORGE RAFT plans to leave the coast for Havana, Miami and then New York when he finishes "The Glass Key." After some time here he'll go to Memphis and Chicago for personal appearances before returning to Hollywood.

•

CHARLES TROWBRIDGE has been signed by M-G-M and will report to the coast April 15. JACK POWELL has also been signed by Paramount for the next BURNS and ALLEN film. The William Morris Agency handled both deals.

•

HAL HORNE'S fancy is turning toward golf now that spring is here. He's on the alert for a good "pro" to show him tricks.

•

BORRAH MINEVITCH is toying, but seriously, with the idea of turning stage producer with "Oh, Professor!" his first.

•

ALLEN RIVKIN and EDDIE ELISCU are responsible for the libretto of "Paris Sensation." "JAKE" SHUBERT has acquired the stage rights.

•

WILSON COLLISON'S two stories "The Second Mrs. Lynton" and "Dames" have been bought by M-G-M.

•

MILT KUSELL was forced to change from the *Rotterdam* to the *Columbia* when he sailed on that two-week vacation cruise Saturday.

•

NICHOLAS BROTHERS have been set by the William Morris Agency to appear in Paramount's "The Big Broadcast."

•

HENRY RANDEL, Brooklyn Paramount exchange manager, spent the week-end at Lakewood.

•

EARL CARROLL is busy on the 11th edition of the "Vanities." CLARK ROBINSON will do the sets.

•

JULES LEVY is going in for white carnations.

•

SOPHIE KNOWLTON SMITH is now operating a screening service.

•

. . . *Minneapolis*

A. SELBY CARR, who came to the Twin Cities as ad sales manager for Paramount changing branches with ROY PALMQUIST who went to Omaha, finds himself a marked man here with a good gag for the opening of any conversation. The Selby Avenue car line is a famous inter-city line.

•

At Highland Heights orphanage HARRY BLACK is the "object of their affection." He shows the children movies every week. No star gets more mash notes, poems, flowers, etc.

•

DON WOODS, sales manager for Paramount, eating regularly again; his wife is back from Florida.

•

H. M. DAVIS of home office play date department is now checking Universal branch.

•

MARY STADDAN of the Paramount staff is visiting in Tennessee.

•

FRANK MANTZKE, Universal manager, recently contacted key towns in Southern Minnesota.

•

AL STEFFES is renaming his Shubert the Alvin.

•

. . . *New Orleans*

SAYLOR BUCKOUT, a sound creator for Walt Disney and Columbia, off for Panama on a 10-day vacation accompanied by his wife.

•

JOHN ANTHONY, Pontchoutoula exhibitor visiting. And VINCENT COURIER, who runs the house in Amite, La., also paid a visit.

•

DICK FRANK, United Artists exchange manager, may take the road again shortly on a selling tour.

•

HARRY S. MCLEOD of the St. Charles, in Slidell.

Five Cut Admission Cases Ended in K. C.

KANSAS CITY, March 31.—Five instances of reduced admission have been ruled against by the local grievance board.

On complaint of G. E. Klock, Klock, Neodesha, Kan, against A. B. McNabb, Gem, same city, charging the respondent has failed to abide by a desist order on bank night, McNabb will be called in to show cause why his film service should not be stopped. A similar show-cause order was issued in the case of the Fox Beyer, Excelsior Springs, Mo., on a cash night violation complained against by J. Erwin Dodson, Casino, same city.

Other cases decided: F. M. Malone, Casino, Boonville, Mo., vs. Fox Midwest's Lyric, same city; "Br'er Fox matinee" for children at seven cents; William Warner, manager of the Warner exchange, testified contracts called for 10-cent minimum admission for children. Determination: cease and desist.

C. W. Helstrom, Helstrom, McPherson, Kan., vs. Jack Johnston, Ritz, same town; respondent ordered to cease and desist bank night if and when complaint files certificate of compliance to abide by reduced admission provisions of the code. Helstrom subsequently filed the necessary compliance.

Delphus Williams, Delphus, Carthage, Mo., vs. Fox Midwest's Crane, same city. Complaint covering bank night dismissed inasmuch as Crane discontinued the stunt a day before the hearing.

Unfinished Business Awaits Campi Action

Unfinished business of last Thursday and Friday will be the order of the day at the next Campi session on April 4. Several matters were taken up and put over until the next meeting because of the Los Angeles clearance and zoning schedule.

About 30 appeals were on the calendar for decision, but the board did not get around to one of them. Meanwhile, appeal cases are piling up. Committees resume hearings today and will hold another session tomorrow.

Tri-State Meets April 14

MEMPHIS, March 31.—The Tri-State M.P.T.O. will hold its spring convention here at the Hotel Chicsa April 14-15.



The Beginnings of a Beautiful Friendship

Consistent fair dealing . . . complete trailer service on every picture you play . . . and a rare understanding of exhibitor problems . . . *your* problems . . .

That's why that early friendship with a handful of exhibitors ripened and flowered and helped us grow into a nationwide organization of more than 700 "trailer-wise" employees . . . each doing his share to cement that friendship with better and better trailers . . . and better and better service . . .

That's why . . . today . . . more than 9000 exhibitors join us in celebrating the 15th Anniversary of those early beginnings of a beautiful friendship . . .

NATIONAL SCREEN SERVICE

. . . prize baby of the industry!

SANTA CLAUS COMES IN

1225

BY DIRECT WIRE FROM

WESTERN UNION

NEWCOMB CARLTON, PRESIDENT — J. C. WILLEVER, FIRST VICE-PRESIDENT

CLASS OF SERVICE

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R H COCHRANE, UNIV PICTURES CORP=
ROCKEFELLER CENTER NEWYORK NY=

SCREENED THE BRIDE OF FRANKENSTEIN TODAY FIRST ROUGH CUT EIGHT THOUSAND FEET STOP MY OPINION OF PICTURE IS THAT SANTA CLAUS HAS FINALLY COME TO THE INDUSTRY STOP PICTURE IS SENSATIONAL THRILLING MYSTERIOUS EXQUISITELY PRODUCED AND DIRECTED STOP SHOULD DO FAR BETTER THAN FIRST FRANKENSTEIN AND AMY WIRING IMPORTANT ACCOUNTS THROUGHOUT THE COUNTRY TO ACCEPT MY PERSONAL WORD AND BOOK IT WITHOUT SCREENING FOR EARLY DATES STOP WE ARE RELEASING THE PICTURE NATIONALLY APRIL TWENTY SECOND=

JAMES R GRAINGER.

148P..

THE SPRING tra la

BRINGING YOU THE BIGGEST BOX OFFICE SENSATION YOU'VE HAD IN YEARS!



Carl Laemmle presents the inimitable KARLOFF in "THE BRIDE OF FRANKENSTEIN," a Universal Picture with Colin Clive, Valerie Hobson, Una O'Connor, Ernest Thesiger and E. E. Clive . . . Directed by JAMES WHALE . . . Produced by CARL LAEMMLE, JR. . . . Screenplay by William Hurlbut and John L. Balderston.

Boston Tips Huge $22,000 To "Roberta"

BOSTON, March 31. — With good weather until Thursday, all the first runs except one went well over normal. "Roberta" led the parade by getting $22,000, over the line by $12,000, at Keith's Memorial.

"Ruggles of Red Gap" and "Baboona" were dual billed in two spots, the Fenway and the Paramount. Grosses at each were over normal, but not outstanding. The Fenway take was $5,500 and the Paramount's was $8,000. "Mississippi" was fairly strong at the Metropolitan on a take of $24,000.

Total first run business was $81,500. Average is $65,000.

Estimated takings for the week ending March 28:

"RUGGLES OF RED GAP" (Para.)
"BABOONA" (Fox)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,500. (Average, $4,500)

"ROBERTA" (Radio)
KEITH'S MEMORIAL—(2,907), 25c-65c, 7 days. **Gross:** $22,000. (Average, $12,000)

"WEST POINT OF THE AIR" (M-G-M)
"TIMES SQUARE LADY" (M-G-M)
LOEW'S STATE—(3,537), 25c-55c, 7 days. **Gross:** $13,000. (Average, $10,000)

"MISSISSIPPI" (Par,.)
METROPOLITAN — (4,338), 35c-65c, 7 days. Stage: Big Star Revue with Sylvia Froos and Frank Gaby. **Gross:** $24,000. (Average, $22,000)

"RUGGLES OF RED GAP" (Para.)
"BABOONA" (Fox)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,000. (Average, $5,500)

"IT HAPPENED IN NEW YORK" (Univ.)
RKO BOSTON—(3,246), 25c-50c, 7 days. Stage: Ina Ray Hutton and her Melodears. **Gross:** $9,000. (Average, $11,000)

McCrea to "U" for Two

HOLLYWOOD, March 31.—Joel McCrea has signed a two-picture deal with Universal and will probably do a featured role in "Magnificent Obsession" as his first. The studio is also considering Claudette Colbert for the starring role. John Stahl is slated to direct.

Warners Re-Team Trio

HOLLYWOOD, March 31.—Joan Blondell, Glenda Farrell and Hugh Herbert, who have just finished "Traveling Saleslady" for Warners, will be teamed again in "Serves You Right." Production is set for next month.

It's "The Unholy Hour"

HOLLYWOOD, March 31.—"The Unholy Hour" will be the release title of the shocker based on the werewolf legend which Universal is producing.

Twyman in New Firm

CHARLOTTESVILLE, Va., March 31.—Frederick W. Twyman, mayor, is secretary-treasurer of the Piedmont Theatre Corp., just formed. Other officers are: President, George E. Walker; vice-president, H. W. Twyman.

Boles with Swarthout

HOLLYWOOD, March 31.—John Boles has been signed by Paramount to play opposite Gladys Swarthout in "Rose of the Rancho." Alexander Hall is tentatively set to direct.

"Colonel," at $28,000, Top In Washington

WASHINGTON, March 31.—Shirley Temple again proved her box-office strength. "The Little Colonel" sent Loew's Fox skyrocketing to $28,000, over normal by $7,500, normal week of $20,500.

Next best was "While the Patient Slept," at the Metropolitan, which gathered $5,200. Average is $4,100. "The Private Life of Don Juan" at Loew's Columbia clinked off a total of $3,800, or $700 over average. "Gold Diggers of 1935" at the Earle was somewhat weak at $18,900. "Roberta," in its second week, still played to more than average first week business, with a take of $12,900. At Loew's Palace the second Anna Sten opus did not do well.

Total first run business was $80,300. Average, excluding the Belasco, is $71,200.

Estimated takings, exclusive of tax:

Week Ending March 20:

"PETERSBURG NIGHTS" (Amkino)
BELASCO—(720), 25c-65c, 7 days. **Gross:** $1,500.

Week Ending March 21:

"GOLD DIGGERS OF 1935" (Warners)
EARLE—(2,218), 25c-77c, 7 days. Stage: Rosco Ates, Buster Shaver with Olive & George, Georgie Tapps, John & Mary Mason, Vitaphone Girls. **Gross:** $18,900. (Average, $17,600)

"THE PRIVATE LIFE OF DON JUAN" (U. A.)
LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days. **Gross:** $3,800. (Average, $3,100)

"THE LITTLE COLONEL" (Fox)
LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Everett Marshall, Ted Adair, Regina DeBori, Fred Lightner & Roscella, Joe & Pete Michon. **Gross:** $28,000. (Average, $20,500)

"THE WEDDING NIGHT" (U. A.)
LOEW'S PALACE—(2,370), 35c-77c, 7 days. **Gross:** $10,000. (Average, $14,500)

"WHILE THE PATIENT SLEPT" (War.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $5,200. (Average, $4,100)

"ROBERTA" (Radio)
RKO-KEITH'S—(1,836), 25c-55c, 7 days, 2nd week. **Gross:** $12,900. (Average, first week, $11,400)

"Roberta" $10,000 Hit, Indianapolis

INDIANAPOLIS, March 31. — "Roberta" was the only attraction in town last week to stir up any excitement. It reached $10,000, up by $3,000, at the Indiana.

"Little Colonel" held up to a par $2,500 at the Apollo in its second week and "Wedding Night" was average with $4,500 at the Palace, but elsewhere business was off.

Total first run take was $25,750. Average is $25,000.

Estimated takings for the week ending March 23:

"LITTLE COLONEL" (Fox)
APOLLO—(1,100), 25c-40c, 2nd week, 7 days. **Gross:** $2,500. (Average, $2,500.)

"LOVE IN BLOOM" (Para.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $3,750. (Average, $4,000.)

"ROBERTA" (Radio)
INDIANA—(3,133), 25c-40c, 7 days. **Gross:** $10,000. (Average, $7,000.)

"GREAT HOTEL MURDER" (Radio)
LYRIC—(2,000), 25c-40c, 7 days. Vaudeville. **Gross:** $5,000. (Average, $7,000.)

"WEDDING NIGHT" (U.A.)
PALACE—(3,000), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,500.)

Just a Skirmish

Salt Lake City, March 31.—A group of midgets went western in a big way here last week. At the close of an engagement at the Victory they staged a party. A fist fight developed.

Police removed a .22 calibre pistol from one of them. Bruises and scratches were covered with 16-millimetre bandages. The armed member of the troupe claimed his gat at Police Headquarters later.

"Life Begins" Denver Smash With $13,000

DENVER, March 31.—Will Rogers' "Life Begins at 40" did the best business a Rogers film has ever done here by hitting $13,000 at the Denver. This is $7,000 over normal.

"Roberta" was also in the smash hit class at the Orpheum. Its $10,000 take topped average by $4,000. Both films were held, the Rogers film going to the Broadway for an extended run.

Total first run business was $33,900. Average is $24,000.

Estimated takings for the week ending March 28:

"LET'S LIVE AGAIN" (Col.)
ALADDIN — (1,500), 25c-35c-50c, 7 days. **Gross:** $2,000. (Average, $2,500)

"AFTER OFFICE HOURS" (M-G-M)
BROADWAY — (1,500), 25c-40, 3 days. **Gross:** $800.

"POWER" (Gaumont British)
BROADWAY — (1,500), 25c-40c, 4 days. **Gross:** $600. (Average for week, $1,500)

"ALL THE KING'S HORSES" (Para.)
DENHAM — (1,500), 25c-35c-50c, 7 days. **Gross:** $4,000. (Average, $4,000)

"LIFE BEGINS AT FORTY" (Fox)
DENVER — (2,500), 25c-35c-40c, 7 days. **Gross:** $13,000. (Average, $6,000)

"ROBERTA" (Radio)
ORPHEUM — (2,600), 25c-35c-40c, 7 days. **Gross:** $10,000. (Average, $6,000)

"LIVING ON VELVET" (F. N.)
PARAMOUNT — (2,000), 25c-35c-50c, 7 days. **Gross:** $3,500. (Average, $4,000)

Berlin Finishes 'Top Hat'

HOLLYWOOD, March 31. — Irving Berlin has completed the score for "Top Hat" for Radio and the film will start the first week in April. Dwight Taylor and Allan Scott are winding up work on the screen play.

Fred Astaire and Ginger Rogers will be starred with Helen Broderick, Erik Rhodes and Eric Blore in support.

Opening for Pittsburgh

PITTSBURGH, March 31. — Because the story was authored in part by Judge M. A. Musmanno, member of the Common Pleas bench here and an authority on coal-mine conditions, Pittsburgh will get the premiere of the Paul Muni picture, "Black Fury." It opens here at the Stanley April 26.

Judge Musmanno flew to New York over the week-end where Mort Blumenstock screened the film privately.

Van in Temple Film

HOLLYWOOD, March 31.—Gus Van has been added to the cast of "Our Little Girl," the Shirley Temple picture at Fox.

"Colonel" Up To $8,000 on Chicago Week

CHICAGO, March 31.—"The Little Colonel," in its second Loop week at the Garrick, was the best comparative draw here last week. It went $3,000 above normal on an $8,000 gross.

All Loop houses, except two, were over average, but not outstandingly so. "The Scarlet Pimpernel" reached $18,000 at the United Artists, "Life Begins at 40" was strong with $36,000 at the Chicago, and "Ruggles of Red Gap," in its third week at the Roosevelt, took $11,000. "David Copperfield" was good for $6,000 in its sixth Loop week at the Apollo. "The Little Minister" did quite well in its third Loop week at the State-Lake, getting $17,000.

Total first run business was $132,000. Average is $127,600.

Estimated takings:

Week Ending March 19:

"THE SCARLET PIMPERNEL" (U.A.)
UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $18,000. (Average, $17,000.)

Week Ending March 21:

"LIFE BEGINS AT 40" (Fox)
CHICAGO—(4,000), 25c-50c-68c, 7 days. Stage: Three Slate Bros., Gracie Barrie, Harriet Hayes, Vivian Della Chiesa. **Gross:** $36,000. (Average, $34,600.)

"MILLS OF THE GODS" (Col.)
ORIENTAL—(3,940), 25c-40c, 7 days. Stage: Variety Follies. **Gross:** $15,000. (Average, $15,000.)

"IT HAPPENED IN NEW YORK" (Univ.)
PALACE—(2,509), 25c-35c-50c, 7 days. Stage: "Hello Paris," Folies Bergere. **Gross:** $21,000. (Average, $22,000.)

Week Ending March 23:

"THE LITTLE COLONEL" (Fox)
GARRICK—(900), 25c-35c-40c, 7 days, 2nd Loop week. **Gross** $8,000. (Average, $5,000.)

"RUGGLES OF RED GAP" (Para.)
ROOSEVELT—(1,591), 25c-35c-50c, 7 days. 3rd week. **Gross:** $11,000. (Average, $11,000.)

"DAVID COPPERFIELD" (M-G-M)
APOLLO—(1,400), 25c-35c-50c, 6th Loop week, 7 days. **Gross:** $6,000. (Average, $8,000.)

"THE LITTLE MINISTER" (Radio)
STATE-LAKE—(2,776), 20c-25c-35c, 7 days, 3rd Loop week. Stage: Harry Rose, Pat Kennedy. **Gross:** $17,000. (Average, $15,000.

Rogers, Portland's Best; Doubles Take

PORTLAND, March 31.—"Life Begins at Forty" was by far the heaviest money producer, bringing a greatly increased box-office to Paramount where it soared to $10,000, or doubling the average take.

Estimated takings for the week ending March 16:

"GOLD DIGGERS OF 1935" (F. N.)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000) (2nd downtown week).

"THE PRESIDENT VANISHES" (Para.)
MAYFAIR—(1,700), 25c-35c-40c, 7 days. **Gross:** $2,500. (Average, $3,000)

"ENCHANTED APRIL" (Radio)
ORIENTAL—(2,040), 25c-35c-40c, 7 days. **Gross:** $1,800. (Average, $2,000)

"ROBERTA" (Radio)
ORPHEUM—(1,700), 25c-35c-40c, 7 days. Stage show. **Gross:** $8,000. (Average, $5,000)

"LIFE BEGINS AT FORTY" (Fox)
PARAMOUNT—(3,008), 25c-35c-40c, 7 days. Stage show. **Gross:** $10,000. (Average, $5,000)

"THE WEDDING NIGHT" (U. A.)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $4,000. (Average, $5,000)

Samuelson Selects Six Regional Aides

(*Continued from page* 1)

Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, eastern Pennsylvania, Maryland, Delaware and the District of Columbia.

Martin G. Smith of Toledo has western Pennsylvania, Michigan, Ohio, West Virginia and Kentucky.

Aaron Saperstein of Chicago has Indiana, Illinois and Wisconsin.

W. A. Steffes of Minneapolis has North and South Dakota, Minnesota, Nebraska and Iowa.

Newman H. Waters of Birmingham has North and South Carolina, Tennessee, Georgia, Alabama, Mississippi and Florida.

Col. Harry A. Cole of Dallas has Texas, Louisiana, Arkansas, Oklahoma, Missouri and Kansas.

Samuelson and Yamins picked Abram F. Myers up in Washington en route to the Twin City.

Whalen to Present New Quigley Awards

(*Continued from page* 1)

Paul Hollister, vice-president in charge of advertising of R. H. Macy & Co.; Barron Collier, Jr., Bruce Barton and the following invited guests, H. M. Warner, Adolph Zukor, Nate Spingold, Joseph M. Schenck, David Bernstein, R. H. Cochrane, John D. Clark, Felix Feist, Albert L. Warner, Jack Alicoate, Jules Levy, Ned Depinet, Harry Buckley, Earle Hammons, George Schaefer, Louis Nizer, Martin Quigley, Colvin Brown, Terry Ramsaye and Ben Shlyen.

Want Red Films Banned

BOSTON, March 31.—Protesting that two imported Soviet films reeking with propaganda have been shown at the Majestic, local Levrard house, the state department of the American Legion has requested Mayor Mansfield to bar such pictures from Boston. A letter signed by State Commander Jeremiah Toomey and Leo Harlow informed the Mayor that simple deletions often make a communistic film even more dangerous and that only complete banning was the proper method.

Para.Contracts Up Today

Hearing of a petition to authorize the Paramount Publix trustees to adopt 181 executory contracts made by the company prior to its bankruptcy, which was scheduled to have been held Saturday before Special Master John E. Joyce, was postponed to today. The contracts are mostly for fulfillment of theatre acquisition deals and foreign distribution arrangements. They must be adopted by the trustees in order to be carried on by the new company after Paramount's reorganization.

Hurley on Own

Albert Hurley, former designer of the Ortho-Krome Screen, announces formation of a new screen manufacturing concern under his own name with headquarters in Long Island City. The concern will be known as the Hurley Screen Co., Inc., and will manufacture a standard sound screen. M. A. Shea is associated with Hurley.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Les Miserables"

(*Continued from page* 1)

and intensity to the light on this man's crown of thorns and presented an Odyssey pre-ordained to be one of the genuinely great films of yesterday or today.

As true today as when Hugo wrote, all the crass stupidities of a heartless system are shown in their brutal callousness, as vital this hour as when France unshackled herself and blood ran the streets of Paris.

Known to every tongue, the screen divides Hugo's classic into three episodes. In the first, March, as Jean, is convicted of stealing a loaf of bread and is condemned to the galleys. Belted, beaten and freed, a priest regenerates him by acts of giving. The second section sees Jean risen as the mayor, respected, but with the spectre of the past haunting him in the person of Laughton, the grim, relentless law. The third division, in Paris, shows Jean's selfless renunciation of his adopted daughter, Rochelle Hudson, giving her to her sweetheart-revolutionist, John Beal, as the Hitlerish Laughton commits suicide.

Every facet of production showmanship is here perfectly polished with heart interest, spectacle, beauty melodrama, human conflict, sorrow, joy, love victorious and unrequited, all harmoniously blended with the basic appeal of humanity fundamental.

March, symbolizing Christ, gives an inspired performance. His transitions are remarkable and his histrionic prowess a triumph. Laughton, symbolizing the anti-Christ, makes his character hateful and understandable.

Sir Frederick Hardwicke, Miss Hudson, Beal, Frances Drake and others impress in support.

Boleslawski, by human handling of this picture alone, achieves his niche in the directorial Hall of Fame. W. C. Lipscomb's screenplay compacts Hugo's classic in a model of screencraft. Gregg Toland's photography excels.

To Darryl F. Zanuck, paens of praise and roses.

As an outstanding production drenched with emotions stirring nations even today, this is of roadshow calibre and should be a leader of the year.

Production Code Seal, No. 686. Running time, 105 minutes. "G."

"Stolen Harmony"

(*Paramount*)

HOLLYWOOD, March 31.—Ben Bernie acts as well as leads his band and an above-the-average picture is here made by the musical radio personality. The "Old Maestro" holds his own with the best comedians and is plenty convincing when the occasion demands serious moments.

The story starts with Bernie auditioning a prison band and selecting George Raft, who is released the following week, for a saxophone job in his band, which is about to start on a transcontinental bus tour. Raft clicks as a player and later pinch hits as the dancing partner of Grace Bradley, scoring again. As Raft's position becomes secure, Leslie Fenton, an old cell-mate, turns up and proposes Raft join him in looting the band's money carried in the bus.

Raft refuses and Fenton does the job alone, nevertheless getting Raft in trouble and as Bernie is about to fire him the entire troupe is kidnaped by a gang headed by Lloyd Nolan. Raft is recognized by William Fawley, also a fellow jail alumnus, and pretends to join the mobsters, eventually arranging the delivery of the troupe and annihilation of the gang by the cops. Raft, slightly wounded, wins Miss Bradley while in the hospital and regains the good graces of Bernie.

The production by Albert Lewis and direction of Alfred Werker are first rate. In the supporting cast Goodee Montgomery teamed with Charlie Arnt, for comedy and romance, stand out. The screenplay by Leon Gordon and Harry Ruskin with dialogue by Claude Binyon and Lewis Foster are good jobs. Mack Gordon and Harry Revel contribute several catchy tunes. The picture should click with any audience.

Production Code Seal, No. 627. Running time, 74 minutes. "G."

Novices in Middletown

MIDDLETOWN, N. Y., March 31.—Taking advantage of the popularity of amateur shows, George Walsh, division manager for Publix, on Thursday will inaugurate talent tryouts at the local Paramount.

The non-professional show will be a regular feature every Thursday evening.

Pittsburgh Critics Here

PITTSBURGH, March 31.—Four local critics, Harold W. Cohen of the *Post-Gazette;* Karl Krug and William J. Lewis of the *Sun-Telegraph* and Kaspar Monahan of the *Press* will be the guests of Warners in New York Monday for a special screening of "Black Fury" and a trade showing of "Go Into Your Dance."

MPTOA Will Attack Pettengill's Bill

(*Continued from page* 1)

bulletin of M. P. T. O. A., Ed Kuykendall, president, said Saturday.

The organization feels, Kuykendall said, that the scattered support for the measure within the industry is the result of ignorance of the bill's real objectives and its probable effects, and may be misleading to other exhibitors.

Kuykendall said that a meeting date for discussion of code revisions between the M. P. T. O. A. code committee and Compliance Director Sol A. Rosenblatt is not expected to be set until the Administration has agreed on new NRA legislation. The committee has been instructed to work for a 20 per cent code cancellation clause and other significant code amendments.

Regional units' ballots on the new M. P. T. O. A. executive committee are still being received. Results of the election, however, may be available within the next few days. Kuykendall leaves for Washington today, but is expected back here Thursday for a Code Authority meeting.

Barnstyn Will Film 3 English Features

J. C. Barnstyn, president of British & Dominion Trading Corp. and Interworld Pictures, plans to make three British pictures in England, principally for the English market. He sails for London some time in May to work out details.

Fox Picks Debutantes

HOLLYWOOD, March 31.—Fox has followed Paramount's lead in breaking away from the Wampas and has named Rita Cansino, Frances Grant, Rosina Lawrence and Barbara Blane the studio's "Four Debutantes." Winfield Sheehan, production head of Fox, personally made the selections. The four girls will be exploited as future stars in much the same manner as Wampas did on a larger scale.

Kreuzer New Manager

Edwin M. Hartley, manager of the RCA Victor Photophone Department, has appointed Barton Kreuzer, formerly a member of the RCA Victor engineering research and service staffs, consulting engineer in charge of Photophone recording sales. Kreuzer's headquarters will be in the local studios.

Calloway Kingston Worry

KINGSTON, N. Y., March 31.—Booking of Cab Calloway at the Armory here on May 2 is causing plenty of worry to exhibitors who are checking on future bookings for strong competitive film programs.

Walter Reade operates the Broadway and Kingston, two principal houses here.

Lengthen RKO Marathon

Further postponement to April 9 of the RKO-Meyer & Schneider breach of lease arbitration hearings, involving film playing policies at the Hollywood and Apollo will be taken in advance of the scheduled hearing today.

Schaefer Is Again Boomed As Para. Head

(Continued from page 1)

eral weeks yet. Serious opposition to the proposed board of 16 members has died down. Some undoubtedly will be voiced at the April 4 hearing for confirmation of the plan, but the board as now constituted is expected to be confirmed by the court. When that has been done a special meeting of stockholders will be called to formally elect the directors. Thereafter, creditor groups will square off again for the final bouts for selection of officers to be elected by the board.

Meanwhile, sufficient creditor assents to assure confirmation of the plan on April 4 lack only approximately $650,000 of Paramount Broadway bonds. There are needed two-thirds of the $8,875,000 of Broadway bonds outstanding and slightly more than 60 per cent of the issue are now on deposit. The required amount of the $25,825,000 of Paramount Publix and Paramount Famous Lasky debentures and of Paramount stock are already on hand and the period for withdrawal from the bondholders' and stockholders' committees expired Saturday. While the required amount of general creditors' claims has not yet been reached, definite assurances of the needed deposits by April 4 are on hand.

No postponement of the April 4 hearing before Federal Judge Alfred C. Coxe will be sought unless there is a deficiency of assents at that time.

Lightman Realigns His Theatre Staff

MEMPHIS, March 31.—Realignment of personnel to manage his expanded interests has been completed by M. A. Lightman.

Gene Oliver, former manager of the Arkansas, Little Rock, replaces Charlie Mensing as Orpheum manager here, Mensing having resigned. Fred Ford is the Lightman manager placed at the newly-acquired Palace, Ford coming here from Shreveport where he was with Saenger.

William H. Ramsey has been moved in from the neighborhood Memphian to manage the downtown Strand, succeeding Elliott Johnson, who was made advertising director for the circuit, with Curby Smith of Jonesboro transferred to Memphis to handle special exploitation.

David Groskind, previously with Warners, replaces Ramsey at the Memphian.

Kenton to Direct "Maid"

HOLLYWOOD, March 31.—"Maid of Honor" at Columbia will be directed by Erle Kenton. John Howard Lawson and Ethel Hill are doing the adaptation from Katherine Brush's story, and production is scheduled to start within the next 10 days.

Retitle "Wanderlust"

HOLLYWOOD, March 31.—Warners have changed the title of "Wanderlust" to "Mary Jane's Pa," the original name of the Edith Ellis play.

The picture co-stars Guy Kibbee and Aline MacMahon.

Hollywood Personals

Hollywood, March 31.—Clark Gable back from an Arrowhead vacation, ready to go to work in "China Seas." . . . George O'Brien and company back from location at the Arizona Biltmore. . . . J. P. McEvoy through scripting "Plot Thickens" at Paramount.

Freddie Bartholomew will get a bicycle as a birthday present from David O. Selznick. . . . Erol Flynn goes into "Captain Blood" for Warners. . . . Helen Jerome Eddy goes into "Men On Our Mind." . . . Frances Langford will get a top spot in M-G-M's "Broadway Melody of 1935."

Nigel Bruce has leased a Malibu house for the summer. . . . Gavin Gordon in "Love Me Forever," the Grace Moore picture at Columbia. . . . Otto Dyar, Fox portrait artist off to New York and Europe to study foreign photography methods. . . . He will be gone about two months.

Waldemar Young joins Samuel Hoffenstein on the script of "The Pastry Baker's Wife" at Paramount. . . . Octavus Roy Cohen at Paramount on the "Virginia Judge."

Fred Maguire, trailer cutter at Radio, promoted to cutter in charge of tests. . . . John Wray gets a fat part in "Stranded" at Warners. . . . Pinky Parker, finished in "Air Fury," for Columbia, goes into "Men On Our Mind" at Warners. . . . April 28 is date set for annual Radio golf tournament at Fox Hills. . . . Bob Palmer of the casting office taking the entries.

Luncheon Shorts to Be Given K. C. Test

KANSAS CITY, March 31.—A new wrinkle in theatre operation known as "luncheon short subjects matinee" will be inaugurated at the Royal, 800-seat downtown house, when it reopens in about two weeks.

The idea is that between the hours of 11:30 A.M. and 1:30 P.M. the programs will switch to a sort of Trans-Lux policy consisting of newsreels, comedies, novelties and other abbreviated films. No feature will be shown. The rest of the schedule, from opening at 9 A.M. to closing, will be devoted to the customary routine.

Regular programs, it is understood, will be double bills at a dime a throw. Breck Fagin returns to Kansas City after an absence of several years to manage the Royal, which formerly was a Publix operation.

Shift Around St. Louis

ST. LOUIS, March 31.—Four houses have changed hands in this territory. The Riverview has been acquired by Claude Lupkey and has been reopened.

T. R. Burcham has taken the Princess at Doniphan, Mo., from P. J. Burford, and S. Schlesinger has taken over the New Gem at Cairo, Ill. This house used to be known as the Empress. The Empire at Zeigler, Ill., has been closed.

Hoban Is Made a Judge

SCRANTON, March 31. — Thomas Linus Hoban, general counsel in Pennsylvania for the Comerford interests, has been appointed by Gov. George H. Earle as an additional law judge in Lackawanna County. He will fill the vacancy on the common pleas bench caused by the death of Judge E. C. Newcomb.

Cummings on 'Argentina'

HOLLYWOOD, March 31. — Irving Cummings will direct "Argentina," the Lou Brock musical for Fox. It is slated to get under way April 1.

Tito Guizar and Alice Faye have the leads with Cole Porter supplying the music.

Compete in Detroit For Service Pacts

DETROIT, March 31.—With many Erpi contracts expiring, a three-cornered fight is on here between that company, Allied and the operator's union for new service contracts.

Erpi is reported to have offered to reduce its service charge from $16.25 per month to $13.25. The union is offering to contract for the work at $7.50 per month and Allied is reported to have entered the competition with a deal whereby exhibitors will receive service for $3.00 per month.

The union has issued a decree that none but union men may enter the booths to do service work.

Sanders Back to Pueblo

LINCOLN, March 31.—John Sanders, brought here about a week ago from Pueblo, Col., where he had been manager of the Pueblo, goes back after about 10 days at his new post in the Kiva here. Both are L. L. Dent houses. Sanders will probably be moved to Salt Lake City.

To Start at Asheville

ASHEVILLE, N. C., March 31.—Work will begin in a few days on remodeling the Redwood building to house the new $75,000 Publix-Bamford theatre, according to Carl R. Bamford, vice-president and General Manager. The house will seat 1,400 and will be one of the largest in the Carolinas.

Charter Illinois Firm

VANDALIA, Ill., March 31.—Better Amusement Co., Inc., has been organized with 100 shares. The incorporators are Ullus Gudder, George Gudder and Ben Gudder.

Re-Title Holt Picture

HOLLYWOOD, March 31.—Columbia has set "The Unwelcome Stranger" as the release title on the current Jack Holt vehicle, which has been working under the title of "Gimpy."

Reports Have New Fox Met Move in Work

(Continued from page 1)

per cent write-down of Fox Met bonds proposed in the Schenck-Fox Theatres' plan, and another having the reported offer backed by the Greenblatt financial interests of Philadelphia.

Officials identified with the Schenck-Fox Theatres' plan admitted having heard the reports, but discounted the significance of any counter bid which may be made for Fox Met. They stated that their plan has the approval of the Fox Met bondholders' committee and Halsey, Stuart & Co., representing approximately 90 per cent of the Fox Met bonds outstanding and that under Section 77-B reorganization proceedings cannot be instituted without a minimum of 25 per cent of a company's outstanding bonds.

However, holders who have deposited their bonds with the Fox Met committee will have an opportunity to withdraw from the committee before the Schenck-Fox Theatres' plan is confirmed by the court. Thus, an opposition plan might attract sufficient withdrawals to meet 77-B requirements for its presentation.

Indications yesterday were that Fox Met bondholders represented by Saul E. Rogers, attorney, who at one time stated he might present a reorganization plan, will now support the Schenck-Fox Theatres' plan.

Technicians to List Variety of Credits

HOLLYWOOD, March 31.—The Technicians' Branch executive committee of the Academy plans to make the technicians' credits publication a complete technical history of each production in the future.

The first publication of technicians' credits will be issued shortly after April 1 and will include a listing of sound effects and music mixers, research director, the matte painting, miniature, special effect and transparency projection shot technicians, laboratory making the negative and release prints, as well as art director, first and second cameraman, film editor and unit sound mixer.

Steffes Will Open Minneapolis Alvin

MINNEAPOLIS, March 31.—Al Steffes will open the Shubert under the name of the Alvin on April 4, he says, with vaudeville and films. The house has had the Bainbridge Stock Co. for years.

Steffes has spent $60,000 redecorating the house and installing a new front.

Charter Commonwealth

KANSAS CITY, March 31.—Commonwealth Amusement Corp., recently organized here, is capitalized for $150,000 as a Missouri corporation to conduct a general theatre business. This is the new circuit formed by a consolidation of Commonwealth Theatres, Inc., of Kansas City with Central States Theatre Co. of Hoisington, Kan., with L. M. Miller as president.

Chicago Board Hits Screeno Hard Blow

CHICAGO, March 31.—Screeno took it on the chin at the hands of the local grievance board in cases brought before it this week. In two cases in which Lou Reinheimer of the Calumet, Hammond, Ind., was complainant against Warners' Orpheum and the Paramount, operated by Parahan Corp., the board issued cease and desist orders.

Stop orders were also issued against Screeno in the complaint of Fred Gilford of the Madlin against the Lindy operated by Harry Nepo and in a complaint of the Madlin against the American operated by Essaness.

Lou Reinheimer and his Calumet figured in another case against the Parthenon on reduced admissions and bank night. The board issued a stop order covering both complaints.

End Pawtucket Premiums

BOSTON, March 31.—Premiums and giveaways have been ordered stopped at the Broadway, Pawtucket, R. I., managed by Francis Ward. The complaint was brought by M. & P.-Publix and Martin Toohey.

To Build at Baton Rouge

BATON ROUGE, La., March 31.—Joe Barcelona, who runs the Tivoli and another house here, will construct two more shortly. One will be a colored house and the other a white house which will replace the People's, which is scheduled to close.

Stop "Rainbow Nights"

SALT LAKE CITY, March 31.—"Rainbow Nights" at the Broadway Theatre, Butte, Mont., have been ordered stopped by the grievance board here. The complaint was brought by the Park, same city.

Leases Canton House

CANTON, O., March 31. — T. M. Jones of Morgantown, West Va., has leased the Grand Opera House. The house has been dark for four months. Films and traveling stage companies will be alternated.

"Allah" for Crawford

HOLLYWOOD, March 31. — Joan Crawford's next for M-G-M when she finishes in "No More Ladies" will be "The Garden of Allah," which David O. Selznick will produce.

Sleep in Theatre

Omaha, March 31.—Film salesmen are recounting dust storm yarns these days. The prize tale is one on the Rialto at Elmwood, Neb.

Customers refused to leave after the show ended because of the fierceness of the dirt gale. Finally the bulk of them pushed out to their homes. Fifteen persons refused to budge. They remained all night, sleeping in seats and in the aisles.

Omaha May Lose Two

OMAHA, March 31.—Two theatres here seem destined for demolition. Ralph D. Goldberg has a deal pending to sell the Town to a night club concern and another to put a parking space on the site of the State.

Two openings are set out in the territory. Robert Freed has acquired the Dreamland from O. P. Shannon at Wakefield, Neb., and Russell E. Johnson has opened the Opera House at Palmer, Neb.

Theatres Compete in One Cincy Building

CINCINNATI, March 31.—Two opposition independent theatres under one roof here is believed to be the only operating setup of its kind in the country.

The Mayfair, 400-seat house, controlled by J. Ebersole Crawford and John R. Loofbourow, playing Gaumont British product, is located in the Masonic Temple, which also houses the 2,600-seat Taft, operated by Larry Sunbrock, who opened March 1 with stage shows and pictures. Both houses are on a grind policy. The two entrances are approximately 200 feet apart.

Columbus Revives Stage

COLUMBUS, March 31.—The Hartman, a Neth unit, dark for several months, opens Friday with "Spices of 1935" on the stage and "Transient Lady" on the screen. In opposition, the RKO Palace, which has been playing straight films, has booked in "Hello Paris" for the week of April 5, with "Behold My Wife" as the screen feature.

The town has been without stage shows since last August.

Buffalo

BOSTON, March 31.—JAMES W. HIGGINS, police commissioner, who is nationally known for devising a pocket-size rogues' gallery carried by thousands of policemen, and FRANK A. COON, park commissioner, were guest speakers at the Variety Club luncheon. It was arranged by HARRY ALTMAN and BERT RYDE. Second Assistant Chief Barker JACK H. KAPLAN of United Artists presided. Property Master W. E. J. MARTIN presented the speakers.

Chief Barker TED O'SHEA and First Assistant SYDNEY SAMSON returned this week from their 12-day cruise to the West Indies. It was O'SHEA's first lengthy vacation in four years.

Barker A. CHARLES HAYMAN of the Lafayette also is back. He passed several months in Florida. He caught a 72-pound sailfish, and has pictures to prove it, but the task was so severe that he couldn't play golf for two days.

Barker NICHOLAS J. BASIL, dough guy of Buffalo Variety, and president and general manager of the Basil Brothers' Theatres, will sail April 7 for a six-month vacation in Europe, chiefly in Greece, his native land. He will be accompanied by two of his brothers. He will be guest of honor at a Happy Landings stunt dinner April 1, happy landings because Nick plans to fly from Brindisi to Athens. He'll celebrate two Easters, one in Paris, and the other the Greek orthodox Easter, in Athens. Barkers JOHN SITTERLY, RALPH MAW and MURRAY WHITEMAN are arranging the dinner.

Cleveland

CLEVELAND, March 31. — Variety Club met with B. D. (BUCK) STONER, M-G-M office manager, and MAURICE SPITALNY, orchestra leader at the RKO Palace, as kings. Entertainment was furnished by DUKE ELLINGTON and IVY ANDERSON, featured member of the current act at the RKO Palace, "SNAKE HIPS" JACKSON of the same outfit and TRACY GALE & LEONARD of the Club Chateau.

Variety Club Chatter

Guests of honor were Federal District Attorney EMERY B. FREED and his assistant, PARKER FULTON, JUDGE JOSEPH STACEL and JUDGE MAURICE BERNON.

MAURICE KAPLAN, local circuit owner, won first prize—a pair of ringside seats for a fight at the Public Auditorium. Second prize went to COL. HARRY E. LONG.

Kansas City

KANSAS CITY, March 31.—New clubrooms in the Country Club Plaza will be ready about April 15, says Chief Barker GEORGE BAKER.

The layout will be larger than present quarters and incorporate facilities for virtually all functions, including luncheon meetings. There's even a ballroom in the building, a J. C. NICHOLS property.

April 1, next Monday, a number of the barkers will go to the St. Louis tent for "Kansas City Day." EARL JAMESON will fly his own plane, taking along SAM ABEND and ARTHUR COLE. The business meeting scheduled for that date has been deferred.

ABEND, G. L. CARRINGTON and BENNY BENJAMIN are kings for the next get-together, April 8.

NORRIS B. CRESSWELL, the snapshot man, at the last meeting presented a sample of the forthcoming Elks' Extravaganza when he brought up some acts from the show. FRANK H. CASSIL and GUS DIAMOND were co-kings.

Property Master CHARLEY JONES wants barkers to get in touch with him about tickets for the opening day of the American Assn. baseball season here, April 16. The Kling trophy goes to the group turning out the largest crowd at the first mound battle.

LESTER MARTIN of Des Moines and EDDIE CARRIER, M-G-M publiciteer, were guests at the club.

Philadelphia

PHILADELPHIA, March 31.—Applications for membership are being received. The club has voted to raise its roll to 150.

The following committees have been appointed by Chief Barker EARLE SWEIGERT: membership, S. SCHWARTZ, L. SCHLESINGER, AL COHEN, HERB ELLIOTT; house, JAY EMANUEL, PERCY BLOCH, WILLIAM H. LEE, MILTON ROGASNER, JOHN MONROE, LOUIS GOLDSMITH, DAVE SUPOWITZ, HARRY WEINER, CHARLES SEGALL; entertainment, LEONARD SCHLESINGER, EDWARD SHERMAN, HARRY BIBEN, LEON LEVY, WILLIAM HAYNES, ULRICH SMITH, JACK LEXEY; finance, JAMES CLARK, BEN AMSTERDAM, LEON LEVY, CHARLES SEGALL, ELLIS SHIPMAN, JACK GREENBERG; publicity, HARRY GOLDBERG, BART MCHUGH, JR., JERRY CROWLEY, CHARLES ZAGRANS.

Three more will be added to the membership committee later.

Cabaret night, every Saturday, is growing in popularity, as are the preview screenings held every Sunday evening.

Pittsburgh

PITTSBURGH, March 31. — Judge EGAN and Judge PATTERSON were honor guests at luncheon—both real Irish and Judge M. A. MUSMANNO claiming the right by reason of his first name (Michael).

BART DATTOLA just elected a nonresident member—also JERRY O'NEILL of the William Penn.

The club has hung its new charter from Variety Clubs of America designating it as Tent No. 1. All charters are being mailed this week.

The Irish luncheon March 18 was the signal for a packed house. One of the best luncheons of the season.

Because the time set for the national convention (the third Saturday in April) is so close to Easter Saturday and Sunday, a letter has gone out to all national officers suggesting a change in date.

The Notre Dame Club, American Legion and others make use of the club weekly for their group luncheons.

BEN BROWN feeling good again after an illness.

Variety Club, Tent No. 1, is holding its annual benefit stage and screen show at the Stanley Sunday night, March 31. Tickets have been on sale for several days and a complete sellout was indicated in the early reports of seat chairmen.

JOHN H. HARRIS, national Variety Club president, is general chairman of the entertainment. In addition to stage headliners appearing here during that week, several well known acts were brought on from New York.

Washington

WASHINGTON, March 31.—Bowling night was held with ROBERT GRANCE and SAM FLAX as kings for a day. Awards in the M. P. Bowling League were made.

JAY EMANUEL of the *National Exhibitor* was on hand to present his trophy to the winning Paramount Team, captained by THOMAS MUDD, with BOB GRACE, GEORGE DEPERINI, JIM BURNS, JACK BRYAN the supporting cast.

The awards (medals) donated by the local M.P.T.O. were pinned on the winning team's members by SIDNEY B. LUST, vice-president.

The cash prizes were presented by Chief Barker RUDOLPH BERGER.

Among the guests were EARL SWEIGERT, chief barker, and MILTON ROGASNER, assistant chief barker, of the newly formed Philadelphia tent; and ED KUYKENDALL, president of the M.P.T.O.A.

BERT LAHR and RAY BOLGER, stars of "Life Begins at 8:40," with TALBOT HASLETT and EVELYN TYNER, a local tenor-pianist duo making its vaude debut this week at Loew's Fox, were guests of honor at a special luncheon on last Monday (March 25) presided over by STEPHEN E. COCHRAN and LOUIS A. BROWN, as kings for a day.

"BUSTER KEATON IS LEADING THE COMEDY FIELD"

says the Cleveland Plain Dealer, whose veteran critic, W. Ward Marsh, writes:



"Visits to Warner Brother's Hippodrome and the RKO Keith's 105th Street Theaters this week will convince you that Buster Keaton has fairly discovered the true secret for making talkies.

"He is miles ahead of the feature producers today...he has discovered the way to use detail so that it becomes action and his picture 'flows' steadily without interruption by or very much help from dialog.

"I felt that perhaps Buster had blundered into a happy accident when he made 'Palooka from Paducah'...Telling his story of 'Palooka' in pantomime was no mere accident for Keaton. He proves that with 'One Run Elmer'. This is his second feature in his new two-reel series...Keaton is back where he belongs, and at the moment leading the comedy field!

"There is even less dialog in 'One Run Elmer' than in 'Palooka', proving that Keaton does know how to make pictures.

"Here is Buster on the rebound. In fact he's now leading the pack."

Thank You, Mr. Marsh... AND DON'T MISS BUSTER'S THIRD. WE BELIEVE IT PACKS MORE LAUGHS THAN ANY OTHER SHORT SUBJECT HE EVER MADE!

HAYSEED ROMANCE

with JANE JONES ☆ DOROTHEA KENT

Directed by Charles Lamont

PRESENTED BY E. W. Hammons

Educational Pictures
"THE SPICE OF THE PROGRAM"

Distributed in U.S.A. by
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MOTION PICTURE DAILY

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Fox Loses in His Last Move On Tri-Ergon

Supreme Court Refuses Flywheel Rehearing

By CLARENCE LINZ

WASHINGTON, April 1. — William Fox today went down to final defeat in his fight to establish the validity of one of his two American Tri-Ergon patents when the U. S. Supreme Court refused to rehear the Wilmer & Vincent and Altoona Publix case, involving the flywheel patent. The court acted with unusual speed, the petition asking for a rehearing having been filed Friday.

As a result of the court's action, its opinion rendered last month, denying the validity of the patents on which Tri-Ergon some time ago brought suits against producers and exhibitors

(*Continued on page 4*)

New Taxes Looming On Ohio's Program

COLUMBUS, O., April 1.—The three per cent sales tax, in effect since Jan. 27, is up in the air, with present indications that it may be wrecked, and other special measures substituted.

The controversy between Federal Relief Director Harry L. Hopkins and Gov. Martin L. Davey is said to have uncovered some deficiencies in the state's financial structure, and precipitated a revision in the current tax

(*Continued on page 7*)

Pelton for Florida As a Studio Center

Florida is definitely a locale, economically acceptable, physically possible and climatically agreeable for the industry, Fred Pelton, of M-G-M will report to Louis B. Mayer upon his return to Hollywood next week.

Pelton, who, with Morris Helprin as representative of Joseph M. Schenck last week completed a survey of Florida, is awaiting a com-

(*Continued on page 7*)

Depinet's Demurrer Postponed to May 6

ST. LOUIS, April 1.—Argument on the demurrer to the indictment of Ned E. Depinet, RKO distribution head, in the St. Louis anti-trust cases was put off to May 6 today by Federal Judge Davis on motion of District Attorney Blanton.

Para. Assents Exceed Total Law Requires

Clears Way for Formal Approval by Court

Sufficient creditor assents for formal confirmation of the Paramount Publix plan of reorganization at the scheduled Federal court hearing Thursday were realized yesterday when deposits of Paramount Broadway bonds passed the required two-thirds mark. It is estimated that holders of approximately $33,000,000 of the total of about $46,000,000 of claims against the company qualified to vote on the plan have now assented. In addition, a majority of Paramount stockholders has approved the plan.

Federal reorganization statutes require confirmation of a reorganization plan by two-thirds in amount of all classes of creditors and a majority of stockholders. A sufficient amount

(*Continued on page 6*)

No Opposition Made To Para. Contracts

The petition of the Paramount Publix trustees for leave to adopt 181 executory contracts made prior to the company's bankruptcy was unopposed at a hearing yesterday before Special Master John E. Joyce. To comply with a provision of the Paramount reorganization plan, the contracts must be adopted by the trustees before they

(*Continued on page 6*)

DENVER CASE MAY HOLD CODE'S FATE

Cleveland to Set Up a New Singles Pact

CLEVELAND, April 1.—The Cleveland M. P. Exhibitors' Ass'n. has voted to prepare for signatures an agreement to continue with single features in all membership houses. It will become effective with the expiration of the present single feature compact.

This followed the action of the University in going to duals in violation of the agreement, although it had been signed by the owner, Max Lefkowich, and the threat that half a dozen other scattered houses would follow suit. The vast majority of the members, comprising 95 per cent of the houses in the Greater Cleveland area, expressed themselves as satis-

(*Continued on page 4*)

"Wise Counsel" Is Hays Plea on Tax

HOLLYWOOD, April 1.—Declaring the industry has always contributed more than a normal share of the expenses of government, Will H. Hays, in a statement issued upon his arrival from New York, expressed the

(*Continued on page 7*)

Appeal Would Put Status Of Theatres Before Supreme Court

By BERTRAM F. LINZ

WASHINGTON, April 1.—Appeal by the government from the Denver decision holding exhibition to be intrastate commerce might serve to bring before the U. S. Supreme Court a question on which a part of the film industry and the NRA differ.

While Judge Syme's opinion is binding in that jurisdiction, it does not apply nationally, and an opposite decision might well be rendered in some other court should the same question arise.

That part of the decision holding the state recovery law invalid is in keeping with opinions rendered in at least two other states to the same effect.

The question whether exhibition is intrastate or interstate business is one which, if not resolved by the courts,

(*Continued on page 6*)

Yamins Raps Code At Northwest Meet

MINNEAPOLIS, April 1.—The code was attacked at the opening session of the annual convention of Allied of the Northwest at the Hotel Radisson here today by Nathan Yamins, a Code Authority member, who said the document was drawn and administered by producer-distributor interests, with the

(*Continued on page 6*)

RKO Tentatively Set On 50 for New Year

RKO-Radio executives are planning on 50 features for 1935-36 and the same number of shorts as the current season. While convention plans are not yet completed, indications are that the Drake, Chicago, will be the meeting grounds some time in June. Last year the convention was held at the same hotel.

FWC Asks Dismissal Of Gumbiner's Suit

LOS ANGELES, April 1.—Fox West Coast and its trustees, George Skouras, William H. Moore, Jr., and Charles C. Irwin, will move to dismiss H. L. Gumbiner's $1,520,000 trust suit on technical grounds, according

(*Continued on page 4*)

Herald Showmanship Show Draws Crowd to M. P. Club

By J. M. JERAULD

Ten o'clock rolled around yesterday morning at the Motion Picture Club. Somebody raised a curtain on a cage. "Gato," a puma, looked out and wished he was back in Sequoia National Park; an electric train whirled around in circles, drowning out the sound of ice in a cocktail shaker at the bar; 150 Randforce managers, who had been waiting in the corridor, hurried in. The Show of Showmanship was on!

A-Mike Vogel relaxed and reminisced about the time he staged a flood at Johnstown so Janet Gaynor could go into pictures later and make a million dollars for Fox.

By noon 281 visitors had been clocked and Mike agreed with Monroe Greenthal that it was "colossal."

Before 2 o'clock a fuse blew out, but what's a fuse in the life of an exploitation man! Arnold Van Leer leaped off a stepladder where he was draping bunting. A large crayon drawing of Red Kann in the Gaumont British exhibit could be seen only dimly for the time being, because it wasn't done in color, and the

(*Continued on page 4*)

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Ludington Illness Halts F. D. Session

Due to illness of Nicholas Ludington, president of First Division Productions, who has delayed his departure from the coast, the board of directors meeting of the producing company which was slated to get under way yesterday, was postponed until Ludington's arrival.

Late last week, John A. Curtis, Al Friedlander, George Jackson Hill, Jr., William M. L. Fiske, and Frank Look arrived from Hollywood to attend the sessions during which production plans and sales policies will be outlined for next season.

Set Back One Day

"Brewster's Millions," scheduled to open at the Rivoli Friday, will open on Saturday instead.

MITCHELL MAY, Jr. COMPANY
INC.

SPECIALISTS IN FILM and THEATRE INSURANCE

75 Maiden Lane New York — 510 W. 6th St. Los Angeles Cal.

Purely Personal

FELIX FEIST was tendered a surprise party by M-G-M yesterday at the M. P. Club in celebration of his 10th anniversary as sales head of the company. Attending were DAVID BERNSTEIN, J. ROBERT RUBIN, TOM J. CONNORS, E. M. SAUNDERS, J. S. MACLEOD, W. R. RODGERS, JOE VOGEL, DAVID LOEW, ARTHUR LOEW, HOWARD DIETZ, SI SEADLER, WILLIAM R. FERGUSON, C. C. MOSKOWITZ, LEOPOLD FRIEDMAN, LOUIS K. SIDNEY, JAY GOVE, WILLIAM SCULLY, SIDNEY S. BRAUNBERG, DAVE LEVY, MORT SPRING, CHARLES K. STERN, FRED MITCHELL, EUGENE PICKER, WILLIAM KELLY, EDWARD W. AARON, J. BIZHALER, M. L. SIMONS, JESSIE MILLS, JACK E. FLYNN, FRANK MCROY, CHARLES DEESON and H. CLEARY. Several executives made speeches, but all had a great time nevertheless.

•

The LYNN FARNOLS finally won out over decorators, carpenters, plumbers and the like and are now ensconced in their new house in the East Sixty-seconds. By way of observing the victory, they gave a dinner party for a few friends last night.

Quip of the Day

Discussing the wherefors of why so many studio heads with good production records are so often dethroned, Mack Shabbus, Hollywood exhibitor, states the reason as "on account of they violated a gentleman's agreement."

"What gentleman's agreement did they violate," asked an innocent bystander.

"They purposely produced pictures that made money."

JOE SEIDELMAN's card from Honolulu must have been slow in getting here, for yesterday Columbia received word he had reached Sydney which, normally, is in Australia.

•

JANE and KATHERINE LEE, grown up now, have been added to the cast of "Parade," forthcoming Theatre Guild contribution to the revolutionary theatre.

•

JAMES CLARK of Horlacher's, Philadelphia, arrives tomorrow and will stay over for the open Ampa meeting on Thursday at the M. P. Club.

•

CRESSON SMITH gifted JOHNNY O'CONNOR with a white carnation in honor of the latter's blessed event over the week-end.

•

W. RAY JOHNSTON did not hit town yesterday from Atlanta as planned. Wednesday looks the like the day now.

•

CESAR ROMERO is here on a short vacation from the coast. He's at the Lombardy.

•

IRENE DUNNE will hold forth at a cocktail party at the Ambassador this afternoon.

•

NATE BLUMBERG was in Chicago yesterday and finishes his RKO theatre tour by arriving back in New York probably on Wednesday.

•

MEYER FINE, HENRY GREENBERGER, OSCAR STOTTER and MORRIS BERKOWITZ, who arrived from Cleveland over the week-end to attend appeal hearings on two clearance and zoning cases in which they are involved, are combining pleasure with business and will stay over a couple of days to take in a few shows. FINE and GREENBERGER have their wives with them.

•

ED KUYKENDALL, DAVE PALFREYMAN, ARTHUR LEE, GEORGE WEEKS, IRVING LESSER, MITCHELL KLUPT, ED FAY, JULES LEVY, GEORGE BATCHELLER, JAMES A. FITZPATRICK, COLVIN BROWN, MARTIN B. DICKSTEIN, MORRIS KINZLER, MONROE GREENTHAL and LYNN FARNOL gathered at the Tavern for tete-a-tetes yesterday.

•

Compliance Director SOL A. ROSENBLATT returned to Washington yesterday without indicating when he'll call another meeting of the NRA fact-finding committee on the local operator situation.

•

AUSTIN KEOUGH is slated to return from Atlantic City today. He's been taking it easy for the past 10 days, inhaling plenty of salt air.

•

GRADWELL SEARS flits to the golden coast today. He was due to go yesterday, but decided to postpone the trek at the last minute.

•

HELEN CHANDLER essayed one of the leads in "The Dominant Sex," stage play which opened at the Cort last night.

•

HARVEY DAY, special representative of Terry-Toons, is back in town after a six week tour of key city exchanges.

•

TYREE DILLARD, JR., Campi legal head, was a visitor at NRA headquarters in the Capital yesterday.

•

LOUIS HYMAN, Sol Lesser's personal representative, is due by plane from Hollywood tomorrow.

•

SPYROS SKOURAS planes to the coast today and will be gone from 10 days to three weeks.

•

JACK COHN and ABE MONTAGUE may leave the coast today for local stamping grounds.

•

MONROE GREENTHAL tripping the light fantastic at the Versailles over the weekend.

•

CHARLES SONIN, M-G-M and Loew purchasing head, is due from Cleveland today.

•

...Baltimore

EDDIE KIMPEL, manager of the Capitol, promoted in the Associated group and EDWARD KIMPEL, Sr., enters the business as manager of the Capitol....FRANK PRICE, Jr., for many years manager of the Rivoli, is one of the incorporators of Vehicle Ads, Inc....EDWINA WILMOT ANDERSON has resigned her postion as special theatre tie-up supervisor in the classified department of the *Baltimore News-Post* and *Sunday American* and MRS. A. POWELL succeeds....MRS. POWELL previously had the same job....

Allied to Get Sales Report on Thursday

A report on the survey conducted by a special committee to study distributors' sales policies for 1935-36 will be made to Allied of New Jersey at its meeting April 16th at the Douglas Hotel, Newark.

Today's and next Tuesday's meetings will be held at the Lincoln Hotel here. Sidney Samuelson is attending the two-day Allied Theatre Owners of the Northwest session in Minneapolis today.

The unit is awaiting action in Washington on the code before new moves are to be made on the code and music tax.

Skouras Calls Group On a New FWC Drive

LOS ANGELES, April 1.—With the wind-up of the 13-week drive yesterday, Charles Skouras today called a meeting of Fox West Coast district managers for tomorrow to discuss details of a new drive for the same duration which gets under way immediately.

Skouras stated there would be no switches in the operating setup as a result of Reeves Espy joining Samuel Goldwyn.

German Film Meet Set

BERLIN, April 1.—Delegates of a dozen countries are expected to arrive here shortly to attend the International Film Congress scheduled for April 25-May 1. Besides the foreign visitors, some 700 members of the National Ass'n of German Film Theatres will be here at the same time attending their own convention.

Subjects of fundamental interest to the industry will be discussed and leading films from all countries will be shown.

Wall Street

Columbia Leads Gain on Big Board

	High	Low	Close	Net Change
Columbia vtc	41	41	41	+1½
Cons.	4½	4½	4½	+ ⅜
Cons. pfd (1v)	17⅛	17	17	.....
Eastman (5)	120¼	119¾	120⅛	+ ⅜
Fox "A"	9¼	9⅛	9¼	— ¼
Loew's, Inc. (2)	35¾	35⅜	35⅝	+ ¼
Paramount	2⅝	2½	2½	.....
Pathe	⅝	⅝	⅝	.....
Pathe "A"	11¼	11⅛	11⅛	— ⅛
RKO	1½	1⅜	1½	—1⅛
Warner	2⅛	2⅜	2⅜	— ⅛

Technicolor Gains on Curb

	High	Low	Close	Net Change
Technicolor	18⅞	18¾	18⅞	+ ⅛

Loew Bonds Show Gain

	High	Low	Close	Net Change
General Theatre Equip. 6s '40	7⅛	7	7	.....
General Theatre Equip. 6s '40 ctf	7	6⅝	6⅝	.....
Loew's 6s '41 ww deb rights	105	104¾	105	+ ⅛
Paramount F. L. 6s '47	71	70½	71	.....
Paramount Publix 5½s '50	72	71¾	72	— ¼
Pathe 7s '37 ww	103⅜	103⅜	103⅜	.....
Warner Bros. 6s '39 wd	50¼	50	50	— ¼

(v) Paid this year on account of accumulations.

(Quotations as at close of April 1)

go into your dance



Learn the sensational new step called "Dancing In the Streets"! It's going to be all the vogue with Warner showmen as soon as they get a glimpse of our latest and greatest musical! You can learn all the steps in four easy lessons, starting now with

step no. 1 . . .

Get the press sheet, just out, and plant publicity mats and stories that will tell the town you're going to bring them **AL JOLSON** and **RUBY KEELER** *together* for the first time in "Go Into Your Dance".

A First National Picture

Cleveland to Set Up a New Singles Pact

(*Continued from page* 1)

fied with the result of single features. They claim they made more money during the 1934-35 season with singles than during the 1933-34 season with duals. The half dozen houses opened since the agreement was signed, and therefore not affected by the terms of the agreement, are playing duals and causing unrest in their particular zones in theatres committed to singles.

Circulation of a new agreement is designed to do away with doubt as to when the current agreement expires. The various interpretations are that it expires July 8, that it expires Sept. 1, when the new selling season starts; that it expires when all of the 1934-35 product has been played, and that it expires upon the date of exhibition of the first picture released on the 1935-36 schedule. Another meeting of the association will be held this week.

Flint Dual Ban Starts

FLINT, April 1.—The ban on duals went into effect today in accordance with an agreement reached among exhibitors early last month.

Despite the ban some houses are doubling because they are allowed only one change per week. Two houses are also booking three-reel westerns as second features to get around the ban.

Already there is considerable dissatisfaction among several exhibitors, and there is the likelihood the man may flop.

The agreement banning duals calls for the use of one double feature program a week and allows exhibitors also to show a "guest" picture on one program each week. It prohibits duals on Sunday.

FWC Asks Dismissal Of Gumbiner's Suit

(*Continued from page* 1)

to a notice filed in Federal court here. Date of hearing is uncertain.

Answering charges of conspiracy on the part of the circuit and producing and distributing companies to eliminate Gumbiner houses in the downtown area, F.W.C. claims the complaint fails to state sufficient cause and asserts the action was not properly brought and contains a misjoinder of defendant parties.

The complaint in the action is that Gumbiner failed to get first run product.

Horwitz Again Granddad

CLEVELAND, April 1.—M. B. Horwitz, head of the Washington circuit and active in both state and national organization work, is a grandfather for a second time. A son, named Stuart Barrett Miller, was born this week to his daughter, Mrs. Richard Miller of this city.

Goldwyn in Wednesday

Samuel Goldwyn, accompanied by Mrs. Goldwyn, arrives here tomorrow on the *Olympic*. The boat is delayed one day.

Four-Star Performance Starts



Photo by Cosmo-Sileo Co.

Throng at Motion Picture Club yesterday shortly after The Show of Showmanship, sponsored by the Managers' Round Table Club of Motion Picture Herald officially got under way.

Herald Showmanship Show Draws Crowd to M. P. Club

(*Continued from page* 1)

big Q.P. exhibit, 8 ft., 10 in. x 7 ft., 6 in., showing Vice-President Garner presenting the grand Quigley Award lost some of its brilliance for the time being, but Van Leer was equal to the occasion. He pulled a fuse out of some place, and the return of electricity started some of the latest hit tunes from "Roberta" over in the RKO exhibit. A big cardboard cutout of Katharine Hepburn smiled at the crowds.

Was it a show? It was. Almost as crowded, in fact, as the sidewalk in front of the Palace.

And there were souvenirs! At the United Artists exhibit where Train Dispatcher Alvin Adams was seeing that the U.A. Limited didn't leap the tracks and hit Vice-President Garner in the shins they gave away cigarettes in neat packages. Over at the M-G-M layout they had beer pads, cocktail mixers that mentioned "Naughty Marietta," and other things. In the RKO corner they had a style show done in cardboard. On rows and rows of tables were enough campaign books to sell a year's output of all the major companies and some of the independents.

Flashlights gave the effect of a summer electrical storm, but there was no thunder. "Gato" blinked, but Capt. Volney Pfeifer explained he was used to it.

Russ Moon of Fox eased through the narrow passageways with some difficulty, but finally got an angle where he could cast an approving eye on his exhibit. Gordon White put the final O.K. on what Educational had to offer and Abe Waxman admired the Gaumont British art.

Executives came in to see what their employes were doing. Felix Feist and Budd Rogers were noted among them. Harry Brandt, Major Leslie E. Thompson, Sam Rinzler, A. H. Schwartz, Jack Springer, Harry Charnas, Si Fabian, L. F. Blumenthal, Laurence Bolognino, E. M. Hart, R. E. Knight, Warren Slee, William Brown, Robert Guere, Harold Van Vorst, Howard Dietz, Si Seadler and others dropped in.

Today Grover Whalen will present the new Quigley Awards at the club forum, and Paul Hollister, vice-president in charge of advertising of R. H. Macy & Co.; Barron Collier, Jr., Bruce Barton, Alden J. Cusick and others will speak. The proceedings will be broadcast over WHN and WMCA here and WIP in Philadelphia. Martin Quigley and Albert and Harry M. Warner will be among those present.

Thursday will be Ampa day. Following the weekly luncheon the members and guests will inspect the exhibits.

This is the first of what will be an annual showmanship show. It is sponsored by the Managers' Round Table Club of *Motion Picture Herald* and is scheduled to run four days, ending Thursday night.

Sherman Doing Westerns

HOLLYWOOD, April 1.—Harry Sherman has closed a deal to produce six westerns for Paramount. Shooting will be concentrated at the Prudential studios.

Para. Ups Thomson

SALT LAKE CITY, April 1.—R. D. Thomson has been made Paramount branch manager here. He takes the place of C. H. G. Epperson, resigned. Thomson was a salesman at St. Louis.

Fox Loses in His Last Move On Tri-Ergon

(*Continued from page* 1)

using the sound equipment of other manufacturers, becomes effective.

Today's decision of the Supreme Court came as a surprise. It had not been expected when the petition for a rehearing was filed on Friday that a decision would be announced before April 8.

In applying for a rehearing of the flywheel case Tri-Ergon held that the Supreme Court had erred in throwing out the disclaimer in the case and that in deciding the flywheel claim invalid for want of invention it had made statements not supported by, or in contradiction with, the record.

Authors Can't Agree On "Fury's" Future

Harry R. Irving, author of the play, "Bohunk" on which "Black Fury" is based, disagrees with Judge M. A. Musmanno and the latter's announced intention of opposing New York censor changes in the picture through injunctions and the courts.

In a letter to Musmanno, Irving states he does not desire to be a party to "any intrusion, legal or otherwise, upon the rights and prerogatives of the New York Board of Censors.

"I am not personally aware of any action with respect to any deletions by the censors anywhere from the picture and, candidly, I do not believe that it lies within the province of either of us to contest any action taken by a public or quasi-public body. It would appear to me that this is the function only of the producers, Warner Bros., who is in the final analysis the party most proximately concerned."

Warners Get No Word

The Warners had no word by late yesterday as to decision of the New York censor board on "Black Fury." The picture is slated to open at the Strand tomorrow night with "The Case of the Curious Bride" the substitute attraction in case the Muni picture does not clear.

Observe Loew Birthday

BOSTON, April 1.—The 38th birthday of Elias M. Loew was celebrated with a party at his home in Hyde Park. Entertainment and music was brought from nearby E. M. Loew theatres. About 100 guests attended. Herman Rifken presented Loew an elaborate drinking cabinet. Loew recently returned from Miami.

Brings Keene Film In

Walter Futter arrived from Hollywood yesterday with a print of "Hong Kong Nights," first of a series of action pictures starring Tom Keene. Five others are planned. The producer is here to arrange distribution.

Katz Coming East

HOLLYWOOD, April 1.—Sam Katz, knee deep in production at M-G-M, is figuring on a trip to New York soon.

4 ★★★★ IN THIS THRILLER AND THAT'S NEWS



Public Enemy No. 1 of all the world!

THE MAN WHO KNEW TOO MUCH

NOVA PILBEAM • PETER LORRE
LESLIE BANKS • EDNA BEST

DIRECTED BY ALFRED HITCHCOCK

PHYSICAL DISTRIBUTION • FOX EXCHANGES • CANADA REGAL FILMS, LTD.

HELD OVER MAYFAIR, N. Y.

"Swiftest screen melodrama this column can recall." —*Times*

"Best shocker Broadway has seen in months." —*World-Telegram*

"Fast-moving thriller packed with action." —*Journal*

"Holds audience spellbound with terror and suspense." —*American*

Para. Assents Exceed Total Law Requires

(*Continued from page* 1)

of general claims, Paramount Publix and Paramount Famous Lasky bondholders have assented to the plan and creditor banks have also approved it. The Paramount Broadway bonds, outstanding in the amount of $8,875,000, were the last to reach the required two-thirds quota. The deposits of these bonds yesterday passed the $6,300,000 mark, or more than 70 per cent of the issue.

The acceptances of the plan by the creditors are taken as final assurance that no effort to change the proposed new Paramount board will be made by any of the influential creditor groups. Opposition to the board is expected to be voiced Thursday, but the lack of strength behind the objectors is seen as discrediting their efforts.

Yoost Petition Up Tomorrow

The petition of William Yoost, exhibitor and holder of 20 shares of Paramount stock, for leave to intervene in the Paramount reorganization proceedings for the purpose of opposing the proposed settlement of Erpi's $1,900,000 claim against Paramount, and involving new domestic recording license agreements, was filed in Federal court here yesterday, returnable before Judge Henry W. Goddard tomorrow.

Meanwhile, Yoost's attorney, Ralph Vatner, filed an order to show cause why Special Master John E. Joyce should not stay the proceedings on the claim settlement until the application for intervention has been decided.

In an affidavit filed with Joyce last week, in which Vatner attacked Paramount's proposed new Erpi license agreement, Yoost was described as being the holder of $23,000 of Paramount bonds. In the papers filed yesterday Yoost was described as a stockholder. There is no record of Yoost as a Paramount bondholder, but the records show that he holds 20 shares of stock. Vatner is counsel for the American Society for the Protection of the M. P. Theatre, largely known for unrestrained attacks on "big electrics."

$191,972 Claims Expunged

Orders expunging claims against Paramount Publix totaling $191,972 and the reduction of additional claims totaling $25,195 to $1,689, were signed yesterday by Federal Judge Alfred C. Coxe.

Among the claims expunged were those of Tobis-Tonbild for $111,119, Warner Bros., $75,000, and Eastman Kodak, $4,740. The claims reduced were those of Paramount Prod. against Paramount Publix, a claim of $25,000 reduced to $1,500, and a Fox Film claim of $195.75, reduced to $189.

Resume Case Thursday

Eugene Picker of Loew's returned to his office yesterday after having been out several days with a bad throat and the local clearance and zoning board will reconvene Thursday to deliberate on the Century-RKO clearance wrangle in Long Island.

No Opposition Made To Para. Contracts

(*Continued from page* 1)

can be assumed by the new company following its reorganization.

Among the contracts are many continuing agreements with theatre affiliates such as B. & K., Saenger, Rickards & Nace, M. A. Lightman, Fitzpatrick-McElroy, Famous Players Canadian, Olympia, M. &. P., Jefferson Amusement Co., Southern Enterprises, A. H. Blank, Dent Theatres, Publix Northwest and Minnesota Amusement Co. The list also includes contracts covering long term film franchises with various circuits, Erpi foreign licensing agreements, contracts for foreign distribution of Paramount pictures and theatre lease guarantees by the parent company.

Levy Objections to Para. Board Listed

A list of objections to the proposed new board of directors of Paramount, together with the suggestion of five alternative names for the board, was completed yesterday by Louis M. Levy, who says he represents Paramount stockholders, for presentation to Federal Judge Alfred C. Coxe at the scheduled hearing Thursday on confirmation of Paramount's reorganization plan. Immediately on its completion the Levy brief was telephoned to the press.

Levy's objections to the proposed board are that some of the nominees, he asserts, are associated with companies whose interests extend to the affairs of Paramount's film competitors; that only three of the proposed board of 16 have had film experience, and that some of the nominees have been identified with the formation in Paramount of policies which led to the company's financial embarrassment.

He suggests that the board should include "men of the type" of Carl W. Ackerman, dean of Columbia School of Journalism; George S. Kaufman, playwright; Charles Francis Coe, writer and editor; Guthrie McClintic, playwright, and Hugh J. Reber, of J. Walter Thompson, whom Levy also regards as a suitable advertising and publicity head for Paramount, he says.

Canadian City Joins Copyright Fee Fight

TORONTO, April 1.—The City Council of Stratford, Ontario, has taken up the cudgels in behalf of theatres and musical organizations in a protest against the powers claimed by the Canadian Performing Rights Society which recently doubled the annual license fees for theatres and individual charges for others for the presentation of copyrighted compositions.

Stratford adopted a resolution in which it was decided to enlist the cooperation of other Canadian municipalities in a protest to the Federal Secretary of State regarding the exercise of control of musical works.

C. H. Cahan, Secretary of State, has announced that a Royal Commission has been appointed by the Dominion Government to conduct an inquiry into the rights and practices of the Performing Rights Society.

Yamins Raps Code At Northwest Meet

(*Continued from page* 1)

exhibitor on the short end of the deal.

Yamins recommended complete revision of the code and a 50-50 Campi, with no exhibitor in partnership with a distributor considered as a member.

Two hundred exhibitors were in attendance at the opening of the convention.

The convention was called to order by President Al Steffes and the address of welcome was delivered by Mayor A. G. Bainbridge. Reports of officers, the appointment of committees, discussion of the code and industry problems and the nomination of officers were the order of business for the opening day.

At noon the Allied men lunched with members of the Variety Club, being greeted by Chief Barker E. R. Ruben, Chief Justice John P. Devaney of the State Supreme Court, Father John Dunphy and T. A. Burke.

Steffes declined being considered for any office and recommended a board consisting of men outside the Twin Cities to run the organization, with a paid secretary. The nominating committee will report Tuesday morning.

Tuesday's session will be devoted chiefly to addresses by Sidney Samuelson, Abram F. Myers and H. M. Richey, national president, counsel and secretary, respectively, as well as Yamins.

The convention will be brought to a close in the evening by a banquet at which the speakers will be Gov. Floyd B. Olson, Mayor Bainbridge, Myers, Samuelson, Richey, Yamins and Theodore L. Hayes, veteran theatre man of the Northwest. Entertainment will be supplied by Lupe Velez and members of the stage show at the Orpheum. Dancing will follow the banquet.

Bennie Berger is chairman of the convention committee, other members of which are Hayes, William Elson, A. A. Kaplan, Otto Raths, Sidney Volk, E. R. Ruben, Oscar Woempner, Max Toroder, L. Rubenstein, Joseph Friedman, George Granstrom and Fred Holzapfel.

All of Cleveland's Zone Cases Appealed

All of the clearance and zoning cases heard and decided by the Cleveland board have been appealed, Frank Gross, independent exhibitor member of that body, stated yesterday. Gross estimates that there are about 20 cases.

En route to Toronto where he will spend a few days' vacation, Gross yesterday listened to two appeals from the Cleveland zoning board. He said he wanted to get an idea how the appeals committees work.

The two cases involved the same operators with Meyer Fine and Henry Greenberger of the Liberty, Cleveland, appealing from unanimous decisions rendered in favor of the Ambassador and Ritz. The local board declared the Ambassador non-competitive to the Liberty and put the theatre in another zone. The same verdict was handed down for the Ritz.

Appearing on behalf of the Ritz and Ambassador were Oscar Stotter and Morris Berkowitz, with the latter doing all the talking.

When it was learned that F. Thomas Murray was to be an appeals committee of one, the Cleveland litigants insisted on a full committee of three. William T. Powers, attorney for Fox West Coast, and Sidney Justin, legal representative for Paramount, who were representing their companies on St. Louis and Milwaukee clearance and zoning appeals, were drafted by John C. Flinn to round out the full committee demanded by the Cleveland exhibitors.

Denver Case May Govern Code's Fate

(*Continued from page* 1)

will have to be considered by the National Recovery Administration following the enactment of legislation continuing the recovery act.

While the tentative bill introduced last week by Senator Harrison of Mississippi provides that codes shall apply only to industries engaged in interstate commerce or whose operations substantially affect interstate commerce, that provision was so broadly written as to practically permit the Recovery Administration to classify in either category those businesses which, like exhibition, are in the "twilight zone."

Hold Injunctions Possible

DENVER, April 1.—Opinion here is that, as a result of Federal Judge J. Foster Syme's ruling that exhibition is not interstate commerce, any exhibitor going into court in this district could get a temporary injunction preventing Code Authority from interfering with film supply until the Huffman case has been decided on appeal.

The other angle of the court's ruling declaring the state NRA act unconstitutional came about because the Government attorneys had made it an issue in the case and because a state court judge recently declared the act unconstitutional in a plumbing case.

Another hearing is to be held in the Huffman case for a ruling on the Government's contention that Huffman's operations here constitute a monopoly and are restraint of trade within the meaning of the Sherman anti-trust law and Clayton Act.

The case came back to the U. S. District Court here after the Circuit Court of Appeals in Oklahoma City had upheld the temporary injunction obtained by Huffman following a decision of the grievance board in which his film supply was ordered stopped because he refused to end automobile giveaways at his theatres.

Huffman controls Denham Theatre, Inc., General Theatres, Inc., and Aladdin Theatre Corp., circuit of eight houses in Denver. Byron Rogers, assistant attorney general, has been representing the Government and Campi, assisted by Special Attorney Maston G. White of Washington.

No announcement has been made here as to whether the Government will take an appeal, but it is assumed that it will as soon as the monopoly angle has been ruled upon. In the meantime, Huffman continues his giveaways.

"Wise Counsel" Is Hays Plea on Tax

(*Continued from page* 1)

hope that "wise counsel" will prevail in the California legislature.

"Realizing the responsibilities of government and the accentuation by present emergencies, we, as responsible factors in this business, are vitally concerned also, as we are part of that government and those responsibilities," he said in part. "The industry has always borne a heavy load of taxation and contributed more than a normal share of the expenses of government.

"Rising taxes cannot be met with commensurate raise in prices or in a reduction of costs because of restrictions inherent in the business and the nature of the art. Quality cannot be lowered and the industry is now carrying its ultimate tax burden. It is important whether there shall be class legislation aimed particularly at the film industry. Should this develop, stockholders, company employes and the public attending theatres could not meet the increased discriminatory charge. It is time for cool heads, temperate statements. Many situations are soluble when approached in the spirit of neighborliness and community interest. I am hopeful wise counsel will prevail in the California legislature."

Midwest Overbuying Case Filed in K. C.

KANSAS CITY, April 1. — Fox Midwest is charged with having tied up practically all major product in an overbuying complaint filed here by J. Erwin Dodson, Casino, Excelsior Springs, Mo., operating in opposition to the Fox Beyer, same city.

Dodson states the only product he has been able to buy is Majestic and Consolidated exchanges' independent releases and some Columbia and Midwest features. He charges the circuit has selective contracts with Columbia and Midwest and a monopoly of other product.

For this reason, asserts Dodson, he has been able to operate only two days a week and unless he can secure enough pictures to operate seven days a week his investment will be a total loss. Dodson recently took over the Casino, which was opened several months ago.

Dodson has filed a certificate of compliance agreeing to quit bank night, after Campi so ruled in order that a cease and desist order may become effective against the Fox house, which ran cash night.

A compliance certificate has also been signed by Glen Klock, Neodesha, Kan., and now it will be necessary for A. B. McNabb, same town, to discontinue bank night.

Fox Midwest has appealed a bank night desist order against its theatre at Boonville, Mo.

Dismiss Baron Case

BOSTON, April 1.—The complaint of Joseph J. Baron, Grand, West Warren, Mass., in which he sought elimination of the 30-day clearance held by the Poli, Springfield, has been dismissed by the grievance board without prejudice on the ground that all parties at interest were not included in the complaint. The towns are 28 miles apart.

Stop Prizes in Popcorn

OMAHA, April 1. — E. E. Seff, manager of four Sioux City, Ia., houses, has suffered his fourth reverse at the hands of the local grievance board. He has been ordered to stop an alleged lottery via the "popcorn" route. Seff originated the idea of drawings for merchandise and cash prizes by allowing patrons to draw numbers from popcorn sacks they purchased in the lobby of his two theatres, the Circle and the Loop, customers holding lucky numbers being given awards from the stage.

The scheme was closely allied to bank night on which Seff had been previously stopped by Code Authority on two occasions. Complainants were Nathan Dax manager of the Hipp and Iowa, and P. H. Gelfand, manager of the Garden.

Set Norwalk Clearance

CLEVELAND, April 1. — Sandusky's seven-day protection over Norwalk will be eliminated whenever the price at the Norwalk Forum equals or exceeds the scales at the State and Ohio, Sandusky, under a decision of the grievance board. The complaint was brought by the Forum.

Stop Buffalo Cut Rates

BUFFALO, April 1.—Cease and desist orders in lowered admission cases have been issued by the grievance board against the Auburn Capitol and the Majestic here, operated by Ted Rosen.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Reckless"

(*M-G-M*)

HOLLYWOOD, April 1.—Superb production plus big draw cast names makes this a certain money picture. The story, doubtless inspired by the Smith Reynolds-Libby Holman headlines, gives Jean Harlow, William Powell and Franchot Tone great opportunities.

Starting as a three-cornered courtship with Sports Promoter Powell battling Millionaire Playboy Tone for Miss Harlow's favor, the dialogue sparkles and the action speeds along until Miss Harlow and Tone wake up one morning to find they had married the night before. Then Tone remembers Rosalind Russell, to whom he has been engaged. Taking Miss Harlow home, he finds himself still in love with Miss Russell and in the bad graces of his father (Henry Stephenson), as well as his social-ite friends.

When Miss Russell marries another, Tone drinks heavily at the wedding and berates his wife. Miss Harlow returns to Powell and tells him a divorce is impossible as she is expecting. Tone, still drunk, follows Miss Harlow and shoots himself. Powell and Miss Harlow are charged with the murder and acquitted, but the latter releases all claim to the family fortune in return for absolute custody of her child.

Powell and Miss Harlow are both penniless, so she returns to the stage with opposition from women's clubs. Powell borrows money and backs the production himself. On the opening night Tone's friends hiss until Miss Harlow, in a convincing speech, begs permission to finish. The audience is swayed and cheers the finish as Miss Harlow nods consent to Powell in the wings.

Three musical numbers are introduced and all but lost in the story, with "Reckless," by Oscar Hammerstein and Jerome Kern, the only one clinging to the memory. All the supporting roles are filled to perfection by May Robson, as Miss Harlow's grandmother, and Ted Healy and Nat Pendleton as Powell's bodyguards.

Victor Fleming's direction and P. J. Wolfson's screen play are intelligent throughout with David O. Selznick's production lavish.

The film's appeal hits all types of audiences and should be favorably received. No production code seal. Running time, 105 minutes. "G."

Extra Talks Held Success by Marcus

HOLLYWOOD, April 1. — Eugene H. Marcus returned here today from Washington, where he officially represented all Hollywood extra organizations, numbering around six, with the exception of the Screen Actors' Guild, in a series of registration conferences with Compliance Director Sol A. Rosenblatt.

Marcus and Rosenblatt agreed official announcement on the proceedings should come from the latter. However, Marcus stated here unofficially that the trip was completely successful, with Rosenblatt acceding to all the wishes of the extra organizations.

Lewis' Body in Chicago

CHICAGO, April 1.—The body of Harry Lewis, pioneer distributor, who died in New York, has arrived here for interment. Surviving are two sons, Phillip and Max. Lewis once owned the Chicago Film Exchange. He was 83 years old.

John F. Delaney Dead

TORRINGTON, Conn., April 1.—John F. Delaney, former theatre manager and former president of the Torrington Theatrical Employes Union, is dead here. Death was due to heart attack.

Anna May Keeler Dies

LOS ANGELES, April 1.—Anna May Keeler, 18, Ruby Keeler's sister, died of an intestinal ailment yesterday at the Good Samaritan Hospital.

New Taxes Looming On Ohio's Program

(*Continued from page* 1)

setup, on which, it is understood, Gov. Davey is in agreement.

Although no definite program has been decided upon, it is definitely known that one contemplates a personal income levy, together with a chain store tax and an occupational impost. It has been suggested that food and clothing be exempted, and a special tax be assessed by doctors, dentists, lawyers, architects and other professions which do not now make a charge because they render a service rather than sell a commodity.

The Legislature, which today goes on a five-day week instead of four days as heretofore, is expected to take action.

Coast Censor Bill in Air

SACRAMENTO, April 1.—The fate of the pending censorship bill seems to hang on whether or not women's organizations bring pressure for its passage. Governor Merriam has reiterated his opposition to the creation of any new commissions, but has said that where there is a strong public demand exceptions may be made.

The Assembly has passed a bill limiting the work of female domestics to eight hours a day. Another bill making this hour limitation apply to all women workers is on the Assembly floor.

The San Francisco Chamber of Commerce has asked the Governor to veto all skeleton bills not completely printed 10 days before committee consideration.

Amends Stamp Tax Bill

SACRAMENTO, April 1.—Assemblyman Laughlin has amended his skeleton bill, making the stamp tax half a cent a foot on all films distributed in California. He said he would ask for a hearing on the measure before the revenue taxation committee Tuesday night.

A stiffer bill calling for a cent-a-foot rate is apparently dead in committee, with Assemblyman Morgan, its sponsor, having no plans at present to force it to the floor.

Pelton for Florida As a Studio Center

(*Continued from page* 1)

parative humidity and climatic table from Washington.

Upon Governor Dave Scholtz's recommendation, according to Pelton, Mayer already has ordered counsel in Hollywood and here to draw tentative legislative recommendations to meet the convening date of the Florida body which begins April 2 and runs 60 days. The Governor demands the enactment of film legislation during this session and has said he will call no special sessions.

Warners Plan New British Sound Stage

HOLLYWOOD, April 1.—Irving Asher, Warner British production executive, tomorrow flies to New York, from where he will sail for England with authorization to build a giant sound stage at the Teddington studios, London. Warners' new program at the English studios calls for 24 films, the same as this season.

"Roberta" Up, Down in Twin City Holdover

MINNEAPOLIS, April 1. — "Roberta" had a checkered second week. It was strong here, getting $6,500 at the Orpheum, but across the river it died at $2,500 in the Orpheum.

"Ruggles of Red Gap" held up to $4,300 at the Century. "Sequoia" was strong in the St. Paul Riviera at $4,000, and "The Iron Duke" had a fine $2,500 at the World, but elsewhere business was slow.

Total first run business in Minneapolis was $22,800. Average is $21,500. Total in St. Paul was $17,500. Average is $15,500.

Estimated takings:

Minneapolis:

Week Ending March 27:

"RUGGLES OF RED GAP" (Para.)
CENTURY (1,650), 25c-40c, 7 days, 2nd week. **Gross:** $4,300. (Average, $4,000)

"SHADOW OF DOUBT" (M-G-M)
LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending March 28:

"ROBERTA" (Radio)
ORPHEUM—(2,900), 25c-40c, 7 days, 2nd week. Stage show. **Gross:** $6,500. (Average, $5,500)

"DEVIL DOGS OF THE AIR" (Warners)
STATE—(2,300), 25c-40c, 7 days. **Gross:** $5,000. (Average, $5,500)

"THE MYSTERY MAN" (Monogram)
PALACE—(900), 15c-25c, 7 days. Five acts vaudeville. **Gross:** $2,500. (Average, $2,000)

"THE SCARLET PIMPERNEL" (U.A.)
WORLD—(300), 25c-55c, 7 days. **Gross:** $3,000. (Average, $3,000)

St. Paul:

Week Ending March 28:

"DEVIL DOGS OF THE AIR" (Warners)
PARAMOUNT—(2,300), 25c-40c, 7 days. **Gross:** $5,000. (Average, $5,500)

"SEQUOIA" (M-G-M)
RIVIERA — (1,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

"ROBERTA" (Radio)
ORPHEUM—(2,000), 25c-40c, 3 days, 2nd week. Gross: $2,500. (Average for week, $4,000)

"NIGHT LIFE OF THE GODS" (Univ.)
ORPHEUM—(2,000), 25c-40c, 4 days. **Gross:** $2,000. (Average for week, $4,000)

"UNDER PRESSURE"
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"THE IRON DUKE" (Gaumont-British)
WORLD—(300), 25c-35c, 7 days. **Gross:** $2,500. (Average, $1,500)

Vote on Sunday Shows

BEATRICE, Neb., April 1.—Fate of Sunday shows, which has been decided at a number of elections in the past, comes up again for balloting April 9, city commissioners have decided. This is the last major town in Nebraska to have the lid on Sunday entertainment. Owing to a peculiarity in the wording of the petition, voters will cast ballots for or against other Sunday amusements besides films. This will probably include baseball.

C. H. "Dad" Roach Is 75

HOLLYWOOD, April 1.—C. H. "Dad" Roach, father of Hal Roach and secretary and treasurer of the comedy studio in Culver City, celebrated his 75th birthday.

He has been active in the film business since organizing the old Rolin Studios 20 years ago.

"Life Begins" $14,500 Smash In Cleveland

CLEVELAND, April 1. — "Life Begins at 40" ran away with the big business here last week by hitting $14,500, more than double normal, at Warners' Hippodrome.

In spite of this heavy drain three other spots were above par. At the RKO Palace "The Whole Town's Talking" grabbed $19,000, up by $4,000; at the Circle "Lottery Lover," with Ann Pennington on the stage, was up by $2,500 on a $5,500 take, and at Loew's State "West Point of the Air" had a fine $12,500. "Roberta" took $4,300 in four days of its third downtown week at the Allen.

Total first run business was $60,050. Average is $41,000.

Estimated takings for the week ending March 29:

"HELLDORADO" (Fox)
ALLEN—(3,300), 25c-35c, 3 days. **Gross:** $950. (Average for 7 days, $3,000)

"ROBERTA" (Radio)
ALLEN—(3,300), 30c-35c-42c, 4 days, 3rd week downtown. **Gross:** $4,300. (Average, for 7 days, $3,000)

"LIFE BEGINS AT 40" (Fox)
WARNERS' HIPPODROME — (3,800), 30c-35c-42c, 7 days. **Gross:** $14,500. (Average, $6,000)

"THE WHOLE TOWN'S TALKING" (Col.)
RKO PALACE—(3,100), 30c-40c-60c, 7 days. Stage: Duke Ellington and his orchestra. **Gross:** $19,000. (Average, $15,000)

"WEST POINT OF THE AIR" (M-G-M)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $12,500. (Average, $10,000)

"CAR 99" (Para.)
LOEW'S STILLMAN—(1,900), 25c-35c, 7 days. **Gross:** $3,300. (Average, $4,000)

"LOTTERY LOVER" (Fox)
CIRCLE—(1,925), 20c-25c-30c, 7 days. Stage: Ann Pennington and vaudeville. **Gross:** $5,500. (Average, $3,000)

"Roberta" a Smash Hit in Providence

PROVIDENCE, April 1.—"Roberta" was a sensation at the RKO Albee. It ran up to $13,000, which was $6,000 over normal, and was held over.

"Ruggles of Red Gap" was also a big money-maker, with "Mystery Man" as the other half of a dual bill. The take at the Strand was $8,800, over par by $2,300.

Fay's was over par with a strong vaudefilm program and the Majestic did average business with "The Good Fairy" and "Life Begins at 40."

Total first run business was $45,450. Average is $40,500.

Estimated takings for the week ending March 28:

"RUGGLES OF RED GAP" (Para.)
"MYSTERY MAN" (Monogram)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $8,800. (Average, $6,500)

"THE GOOD FAIRY" (Univ.)
"LIFE BEGINS AT 40" (Fox)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"THE GREAT HOTEL MURDER" (Fox)
FAY'S—(1,600), 15c-40c. "Tattle Tales" revue, on stage. **Gross:** $7,200. (Average, $7,000)

"WEST POINT OF THE AIR" (M-G-M)
"I'LL LOVE YOU ALWAYS" (Col.)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $8,100. (Average, $12,000)

"ROBERTA" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. Vaudeville and short features. **Gross:** $13,000. (Average, $7,000)

"GIGOLETTES"
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,350. (Average, $1,000)

Marxes Test Gags

Hollywood, April 1.—The Marx brothers have left for a short road tour, during which they will try out the gags to be used in their next picture. Writer Morrie Ryskind is with them, and will watch audience reactions. It is also hoped that this stage preview will enable the boys to time laughs.

"Pimpernel" Pittsburgh's Best, $8,500

PITTSBURGH, April 1.—It was a big week. "The Scarlet Pimpernel" nearly doubled average at the Fulton by getting $8,500.

At the Penn "Folies Bergere," with Ethel Shutta and George Olsen's band hit $23,000, over normal by $4,000.

"Life Begins at 40" raced through its second week at the Alvin with a fine $7,500. "Gold Diggers of 1935" and a dual, "A Night at the Ritz" and "A Dog of Flanders," found the going hard at the Stanley and Warner, respectively.

Total first run business was $50,200. Average is $42,500.

Estimated takings for the week ending March 28:

"LIFE BEGINS AT 40" (Fox)
ALVIN—(2,000), 25c-40c, 6 days, 2nd week. **Gross:** $7,500. (Average, $6,000)

"THE SCARLET PIMPERNEL" (U. A.)
FULTON—(1,750), 15c-40c, 6 days. **Gross:** $8,500. (Average, $4,500)

"FOLIES BERGERE" (U. A.)
PENN—(3,300), 25c-40c, 6 days. Stage: George Olsen's band with Ethel Shutta. **Gross:** $23,000. (Average, $19,000)

"GOLD DIGGERS OF 1935" (F. N.)
STANLEY—(3,600), 25c-40c, 6 days. **Gross:** $7,000. Average, $8,000)

"A NIGHT AT THE RITZ" (Warners)
"A DOG OF FLANDERS" (Radio)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $4,200. (Average, $5,000)

"West Point" and Show Lead Buffalo

BUFFALO, April 1.—"West Point of the Air," helped by a stage show headed by Nina Olivette, was a heavy grosser here last week. It went over par $2,700 for a gross of $17,000 at the Buffalo.

Total first run business was $46,200. Average is $42,800.

Estimated takings for the week ending March 29:

"WEST POINT OF THE AIR" (M-G-M)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Nina Olivette & Co.; Stan Kavanagh; the Christensens, with Ruby Asquith and Jo McKendrick; Nine Uyenos. **Gross:** $17,000. (Average, $14,300)

"CAR 99" (Para.)
"ENTER MADAME" (Para.)
CENTURY—(3,000), 25c-7 days. **Gross:** $5,000. (Average, $6,000)

"ROBERTA" (Radio)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $10,400. (Average, $8,000)

"ENCHANTED APRIL" (Radio)
"MURDER ON A HONEYMOON" (Radio)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $6,600. (Average, $8,000)

"EVERGREEN" (Gaumont British)
"JEALOUSY" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $7,200. (Average, $6,500)

"Life Begins" 2d Week Hit, Philadelphia

PHILADELPHIA, April 1. — "Life Begins at 40" meant money in the bank for the Fox last week. It finished its second week with $16,000, over the first week average by $4,000.

"The Wedding Night" grabbed $8,500 in its second week at the Aldine. This was $1,500 up and it was held for a third week. "Roberta" wound up its third week in a blaze of glory with $12,000 at the Boyd. "Let's Live Tonight," with a stage show headed by Mitzi Green at the Earle, had a fine $14,000.

Booked in as an experimental plug when "Captain Hurricane" faltered after three days, "It Happened One Night" ran out nine days at the Stanton to a gross of $9,500, in spite of competition of simultaneous showings in neighborhood theatres.

Total first run business was $73,000. Average is $67,360.

Estimated takings for the week ending March 28:

"THE WEDDING NIGHT" (U.A.)
ALDINE—(1,200), 35c-40c-55c, 6 days, 2nd week. **Gross:** $8,500. (Average, $7,000)

"SEQUOIA" (M-G-M)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 8 days. **Gross:** $3,400. (Average, 6 days, $2,400)

"ROBERTA" (Radio)
BOYD—(2,400), 35c-40c-55c, 6 days, 3rd week. **Gross:** $12,000. (Average, $12,000)

"LET'S LIVE TONIGHT" (Col.)
EARLE—(2,000), 25c-40c-50c, 6 days. Stage: Mitzi Green, Ross and Edwards, Jean, DeQuincey and Lewis. **Gross:** $14,000. (Average, $12,000)

"LIFE BEGINS AT 40" (Fox)
FOX—(3,000), 40c-55c-65c, 6 days, 2nd week. Stage: Salici Puppets, Robert Weede, three Queens. **Gross:** $16,000. (Average, $12,000)

"FLORENTINE DAGGER" (Warners)
KARLTON—(1,000), 25c-35c-40c, 6 days. **Gross:** $2,800. (Average, $3,500)

"VANESSA" (M-G-M)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 4 days. **Gross:** $1,800. (Average, 6 days, $2,000)

"GOLD DIGGERS OF 1935" (F.N.)
STANLEY—(3,700), 35c-40c-55c, 6 days, 2nd week. **Gross:** $5,000. (Average, 6 days, $12,000)

"IT HAPPENED ONE NIGHT" (Col.) (Revival)
STANTON—(1,700), 30c-40c-50c, 9 days. **Gross:** $9,500. (Average, 6 days, $6,000)

Warner Donates Gym

Harry M. Warner was revealed at a testimonial dinner at the Waldorf Astoria to Warden Lewis E. Lawes as the donor of a 3,000-seat gymnasium to Sing Sing prison last year. The gymnasium was given by Warner in memory of his son, Lewis.

Weiss Closes a Deal

Louis Weiss has closed a deal with M. H. Hoffman for the California distribution by Allied Pictures Corp. of 24 features which Weiss has scheduled for this year. Ten of these have been completed.

William Nigh to Mascot

HOLLYWOOD, April 1.—Albert Levoy of Mascot has signed William Nigh to direct "Headlines," which goes into production next Friday. Vic Zobel will supervise.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 78 NEW YORK, WEDNESDAY, APRIL 3, 1935 TEN CENTS

More Huffman Case Rulings Hanging Fire

Lottery and Monopoly Angles Undecided

DENVER, April 2.—Harry Huffman has succeeded in casting a shadow over the validity of application of the film code to exhibition, but he still faces a ruling on the automobile giveaways which started the Federal court litigation here some weeks ago.

Last week's ruling by Judge J. Foster Symes that after films arrive in a state and are received by a distributor they cease to be in interstate commerce and are not subject to Federal regulation was in reply to a motion by Huffman's attorneys that portions of the Government's complaint be stricken out.

Symes struck out that portion of the Government's answer that claimed

(*Continued on page* 10)

Seven More Frisco Bank Nights Banned

SAN FRANCISCO, April 2.—Herman Cohen, operator of the United Artists, won another round today in his battle to end bank nights here when the grievance board decided against seven more of the 31 theatres involved in his complaint. This brings to 14 the number of theatres against which he has been granted decisions so far.

Theatres against which Cohen was

(*Continued on page* 10)

Production Gains; 41 Features Going

HOLLYWOOD, April 2.—Production jumped a notch last week, the studio production barometer registering 41 features and seven shorts before the cameras compared to 38 and eight for the previous seven-day period.

M-G-M continued to lead the field with nine features working, two preparing and 11 in the cutting room.

(*Continued on page* 12)

Trials at St. Louis May Go Over to Fall

ST. LOUIS, April 2.—Indications here today were that the conspiracy cases against major companies and film executives on which indictments were returned by a Federal grand

(*Continued on page* 12)

Show, Forum and Quigley Awards Pull Big Turnout

By J. M. JERAULD

It was a triple bill yesterday—the Show of Showmanship, the Motion Picture Club forum and presentation of the February Quigley Awards; one of those SRO parties theatre managers have been dreaming about since 1929. In fact, if there had been any more guests they wouldn't have been able to eat their chicken patties without getting their elbows in their fellow diners' ears.

The dais extended from the outskirts of Radio City to the Bond clothing sign, but even at that Harry Hershfield, who came in late, had to balance on the end until room could be found for him .

Reading from left to right were: John Flinn, Edward Douglas, John D. Clark, Harry M. Warner, Colvin Brown, Paul Hollister, Alden J. Cusick, Barron Collier, Jr., John W. Alicoate, Louis Nizer, Grover Whalen, Martin Quigley, Felix Feist, Albert L. Warner, Harry Hershfield, Terry Ramsaye, A-Mike Vogel and R. E. Knight.

After a few words in which he warmly praised the Quigley Publications and the idea of the Show of Showmanship, Alicoate promised the diners a "surprise." He said he would introduce a toastmaster "who didn't like to talk, who didn't like to appear before gatherings—a shy, modest fellow." He then presented Nizer.

Nizer described the show as "magnificent," and pointed out that exploitation had developed from the old days of ballyhoo to presentations both "accurate and attractive." He then introduced Hollister, vice-president of R. H. Macy & Co., in charge of advertising, but pointed out in doing so that, if Hollister were in the film business, he wouldn't be content with one red star, used in Macy advertis-

(*Continued on page* 4)

Amateurs of Radio Prove Theatre Hits

Success of amateur radio tryouts is proving a boon to theatre box offices. In many instances the winners are given week bookings in theatres tied in with the radio stunt.

Loew's is the latest to take advantage of the amateur shows. Louis K. Sidney, in charge of WHN, has notified managers of Loew theatres to take names of applicants for tryouts. The non-professionals will perform at the various Loew houses and the final winners of the 116th St., Fairmount,

(*Continued on page* 4)

Move on to Unionize All Film Inspectors

A move is under way to unionize all film inspectors employed at local exchanges. Several meetings have been held in the last few weeks to crystallize the plan.

About two years ago the same idea cropped up, but was dropped. According to the new plan, an A. F. of L. charter will be sought for the organization, if it goes through, with subsequent moves to be made for a uniform wage scale and hours.

Television to Be on Limited English Basis

By BRUCE ALLAN

LONDON, April 2.—Guest of honor at the annual banquet of the Cinematograph Exhibitors' Ass'n, Sir Kingsley Wood, Postmaster General, stated that an adequate national television service could not be promised for a considerable time. Only one station, in London, could be expected toward the end of 1935, said Sir Kingsley.

Television, he said, would not impair the great power and appeal of

(*Continued on page* 4)

Loew's in with RKO At Denver Orpheum

DENVER, April 2.—Loew's is a partner with RKO in the Orpheum, recently taken over from Harry Huffman. The latter company is operating under the deal.

Cliff Work, western RKO division manager, will include Denver under his supervision. Next month Ben Bernie will play the Orpheum for four days. He will be en route to the coast at that time to appear in another Paramount picture.

Allied Talks Fight on Loew Chicago Moves

Want to Make National Issue of Expansion

CHICAGO, April 2.—Allied leaders will take up the building and theatre acquisition plans of Loew here and elsewhere as a national issue and are preparing to fight the circuit.

A campaign in this direction was discussed here briefly by Abram F. Myers, Sidney Samuelson and Nathan Yamins with Aaron Saperstein, Illinois president, as the national officers stopped off en route to the Minnesota Allied convention. Further details of Allied's activities are expected to develop from the Minneapolis convention and again on Thursday here when they return for further talks with Saperstein concerning the local situation. As the most conspicuous spot in the

(*Continued on page* 8)

Boycott Idea Stirs Allied Enthusiasm

MINNEAPOLIS, April 2.—Suggestions of a nationwide boycott of distributors who threaten the building of theatres to effect the sale of product were cheered at the Northwest Allied States meeting here today. The meeting voted unanimously to support a bill to prohibit compulsory playdate

(*Continued on page* 8)

Fox Western Units Start Fresh May 4

Fox Midwest and Fox Rocky Mountain, units of National Theatres, are expected to be taken out of bankruptcy on May 4, it was learned yesterday. The new name for Fox Midwest will be Fox Midcontinent and will be

(*Continued on page* 12)

Warners' Meet Set For Coast in June

Warners will hold its annual sales convention in Hollywood in June, the date to be set later, according to present plans. Albert L. Warner, Gradwell Sears and A. W. Smith leave by plane the end of the week to confer with Jack Warner on the new production setup.

Prior to the convention, several changes in branch personnel will be made.

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RCA Denies Control Of Communications

WILMINGTON, April 2.—RCA filed an answer in U. S. District Court here today to the Government's charge that it and RCA Communications, Inc., a subsidiary, have a monopoly on international communications.

RCA asserted that it is faced with keen competition with companies that carry 80 per cent of telegraphic communications throughout the world and 99.9 per cent of domestic traffic. It denied that its purpose is to prevent any competitor from engaging in the business of transmitting messages by radio and that any of its international contracts have been made to restrain communications between the United States and foreign countries.

Berg's Sunday Show Bill Passes Senate

ALBANY, N. Y., April 2.—The Berg bill permitting Sunday dramatic and musical shows has been passed by the Senate. Another Berg measure, that calling for one day of rest in seven for employes and performers in dramatic and musical companies, has also been approved by the Senate.

Weiss Completes Two

Louis Weiss has completed "Cyclone of the Saddle" and "Pals of the Range," the latest of his Rough Rider series for Superior Talking Pictures Corp.

Insiders' Outlook

By RED KANN

WITH both eyes turned to our left, that being the general direction of the busy quarters occupied by A. Mike Vogel, chairman of the Managers' Round Table Club of Big Brother *Motion Picture Herald,* we strew sweet-smelling posies at him for his Show of Showmanship idea which reached its blossoming apex yesterday at the forum of the Motion Picture Club. Broadcast over WMCA and WHN, attended by a generous sprinkling of the celluloid high and mighty, theatre exploitation and what it can mean at the box-office came into its long-deferred own . . .

▼

When the product dished out in Hollywood reaches the super-super class which it does on occasion, the grosses which follow are never difficult to nab. Witness "The Gay Divorcee," Fred Astaire's trailing opus, "Roberta"; the various Shirley Temple and Will Rogers attractions; "It Happened One Night" and "One Night of Love," which is by way of giving Columbia its due, but which is not by way of overlooking, deliberately or otherwise, the big noises from other studios. The public, through channels mysterious, ferrets out the unusual attractions and, while it is undoubtedly true that grosses increase themselves when the proper advertising and exploitation steam is placed behind them, it is also a fact, indisputable think we, that this type of picture always grabs dollars directly in proportion to the merit that is in it . . .

▼

But poise this question, or better still, let us poise it for you: How many wows do the combined producers of the industry deliver each season? There are several sales managers who long have maintained that the exhibitor who gets a fifteen per cent quota of hit pictures from all sources is an extremely lucky exhibitor. Theatremen, quick to report, will readily agree. Yet your limited number of week-stand houses need fifty-two a year under normal circumstances and certainly forty to forty-five if Hollywood gives them a break by turning out a handful susceptible of holding over for a second stanza. The conclusion of all this preliminary approach to the point at stake is that the wise theatre operator knows he must depend not on the dreadnaughts to keep him open but on the attraction which hits somewhere between the pretty good and the slightly better than pretty good classification . . .

▼

This is exactly the point at which proper advertising and exploitation play their most essential function. It is this very point which was expounded and emphasized yesterday by Martin Quigley, when he told the club forum:

"All of us who are a part of the motion picture industry know and realize that there is no function which is more vital to the welfare and success of the industry. That function is fulfilled by the theatreman who takes the picture which is delivered to him by the distributor and prepares in many ways to present this picture to his public.

"Roughly, it may be said that there are certain motion pictures which, because of some essential appeal (your Temples, Rogers and the like, let us add as our own aside) need very little in the way of presentation in order to have public response of a character that is wanted.

"Unfortunately, it seems considerably beyond human effort to make a sufficient number of pictures of that character to keep the theatre supplied. There is another type of picture which we, in the trade, frequently refer to as the exploitation type of picture which most readily lends itself to methods of promotion and exploitation. Both types mentioned represent only a small part of all the product which the theatres need." . . .

▼

And this:

"There is a greater medium class—that class of picture upon which the theatres depend for their existence. In a vast number of instances in connection with these pictures, what the film will amount to in the public mind depends to a very great extent upon the spirit and intelligence with which the theatreman presents such picture to his public. Despite anything of any other character that might be done anywhere else throughout the length of the industry, there is nothing to suggest continued progress and development unless there is continued progress and development in the methods of promotion and exploitation."

▼

Centering attention on the efforts of many previously unsung theatre managers and theatre publicity men, the Managers' Round Table Club has succeeded in throwing a spotlight far more sharp and far more bright on what the man in the field is doing to carry his house over the bumps created by the crop of normal Hollywood endeavor. To say, as you might, that all of this would be different if the coast made more knockouts is, of course, to speak a truth. It is also like baying at the moon. The interesting and practical slant on pictures, how good or how bad, is to recognize that the majority are merely so-so and that the fastest way out of a situation which exists is to do the best with availabilities. The hard-working boys contesting like fury itself for Quigley Awards every month in the year are doing precisely this and getting definite results for their theatre investments. . .

Move to Underwrite New Para. Warrants

Efforts of Paramount creditor groups to agree on investment organizations for underwriting the stock subscription warrants to be issued to the present stockholders of the company under the reorganization plan were begun yesterday and attempts will be made to effect a final agreement in advance of tomorrow's scheduled Federal court hearing on formal confirmation of the plan.

The underwriting of the subscription warrants may involve more than $6,000,000 and it is believed that several investment houses may participate. While all creditor groups are not agreed that the underwriting must be set in advance of tomorrow's hearing, it was stated that the efforts were being directed toward that end, nevertheless.

Aylesworth to Head 25 Guests at Ampa

William R. Ferguson's last open meeting as president of the Ampa tomorrow will be headlined by 25 personalities of films, radio and the stage. Merlin H. Aylesworth will top the list.

Al Jolson, Dorothy Mackaill, Jimmy Durante, Eddie Dowling, Mollie Picon, Robert Young, Jack Pearl, Rube Goldberg, Walter Connolly, Jane Wyatt, Elsa Maxwell, William A. Brady, Ned Wayburn, Mrs. Robert Bartlett, daughter of Victor Herbert; Caesar Romero, John Boettiger, Eva Small, Jack Osterman, Pat Rooney, Herman Timberg, Jay C. Flippen, Cecile Weston, Teddy Bergman and Eddie Peabody also will be present.

Goldstein Pondering

E. H. Goldstein, who recently resigned as vice-president of Majestic, is considering several offers and plans to announce a new connection shortly. Meanwhile, Majestic's home office is moving to Liberty's headquarters where Budd Rogers, sales manager, will take over sales supervision of Majestic.

Bernhard, Keough Back

Joseph Bernhard, in charge of Warner theatre operations, and Austin Keough, Paramount attorney, who have been on the sick list for the past 10 days, returned to their desks yesterday. The Warner executive returned from a respite at White Sulphur Springs. Keough was in Atlantic City.

Sunday Films Opposed

ROANOKE, April 2.—Police Justice Harris S. Birchfield yesterday ruled against the showing of Sunday films here. He imposed a minimum fine of $2 on E. G. Richardson, local manager, for violation of the city's Sunday closing ordinance on March 24.

Richardson is expected to appeal.



Thank Mr. and Mrs. MacFarland for *this* SHORT SUBJECT!



FILM DAILY—MARCH 28

ALONG THE RIALTO

PHIL M. DALY

• • • HE'S THE Comedy Kid who packs a Heart-Throb .....meaning "Spanky" McFarland..... looming up as the greatest kid find since Jackie Coogan set the style for youngsters in films.....so Hal Roach has gone to town with him in the latest Our Gang Comedy ....."Beginner's Luck"..... capitalizing on the Amateur Craze now sweeping the country via radio buildup of these amateur hours.....

▼ ▼ ▼

• • • IT'S ONE screen offering you've got to see to fully appreciate....with the Gang ganging up on their pal "Spanky" who is out to win the prize on an Amateur Nite program at a naborhood house..... seated in the front row they give hir the royal razz.....but Mister McFarland like a real trouper, carries on.....and wows the house with his original and dynamic characterization of "The Greatest Roman of Them All" ... it carries Romance, Heart Punch, Histrionics and Gales of Laughter.....it should have every mother with an eligible child seeking screen or radio fame crashing your gate to find out how "Spanky" does it.....that means practically every mother with a child in your naborhood.....go to it, Showmen .....stick this short up in marquee lights with your feature .....for it's the Answer to every Mother's Prayer.....and it's honest t'gawd Feature Calibre.....we've got to doff the derby to Hal Roach once more.....he's beat the entire production field to cashing in on Amateur Hours.....with millions of folks in radio audiences already sold.....so follow thru, Showmen!.....it's yours to play with for PAY.....an exploitation natural if there ever was one.....

▼ ▼ ▼

FILM DAILY—MARCH 28

"Beginner's Luck"
(Our Gang Comedy) 20 mins.

M-G-M Just Grand

In keeping with the times, the Our Gang aggregation of Hal Roach not only goes musical, but pulls a fast one on the entire production field by capitalizing on the timely topical Amateur Craze now sweeping our land. It is a knockout. One of the finest offerings from this kid ensemble that the Roach studios have ever turned out. That precocious and charming youngster "Spanky" McFarland occupies the spotlight and is featured on an Amateur Night program where he panics the audience in the theater. He will also panic the audience in your theater. The kid is immense. He does a Julius Caesar-Mark Antony combination dressed in old Roman armor and flowing robes. Added attractions are the Cabin Kids, cute pickaninnies, the Meglin Kiddies and Carl Sweitzer, the juvenile "hill-billy" find. But it's "Spanky's" show. And good for anybody's dough. If you don't play it up in marquee lights you shouldn't own a marquee. It's feature calibre in short subject meter.

Timed to capitalize on the Amateur Night craze . . . . . And the first of the new showmanship shorts from Hal Roach studios for M-G-M.

LAUREL-HARDY—CHARLEY CHASE—
TODD-KELLY—OUR GANG

Television to Be on Limited English Basis

(*Continued from page 1*)

pictures, any more than radio had killed the gramophone record.

Over 800 exhibitors and other traders attended the banquet, presided over by Richard Dooner, newly elected president.

* * *

Announcing the formation of the British Film Industry Ass'n of Australasia, leading British film production companies, in associating with distributing affiliates in the territory, signalize their intention of taking joint action to protect British film interests.

Aiming at "a united front" in regard to serious trade and political dangers seen facing films from this country, the new organization includes, as chairman, Ernest Turnbull, the representative of British Dominions Films, which handles the product of B. & D., Twickenham, British Lion and Empire Films and Alan J. Williamson (G.B.), Stuart F. Doyle (B.I.P. and A.B. F.D.) and Gordon Williams (B.I.P.)

Premiers of Australian states have been advised of the new association, which is expected to take a strong line in regard to suggested Australian legislation threatening the classification of British films as "foreign."

* * *

Approach to the Home Secretary is to be suggested to the Surrey County Council by its licensing committee, with a view to the supercession of the British Board of Film Censors, a trade body, by the Film Censorship Consultative Committee.

The licensing committee suggests that this semi-official body should examine films on behalf of all licensing authorities and become the ad-advisory body on all censorship problems.

Gaumont British Instructional's miniature studio in Cleveland St., off Tottenham Court Road, has been formally opened by H. Ramsbotham, Parliamentary Secretary to the Board of Education.

Designed primarily for the production of sub-standard (16mm) subjects for school use, the new plant has a capacity of 52 films a year.

Tracy Leaves Fox; Signs with M-G-M

HOLLYWOOD, April 2. — Spencer Tracy's contract with Fox was dissolved today although it still had several years to run. The actor immediately signed up for a long term with M-G-M, his first film for which will be Frances Marion's "Riff-Raff." Tracy's contract with Fox was terminated at his own request, according to an announcement from M-G-M.

Flash Review

El Dia Que Me Quieras—Despite the fact the film is Spanish, so clear is the story and so well is it handled by director John Reinhardt that it is easily followed even if one has no knowledge of the language. . . .

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Show, Forum and Quigley Awards Pull Big Turnout

(*Continued from page 1*)

ing, but "would have at least three and one-half stars."

Hollister, a blonde man attired with a sartorial perfection that Whalen couldn't improve upon, confided casually that it was "a good deal of a shock" to be called upon. His modesty was overpowering.

"I stand humbly in the presence of the brain trust of the picture business," he began. "I have no message of advice for you; I am quite frankly aghast in the presence of your display of showmanship merchandising."

He continued lightly for several minutes, with an easy timing of his remarks which demonstrated that he had no more knowledge of showmanship than Clark Gable.

Nizer was impressed. "If Hollister were in the picture business," he suggested, "he probably would call that an impromptu talk."

Barron Collier, Jr., was equally shy. He confessed to being only 26 and said it "was a snare and a delusion for anybody to attempt to convey the impression that he could tell this group anything about selling."

Later, Whalen remarked that if "you had ever sat across a desk and let young Collier with his earnest purpose and Harvard fluency try to sell you car card advertising, you'd be convinced he knew something about his subject."

Quigley was introduced by Nizer as a man who had wielded a great influence through his publications, as the man "who had predicted the storm of the League of Decency" and then had advised the industry how to meet the problem.

Quigley said that some pictures present themselves to the public, but unfortunately it is impossible to make enough of this type of pictures to supply the market, so the art of presenting those which required it made the theatre man a most important factor in the industry.

There should be "progress and development in exploitation," he said, and it was this idea that had motivated the Quigley Awards of *Motion Picture Herald's* Managers' Round Table Club. Theatre men had been accorded proper recognition by means of them, he declared, and after a year's trial it had been determined to continue them.

Nizer surveyed Whalen's grayish-blue suit and his shirt and tie of another blue before introducing him, and remarked that he seemed "undressed." He lacked a gardenia.

"I've often thought of that gardenia as all the ticker tape of New York rolled into one little buttonhole," he said.

Whalen glanced at Hollister, then he looked at Collier and turned his head to the left to see if Hershfield was listening.

"I've never seen such modesty," he began. "It is the first time I have found so much of it at this table."

He looked at Hollister again and remarked: "He was surprised and shocked. Why, he called me up twice to find out what he should say here.

"Why these speakers should be frightened I don't know. If I should say I was frightened, it would be true." This was a howl. He paused. "But maybe I had better not. Harry Hershfield, who will follow me, would make a bum out of me."

Whalen then presented the Quigley silver plaque for February to R. E. Knight, manager of the Fairmount, Fairmount, West Va., for his campaign on "Devil Dogs of the Air."

While the photographers were snapping he leaned toward the microphones and suggested to the "unseen audience" that perhaps "Harry Hershfield should sing." The bronze plaque was presented to Edward Douglas, manager of Loew's Kings, Brooklyn, for his work on "Forsaking All Others."

Whalen then told the microphones that he would turn the meeting back to the "able head of this organization."

Without a blush, Nizer retorted: "We appreciate that compliment to Mr. Feist." Without pausing, he said he would try to introduce Hershfield in such a way that it "wouldn't remind him of a story."

Hershfield was equal to the occasion. "It doesn't remind me of a story," he began; "it reminds me of a fact."

The "fact" turned out to be an account of an automobile trip with Whalen from the Polo Grounds downtown when Whalen was police commissioner.

"He had two policemen out front —one to blow the siren," Hershfield related. "We were doing 90 miles an hour through Harlem and I said: 'What's the big idea?'

"'They all know who it is,' Whalen replied.

"But I suggested that if he would slow down maybe they'd recognize who was with him."

"He's been 30 times a bridesmaid," Hershfield went on, "but never a bride, and now I think he has a yen to be mayor."

Hershfield couldn't resist the temptation to tell a story, so he told one about a fellow who had remarked that he "felt 10 years younger after shaving in the morning," whereupon his wife asked him "if there was any law against shaving at night."

Representative advertising managers of all major companies were in the assemblage. The proceedings were broadcast over Station WMCA.

"There are two kinds of publishers," said Louis Nizer yesterday at the Motion Picture Club Forum which was turned over to the Show of Showmanship exhibit of the Managers' Round Table Club of *Motion Picture Herald*. "There is the kind who leads and moulds public opinion and there is a second kind who caters to public opinion whether public opinion rates catering to or not. Martin Quigley is distinctly the first kind of publisher who has been not only a publisher of this industry but the advisor of this industry. It was he who forecast the storm of the League of Decency and, when that avalanche occurred, it was to Mr. Quigley that we turned for advice and guidance, and his guidance had much to do with the fact that the industry met the League of Decency on its own ground.

"Mr. Quigley, a splendid person and a man whom all like. I take particular pride on this occasion to introduce Martin Quigley, the publisher of *Motion Picture Herald*, who has arranged for the Show of Showmanship here."

Amateurs of Radio Prove Theatre Hits

(*Continued from page 1*)

Bedford, 46th St. and Pitkin theatres will be given an opportunity to compete Tuesday nights on WHN where Jay C. Flippen is master of ceremonies.

Warners' New Jersey theatres have been holding test shows and the winners vie for honors on the Gus Edwards WOR amateur hour on Monday nights. The show is broadcast from the Branford, Newark.

Zac Friedman, manager of the Fox, Brooklyn, puts on a show every Monday night and the winner is given a week's engagement at the house the following week.

Fred Allen has a tieup with the Roxy and the winner of his amateur night gets a week's stand at the Broadway house.

Several RKO neighborhood houses, including the Fordham, have been putting on amateur nights and the Paramount, Middletown, has also adopted the policy.

Major Edward Bowes' Sunday night novice show is a big feature. The winner is given a booking in a local theatre.

List Eastman Salaries

WASHINGTON, April 2.—Listings of officers' salaries just submitted to the Securities and Exchange Commission in accordance with the new regulations include those of Eastman Kodak Co. as follows:

Frank W. Lovejoy, president and general manager, $90,903.90; William G. Stuber, chairman of the board, $61,290.76; Thomas J. Hargrave, vice-president and secretary, and C. E. Kenneth Mees, vice-president, $45,000 each.

Form Frisco Film Firm

SACRAMENTO, April 2.—Notice of incorporation has been filed with the secretary of state in behalf of the Motion Picture Service Co., a San Francisco concern. Incorporators are A. S. and S. C. Newburgh and E. Aloojian. Capitalization is listed at 1,000 shares of no par value.

Irene Dunne Meets Press

A press reception in honor of Irene Dunne was held yesterday at the Ambassador by Radio. Film editors of the city's dailies and representatives of fan magazines and trade press were among those present.



go into your dance

Clap hands! . . . . Yea, man! . . . . Strut yo' stuff! You'll want to start dancing in the streets when you catch a screening of Warner Bros.' "Go Into Your Dance"—so we're giving you the routine in four easy lessons . . . . Today we have

step no. 2 . . .

Start planning ads and lobby displays that will shout the news that **AL JOLSON** sings 7 sock Warren & Dubin songs, including sure-fire radio hits like "Latin From Manhattan" and "About a Quarter to Nine," in his first show with **RUBY KEELER**.

From Hollywood, to Every Part

Another DARRYL ZANUCK TRIUMPH

"ONE OF THE MOST IMPORTANT PICTURES OF RECENT YEARS."—Welford Beaton, Spectator.

"RICHELIEU—FOUR STARS."—Mary Burgum, Editor, Modern Screen.

"ARLISS GIVES PERFECT PORTRAYAL."—Joe Blair, Showman's Trade Review.

"ONE OF THE MORE ARRESTING OF THE CURRENT SEASON'S CINEMATIC OFFERINGS."—Douglas Churchill, Motion Picture Reviewer, Screen and Radio Weekly.

"HE RULES HIS AUDIENCE AS RICHELIEU RULED FRANCE."—Eugene Chrisman, Western Editor, Motion Picture and Motion Picture Classic.

"YEAR'S MOST BRILLIANT PERFORMANCE." — Jimmy Fidler, N.B.C. Weekly Reviewer and Screenland Magazine.

"WILL ELEVATE MOTION PICTURES IN THE EYES OF THOSE FEW WHO STILL LOOK ON THE MOVIES WITH SCORN."—Hollywood Reporter.

"IMPRESSIVE FROM EVERY ANGLE, IS DISTINGUISHED IN ITS ARTISTRY, GOOD TASTE, EMOTIONAL AND SPECTACULAR ASPECTS."—Hollywood Variety.

"MOUNTED MAGNIFICENTLY, RETAINING DIGNITY, AND YET CRAMMED WITH EXCITING DRAMA."—Jerry Hoffman, Motion Picture Reviewer, L. A. Examiner.

"THIS STORY OF FRANCE'S RED KING SHOWS ARLISS AT HIS BEST."—Mollie Merrick, Hollywood Correspondent, North American Newspaper Alliance.

"20th CENTURY RINGS THE BELL AGAIN!" — Mayme Ober Peake, Hollywood Correspondent, Boston Globe.

"SUPREME ENTERTAINMENT! WE BOW AGAIN TO THE ARTISTRY OF MR. ARLISS."—Photoplay Magazine

"GEORGE ARLISS HAS GIVEN HIS SUPREME PERFORMANCE."—Eileen Percy, Block Publications.

"SCORE ANOTHER HIT FOR GEORGE ARLISS."—Wallace X. Rawles, International News Service.

"DANIEL WEBSTER WOULD HAVE A TOUGH TIME FINDING WORDS ADEQUATE TO JUSTLY PRAISE 'CARDINAL RICHELIEU'."—Warren Stokes, Box Office Associated Publications.

"A NOTABLE CONTRIBUTION TO GEORGE ARLISS' GALLERY OF FAMOUS HISTORICAL CHARACTERS."—Herb. Sterne, Rob Wagner's Script.

" 'CARDINAL RICHELIEU' LIVES UP TO EXPECTATIONS IN AFFORDING THE BEST PERFORMANCE THAT GEORGE ARLISS HAS OFFERED SINCE 'THE HOUSE OF ROTHSCHILD'."—Edwin Schallert, L. A. Times Drama Editor.

"A WORTHY SUCCESSOR TO 'THE HOUSE OF ROTHSCHILD'."—J. D. Spiro, Detroit News.

"COMPARES FAVORABLY WITH 'THE HOUSE OF ROTHSCHILD'."—Dan Thomas, Motion Picture Editor, Newspaper Enterprise Association.

" 'RICHELIEU' IS A GORGEOUS EFFORT, PICTORIALLY BEAUTIFUL AND BEAUTIFULLY ACTED."—Leicester Wagner, United Press.

"WILL PLEASE THE ARLISS FANS FULLY."—Ralph Wilk, Western Manager, Film Daily.

"GEORGE ARLISS' MOST MAGNIFICENT PERFORMANCE."—Elizabeth Wilson, Western Editor, Silver Screen Magazine.

" 'CARDINAL RICHELIEU' IS A MASTERPIECE OF WELL-TOLD HISTORY MIXED WITH GREAT ENTERTAINMENT."—Carlos Borcosque, Correspondent Sintonia, Buenos Aires and Astro, Chile.

"ANOTHER GREAT ARLISS PICTURE."—William Farquhar, London Era.

"GEORGE ARLISS IN A SUPERB CHARACTERIZATION."—Harold Salemson, Pour Vous, Paris.

"GEORGE ARLISS LEADS A PARADE OF FINE CHARACTERIZATIONS CRISPLY ETCHED AGAINST THE GLITTERING PAGEANT OF FRANCE OF THE SEVENTEENTH CENTURY."—J. Maurice Ruddy, Film Pictorial, London.

20TH CENTURY PICTURE

Released thru UNITED ARTISTS

the World, the News goes forth:



JOSEPH M. SCHENCK *presents*

CARDINAL RICHELIEU

starring

GEORGE ARLISS

with

MAUREEN O'SULLIVAN

EDWARD ARNOLD · FRANCIS LISTER

DOUGLASS DUMBRILLE · CESAR ROMERO

Directed by Rowland V. Lee

Purely Personal

FRANK FARLEY, European story editor for Paramount, arrives in town today from Hollywood where he has been spending the past 10 days looking over production before returning abroad.

•

JOEL A. LEVY, of Loew's Inc, accompanied by the Missus are on the *Berengaria* for a well earned vacation in London. They are expected back on the 17th.

•

FRANK A. VANDERLIP, nominee for the new Paramount board, returns Thursday from a two weeks' visit at the company's west coast studios.

Quip of the Day

William T. Powers, attorney for Fox Midwest, was discussing the similarity of "surprise night" at the Strand, Oshkosh, Wis., with bank nights at Campi yesterday. He was talking directly to William Jaffe, attorney for Columbia and a member of the appeals committee.

During the discussion, Powers remarked the only difference was that when the Strand has a "ham" to be given away and no one in the theatre answers to the number drawn, the manager has "a ham on his hands."

To which Jaffe responded:

"It's most likely the ham on the manager's hands is the picture in his theatre."

ALFRED A. COOK, counsel for Paramount Publix and for the Paramount stockholders' committee, has returned from a Bermuda vacation trip.

•

DR. JULIUS KLEIN, member *pro tem* of the Paramount board of directors, returned yesterday from a southern motor trip.

•

SAM ECKMAN, managing director for M-G-M in England, is on his way to New York on the *Ile de France.*

•

SAMUEL GOLDWYN, who returns with his wife today from London aboard the *Olympic,* will leave for Hollywood after a few days in New York.

•

BOB GILLHAM starts his return trip from the coast today but may make a stop-over or two en route.

•

AL JOLSON is talking about producing a play in the fall. He won't be in it.

•

GEORGE SCHAEFER is due back tomorrow from his Florida fishing trip.

•

GEORGE GEHRING of the Rosewood, Chicago, is in town for a few days.

•

AL LICHTMAN is expected back from Hollywood on Monday.

•

ALBERT DEANE is back from Hollywood.

•

PAT GARYN is back from Dallas, the scene of his illness, and is recuperating at his home in East Orange. He sounds like himself over the telephone line.

•

...*Boston*

ALTON K. FREEMAN, recently resigned as manager of the M. and P. Scollay Square, is in China. According to MARTY GLAZIER, FREEMAN has always had a hankering to hit the Orient.

•

GEORGE FLATE, formerly well known in amateur pugilistic ranks, has resigned from first Division where he was booker.

•

HARRY BROWN, who handles publicity for a local trio of M. and P.-Publix theatres, is now a public speaker of increasing note.

•

On the house committee of the Friars Club are TOM SPRY, manager for Warners; HARRY KIRCHGESSNER, New England manager of National Screen; AL SOMERBY, manager of the Bowdoin Square and Old Howard; LOUIS BOAS and PHIL MARGET, theatre circuit executives.

•

DOROTHY KARNO of Century Film and GEORGE FRANKSTEIN, Waterbury, Conn., watch man, will marry soon.

•

...*New England*

MAURICE SHULMAN, proprietor of the Rivoli, Hartford, vacationing in the Mediterranean. . . . EARLE WRIGHT of the Loew-Poli, New Haven office is acting m. c. for amateur radio talent contests at the Palace in Hartford during the absence of SHAW. . . . JACK SIMONS, manager of Poli's Hartford, has been cooperating with the Little Theatre Movement in selecting talent for amateur contests in the Palace. . . . TED SMALLEY, pen in hand, does not replace CRIS JOYCE as assistant manager of the Paramount, New Haven. He's at the house in charge of advertising, publicity and exploitation which is what he did at the Capitol, Worcester. Also does ditto for other houses in this area. . . .

•

...*San Francisco*

GEORGE MANN is still on wheels somewhere in the east. He and his family are making a tour with a mobile house-trailer on wheels and are not expected back for some months yet.

•

PHIL FREASE opened his New Albany, 565 seats, Saturday, in Albany.

•

ARCH BOWLES shot down to Los Angeles and back again this week.

•

R. HELMS is preparing to re-eopen the darkened Capitol with a policy of pictures and vaudeville.

•

...*Wilmington*

JOHN C. SMITH, formerly with the Interstate circuit in the Southwest, is the new manager of the Warner Aldine, downtown first run.

•

ROSCOE DRISSELL, manager of Loew's Parkway, who has two Quigley Award honorable mentions to his credit did a good job exploiting "West Point of the Air."

•

LEON BENHAM, until recently with the advertising department of Warners in Philadelphia, is doing a good job at his managerial fling at the Queen.

Boycott Idea Stirs Allied Enthusiasm

(*Continued from page* 1)

contracts just introduced in the Minnesota legislature.

The boycott suggestion was made by Abram F. Myers, Allied general counsel, in a speech in which he cited the recent Denver Federal court decision holding exhibition to be intrastate commerce as a vindication of his stand that theatres are not subject to Federal regulation under NRA codes. Myers declared that playdate contracts, thus, are subject to state laws and lauded the bill pending in the Ohio legislature which, he said, was the pattern for the one just introduced here.

Characterizing the film code as "the most scandalous" under NRA, Myers said the continuation of NRA is inevitable and added that while theatres must readjust themselves to the old system ot state regulation, in the meantime they must work for the code amendments and a balanced Code Authority.

While speaking, Myers received a telegram advising him that the Senate Finance Committee would hear him on the subject of the film code next Monday in Washington.

Sees Pettengill Bill Success

Myers predicted that Congress would pass the Pettengill bill prohibiting compulsory block booking at this session, and described the measure as the only possible means of breaking the "film monopoly."

While a boycott is illegal, he said, "so is murder except in self defense." He described a united front by exhibitors against any company forcing the purchase of its product by threats as not only defensible but practical, "since independents, no matter how few, are still powerful enough to bankrupt any company using such tactics, if they stick together."

W. A. Steffes opened today's session by mobilizing exhibitors for an onslaught on state legislative committees at a hearing tomorrow on a pending 10 per cent theatre tax bill. Local exhibitors will oppose any special tax on theatres but will declare their willingness to bear their share of any general business tax.

J. B. Clinton, Duluth, was elected president and a member of a board of five to govern the organization. Others named to the board were S. B. Lebedoff, Minneapolis; El Peasley, Stillwater; Gus Baehr, Bemidji; Bill Glazer, Faribault. The members of the board will elect the other officers and a secretary to run the office.

Resolutions denouncing the code and the Campi setup, block booking and blind billing and calling for united action against companies forcing the sale of product were passed.

The convention closed tonight with a dinner and testimonial to Steffes, retiring president.

Reade Gets Control Of Red Bank Houses

RED BANK, N. J., April 2.—Giving him control of the town, Walter Reade has purchased the Strand for $125,000 from F. C. Connover, owner. Aaron Schusterman operated until last Saturday when Reade took possession. The Carlton is also owned by Reade.

Allied Talks Fight on Loew Chicago Moves

(*Continued from page* 1)

Loew program both from the point of number of theatres proposed and the direct challenge involved against exhibitors who turned down M-G-M product it seems likely that Chicago will form the pattern for moves to be used in other cities.

Lines of battle are already forming here, the opening shots representing a series of large newspaper ads by M-G-M which lists theatres showing its outstanding pictures. The first was on "Forsaking All Others," followed by "David Copperfield." The copy directs attention to the fact that these pictures can be seen at the theatres boldly listed—obviously to the chagrin on non-M-G-M users.

Already two prominent neighborhood houses have succumbed and spotted M-G-M product. One is the Adelphi, operated by Ludwig Sussman, a director of Allied Theatres of Illinois. The other is the Howard, operated by Lester Retchin. Both are located on the far north side where it is reported Loew had found some vacant bank building property about midway between the two houses which appeared to have possibilities for theatre use. Sussman's move is the first break in the Allied ranks.

Announce New Sites Soon

Meanwhile a half dozen locations for new theatres or acquisitions of present houses are expected to be announced within the next two weeks. Robert Lynch and George Schwartz, Loew and M-G-M representatives, who were drafted from their Philadelphia posts, are working feverishly but guardedly on deals in many sections of the city.

Despite the secrecy surrounding their activities it appears fairly certain that the first Loew project for this locality will be a new theatre located in Oak Park, wealthy suburb. This job, with stores and other business features, will involve an outlay of approximately $250,000. Thomas W. Lamb, the architect, who has spent considerable time here, is back in New York where he is working on sketches for various sites under consideration. He has, it is said, as many as six different plans for any site being considered. As soon as a site is closed the orders "full steam ahead" will be passed out, it is said.

Allied of New Jersey, at its regular session on March 12, discussed the Loew invasion in Chicago. The consensus of the membership was heartily in favor of the Windy City independents' stand against M-G-M's percentage policy on 14 pictures.

No official action was taken at the time. Sidney Samuelson, national Allied head, also is president of the New Jersey unit.

Warners to Groom Six

HOLLYWOOD, April 2. — Warners have picked six players to be groomed for stardom. They are Olivia di Haviland, Maxine Doyle, June Martel, Nan Gray, June Grabiner and Dorothy Dare.

HERE THEY COME

FOR YOUR
1935-1936
BOX OFFICE
UNIVERSAL
ANNOUNCES

2ND

"The HANGOVER MURDERS"

From the novel by Adam Hobhouse..... This year's tremendous best-seller!

WITH AN ALL STAR CAST
A CARL LAEMMLE, JR. PRODUCTION



1. "THE HUNCHBACK OF NOTRE DAME"
2. "THE HANGOVER MURDERS"
3.
4.
5.
6.
7.
8.

WATCH FOR THE OTHERS

More Huffman Case Rulings Hanging Fire

(Continued from page 1)

Huffman to be in interstate commerce, saying that the exhibition of films was purely intrastate commerce, and that the NRA had no power to interfere.

Symes held, however, that there might be something to the Government's contention that Huffman was in violation of the anti-monopoly laws, and that he would hear further argument on this, and on whether Huffman is or had been conducting a lottery. In a previous hearing Symes said that the weekly auto giveaway, ordered stopped by the grievance board, started as a lottery, and that later changes, by which chances could be obtained free, were changes in form and not in substance.

Symes ruled the state NRA act unconstitutional. This law had attempted to make the NRA a part of state law by reference. A state court judge had already ruled it unconstitutional for this reason.

While not ruling on the constitutionality of the NIRA act in remarks during the trial, Symes said:

"This whole proposition of NRA codes being set up as law is unconstitutional, in my opinion, and judges of the U. S. Supreme Court have so decided. In the final analysis, legislating of so-called codes of fair competition is done by a group of private industries which have laid down standards for every one to follow. Congress does not pass upon these vital questions, but has simply delegated power to the President."

Depositions will be taken on the monopoly question, and the case will probably not be back in the courts for a month or more.

Huffman is seeking to have made permanent a temporary injunction issued by the Circuit Court of Appeals which prevents the distributors from stopping film service to Huffman theatres as directed by the grievance board. Huffman contends the grievance board and a number of the distributors are in a plot to boycott his theatres.

Essaness Giveaways General in Chicago

CHICAGO, April 2.—Essaness Theatres, which promised to meet the competition of premiums and other box-office stimulants by jumping in with both feet itself, has apparently kept its word.

This is the way the situation stands at present: Bank nights, one house; screeno, 15; kitchenware, 12; dishes, six; ovenware, one; stamp clubs, 16.

That the total exceeds the number of theatres in the Essaness circuit is explained by the fact that the various items do not hold protection on each other at any particular house.

Campi Has 14 Cases On Cut Admissions

Fourteen cases on reduced admissions were on the Campi calendar for appeal yesterday. E. M. Saunders of M-G-M was chairman. William Jaffe and Irwin Wheeler were the other members of the committee. Six of the appeals were on bank night and three on screeno. The cases are:

Grove and Riviera, Gering, Col., against Egyptian and Orpheum, Scotts Bluff, Col., (bank night); Orpheum and Strand, Green Bay, Wis., against Grand, same city (bank night); Liberty, Chicago, against Embassy, same city (Screeno); Gem, Alton, Ill., against Princess and Grand, same city (refunding car fare); Orpheum, Kenosha, Wis., against Kenosha, same city (bank night); Rex and Grand, Oshkosh, Wis., against Strand, same city (Screeno); Orpheum, Green Bay, Wis., against Bay, same city (Screeno); Gem, Muskogee, Okla., against Broadway, Ritz and Yale, same city (bank night); Royal, Sherman, Tex., against Washington and Texas, same city (bank night); Strand, Oshkosh, Wis., against Rex, same city (surprise night); Hipp and Garden, Sioux City, against Circle, same city, (lottery); Park, Pasadena, Cal., against Colorado, same city, (passes); National, McRae, Ga., against Princess, same city (bank night); Royal, Crookston, Minn., against Grand and Lyric, same city (prosperity night).

Mason Expected to Testify About NRA

WASHINGTON, April 2.—Lowell Mason, who served as counsel to the Darrow National Recovery Review Board during its investigation last year of the film and other codes, is expected to testify before the Senate Finance Committee this week.

It is not expected, however, that Mason will go into details, any more than did Clarence Darrow when he appeared recently. His appearance before the committee will be at the demand of Senator King of Utah, who proposed to employ Mason as counsel in the event the Senate approved the independent investigation of the NRA which he unsuccessfully sought in February.

Advertised Preview Stirs Jersey Allied

Advertising of a preview at the Fox State, Jersey City, by Skouras when the film has not played Broadway and will not be shown in the Jersey house for several weeks was the highlight of a discussion by Allied of New Jersey yesterday. The picture in question is "George White's 1935 Scandals."

Members of the Allied unit hold that the practice is a code violation in that when a preview is advertised the picture becomes available seven days after Skouras gets through with it, regardless of the number of times it is run.

Campi Expense for February $20,132

Total of disbursements for Campi and local boards for February was $20,132.78, of which $7,748.01 was spent for the home office, $2,770.36 for Hollywood and $9,614.41 for local boards.

Cash balance Feb. 1 was $37,129.25. Receipts from exhibitors totaled $18,003. Of the February expense, $13,668.29 went for salaries, $5,450.44 for home office employes, $2,158.15 for Hollywood and $6,059.70 for secretaries of local boards.

Discuss Twins

What was discussed at the weekly meeting? an Allied of New Jersey member was asked yesterday after the session.

"Poor business and the state of health of various exhibitors."

Connecticut Houses Ask More Clearance

NEW HAVEN, April 2.—Clearance protests of Playhouse, New Canaan, and the Stamford, Palace and Strand, Stamford, against the Darien, Darien, have been continued to April 9, at the request of the respondent.

All three complaints were filed within 24 hours of each other, following closely upon the reduction in admission price by the respondent from 40 cents to 25 cents. New Canaan asks for an increase in protection from seven to 45 days; while the Stamford first runs demand a change from an average of 21 days to 60 days.

Dismiss Buying Cases

KANSAS CITY, April 2. — Two overbuying complaints have been dismissed by the grievance board. The cases were Dickinson Theatre, Creston, Ia., vs. Strand, same city, and Casino, Excelsior Springs, Mo., vs. Fox Beyer, same city. J. Erwin Dodson, complainant in the Excelsior Springs action, announced he would appeal.

L. A. Protests More Delay

LOS ANGELES, April 2.—Objection against delaying beyond April 11 the granting of an application to rehear protests against the local clearance schedule was expressed in a wire sent to Campi in New York today by the zoning board in behalf of the Southern California I.T.O. and associated exhibitors and six exchanges already selling 1935-36 product. Fox West Coast had requested the date be set back to April 18.

Two Sign in Bay State

BOSTON, April 2.—The Camelot Theatre Corp. and the Galahad Theatre Corp., both of this state, are among the recent signers of the code.

Code Board Late, So Walter Reade Leaves

After waiting 40 minutes for members of the local grievance board to appear, Walter Reade, who has been suffering the past four weeks from a heart attack and Monday night underwent an operation for removal of a cyst on his groin, yesterday walked out on the board. Previously he had notified Lillian Silver, secretary of the local board, that he was ill and would appear promptly at 10:30 A. M. Several members could not attend and at the last minute notified the secretary, who had a busy half hour trying to get substitutes.

Reade has been at his office only two hours a day since his breakdown and appeared at the local board as defendant in the Roxy "service pass" complaint against the Astor. The case was put off until next Tuesday. The complaint of Julius Charnow against Harry Friedman, upstate exhibitor, for interference with the Leonia, Leonia, N. J., lease, also was postponed.

"Ruggles" Is Seattle Hit; Gets $8,700

SEATTLE, April 2.—"Ruggles of Red Gap" was the big noise of the week. It grabbed $8,700, up by $1,700, at the Fifth Avenue, and was held over.

"Roberta" was still strong in its third week at the Music Box, getting $4,100. The other three downtown houses had nothing to get excited about.

Total first run business was $30,050. Average is $30,500.

Estimated takings for the week ending March 30:

"THE WEDDING NIGHT" (U. A.)
BLUE MOUSE—(950), 25c-40c-55c, 6 days, 2nd week. **Gross:** $3,100. (Average, $4,000)
"RUGGLES OF RED GAP" (Para.)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $8,700. (Average, $7,000)
"MONTE CARLO NIGHTS" (Monogram)
"BEST MAN WINS" (Col.)
LIBERTY—(1,800), 10c-15c-25c-35c, 7 days. **Gross:** $3,600. (Average, $4,000)
"ROBERTA" (Radio)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 3rd week. **Gross:** $4,100. (Average, $4,000)
"IT HAPPENED IN NEW YORK" (Univ.)
ORPHEUM—(2,450), 25c-35c-50c, 7 days. Vaudeville headed by Ross & Stone. **Gross:** $5,300. (Average, $5,500)
"MYSTERY WOMAN" (Fox)
"McFADDEN'S FLATS" (Para.)
PARAMOUNT—(3,050), 25c-35c, 7 days. Vaudeville headed by Karre LeBaron Trio. **Gross:** $5,250. (Average, $6,000)

Seven More Frisco Bank Nights Banned

(Continued from page 1)

victorious today are the Haight, Parkside, Uptown, Daly, City, Granada and Amazon, all Golden State houses.

Complaints against three other theatres, the Coliseum, Metropolitan and Hardin of the Levin circuit, were heard yesterday, with decisions expected this week.

Cohen has announced he will withdraw complaints against the remaining houses, feeling that he has already established the illegality of bank nights under the code. He says, however, that he will not enforce the decisions of the board until he can enforce the cease and desist orders against the Nasser houses, which have appealed from the decisions handed down against them last week.

The theatres against which Cohen has withdrawn complaints are the Irving, Milano, Roosevelt, Avenue, Bayshore, Palm West, Portal, Victoria, Roxie, Plaza, Keerny, Bay View, New Balboa, Union and Majestic. The first two are Golden State houses. The Roosevelt and Avenue are Levin theatres and the others independents.

At yesterday's hearing A. M. Bowles of Fox West Coast, R. A. McNeil and Al Levin were the principal witnesses, with Cliff Work presiding.

Issue Pawtucket Order

BOSTON, April 2. — Two-for-one tickets at Jerome P. Jerome's Imperial, Pawtucket, have been ordered stopped by the grievance board. The complaint was made by the M. & P.-Publix Strand and Martin R. Toohey's Leroy.

EVEN THE SPEECHES ARE OFF!



No time for talking . . . action is needed if you want to get in under the wire. Only 1,000 tickets will be sold. See Paul Benjamin, National Screen Service, 630 Ninth Ave., with cash in hand. Dine. Dance. Disport!

NAKED TRUTH DINNER

A. M. P. A.

$7.50 PER PERSON

620
Sold To Date

You . . . and

379
Others Can Still Go If You Hurry!

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APRIL 27th 1935 **HOTEL ASTOR**

Production Gains; 41 Features Going

(Continued from page 1)

Warners were next with seven, two and five. Fox had six, six and six; Paramount, three, one and five; Universal, three, one and zero; Radio, three, two and six; Columbia, two, four and four, and the independent group, eight, two and seven.

Short subject production remained almost the same as in the previous week, with M-G-M having one shooting, two preparing and four editing. Roach had one, three and three; Universal, one, one and two; Columbia, zero, one and two; Warners, one, zero and zero; Radio, zero, one and one, with the independents reporting three, one and six.

Fox Western Units Start Fresh May 4

(Continued from page 1)

headed by Elmer C. Rhoden, now in charge. Fox Rocky Mountain will be renamed Associated Theatres with Rick Ricketson, presently running the houses, at the helm.

Following reorganization of the two National subsidiaries, Spyros and Charles Skouras will affix their signatures to the 10-year operating contract with National. The long term pact is retroactive to Jan. 1, 1935, and provides for flat salaries in addition to graduating percentages of the net profits.

Spyros Skouras took the air lane to the coast yesterday to confer with his brother and look over operations. He is due to return April 21.

Report Settlement on Claim

KANSAS CITY, April 2.—Attorneys of Chase National Bank are here arranging for the windup of the Fox Midland and Fox Rocky Mountain bankruptcy. They are also conferring with M. B. Shanberg and Herbert M. Woolf regarding immediate settlement of their secured claim approximating $500,000, representing the balance of the former Midland circuit purchase price.

Under an agreement effected last year the partners were to be paid out of revenue by 1940, but the present settlement is in line with the major creditors' plan of purchasing claims prior to the sale of the properties. A settlement is reported agreed upon and papers will be signed next week. It is understood National Theatres is paying Woolf and Shanberg in full for their claim.

Astor and Mayfair To Hold Over Films

"It Happened One Night" and "The Man Who Knew Too Much" will be held over for a third week at the Astor and Mayfair, respectively. The first picture will garner about $7,300 for the second week, while the latter is stronger in its holdover week than the initial stanza. It is expected to gross about $16,000, about $2,500 more than the first seven days.

"Roberta" is being held another stanza at the Palace and Albee, Brooklyn.

"Private Worlds" in its first week at the Paramount garnered $34,000.

"Congo Raid," Colorful Film; "Escape Me Never," All Bergner

London, April 2 *(By Cable)*.—The premiere of "Congo Raid" at the Leicester Square tonight was essentially a spectacular success. It is a panorama of African native life as a background for a native chief's love story and the devotion of a British officer.

Highlights are imposing authentic native gatherings, palavers, ceremonial dances, war chants recorded on the spot, striking native processions, war canoes, tribal conflicts and incidental air shots of wild life in the jungle and on the prairies.

Added songs are finely sung by Paul Robeson in a striking role as Bosambo McKinney. In a small role Leslie Banks is excellent as officer Sanders. It is undoubtedly colorful, convincing popular material.

Produced by London Films, the picture is heading for distribution in the United States via United Artists.

"Escape Me Never"

"Escape Me Never," now current at the Pavilion, is a tour de force of Elisabeth Bergner's versatility. Her performance, expressiveness and flexibility of voice rank her among the screen's leading players.

The story is the same as the play, but gains pictorially with a fine scene of a stage ballet and exteriors of Venice and the Alps. It is essentially a star attraction, as Miss Bergner swamps the others in the cast.

Produced by British and Dominions, American distribution will be handled by United Artists, also.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Hoosier Schoolmaster"

(Monogram)

HOLLYWOOD, April 2.—This is a homespun yarn of post-Civil War Indiana with wide appeal. Charles Logue's adaptation cleverly modernizes Edward Eggelston's novel dealing with the exploitation of war veterans by the stay-at-homes.

Norman Foster, joining a band of discharged Union veterans, goes to Indiana to settle on homestead land. The soldiers find on arrival that the land has been stolen by Otis Harlan, Russell Simpson and William Mong.

Foster makes the acquaintance of Mong's bound girl (Charlotte Henry) and from her information secures a job as village schoolmaster. Using reason, he subdues Fred Kohler, a bully who has beaten up every previous teacher. Dorothy Libaire, Mong's daughter, sets her cap for Foster, who is smitten with Miss Henry, who, in turn, is courted by Kohler.

When Foster writes to Washington about land for soldiers, he incurs the enmity of the town's ruling trio, who set out to get him. In the ensuing riot Kohler is killed, leaving Foster and Miss Henry free to marry.

Made as a special on Monogram's schedule, this feature compares favorably with many major efforts. The roles have been cast intelligently and the production approaches major calibre. The direction of Lewis D. Collins catches the spirit of the period with the proper shading. Tommy Bupp, as Miss Henry's small brother, stands out in support.

For spots where home-folk comedy is appreciated this rates as unusually good entertainment.

Production Code Seal No. 723. Running time, 74 minutes. "G."

Nagler to Vancouver

S. Nagler has been appointed sales manager at the U. A. branch at Vancouver, succeeding David Griesdorf, who has been appointed to a similar post at Winnipeg. Phil Sherman, formerly of Winnipeg, is now on the New Haven sales force.

June Grabiner Renamed

HOLLYWOOD, April 2.—Myra Moore has been selected as the screen name of June Grabiner, recently signed by Warners.

Protest Pa. Ticket Tax

HARRISBURG, Pa., April 2.—Exhibitors from all parts of the state were among those who objected to the bill imposing a 10 per cent ticket tax at a hearing on the measure today before the finance committee of the State Senate. The measure has already been passed by the House.

Among those who appeared against the bill were Walter Vincent, Fred Herrington, C. Floyd Hopkins, David Barrist and Dr. Leonard P. Fox. They all asserted that the tax would drive many theatres out of business.

Congress Gets Bill On New Copyrights

WASHINGTON, April 2.—Copyright legislation has been brought before Congress with the introduction by Senator Duffy of Wisconsin of the bill drafted by the State Department. Duffy was chairman of the Foreign Relations sub-committee which investigated the copyright situation.

The copyright question has also been brought before the Senate by Senator Tydings of Maryland, who has submitted a resolution passed by the Maryland Senate calling for an investigation of Ascap because of alleged abuses upon "hundreds" of Maryland business establishments.

It is charged that under "certain rulings of the Supreme Court" Ascap and its subsidiaries are "exercising dictatorial powers, developing a 'racket' that could never have been intended to be endowed upon any organization by any court."

Trials at St. Louis May Go Over to Fall

(Continued from page 1)

jury several weeks ago would not go to trial before next fall.

Tentatively set for trial today, the cases were postponed by Federal Judge Davis pending the hearing on May 6 of arguments on a demurrer to the indictment of Ned E. Depinet, president of RKO Distributing Corp. It is believed that at that time the cases will be put over for fall trial.

Cuba Clears "Rumba"

Elimination of the lottery sequence in "Rumba" has resulted in removal of the Cuban Government's objections to the picture, which is now officially approved for distribution in that country.

Wall Street

Eastman Up ⅞ on Big Board

	High	Low	Close	Net Change
Columbia vtc	41	40¼	40¼	— ¼
Cons pfd (1v)	17¼	16⅞	17	.....
Eastman	121	120¾	121	+ ⅞
Eastman, pfd	155	155	155	.....
Fox	9⅜	9⅛	9⅛	— ⅛
Loew's	36¼	35¼	35¾	+ ⅛
Loew's, pfd	107	107	107	.....
Paramount	2⅝	2½	2½	.....
Pathe	⅝	⅝	⅝	.....
Pathe "A"	12¼	11⅞	11⅞	.....
RKO	1½	1½	1½	.....
Warner	2⅞	2⅝	2¾	.....
Warner, pfd.	16½	16½	16½	— ¼

Technicolor Continues Gain

	High	Low	Close	Net Crange
Technicolor	19¾	18⅞	19¼	+ ⅜

Paramount Pub. Bonds Rise ¼

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	6⅝	6⅝	6⅝	.....
Loew's 6s '41, ww deb rights	104¾	104¾	104¾	— ¼
Paramount B'way 5½s '51	50	50	50	— ¼
Paramount F. L. 6s '47	71½	71⅛	71⅛	+ ⅛
Paramount Publix 5½s '50	72½	72¼	72¼	+ ¼
Warner Bros. 6s '39 wd	50	50	50	.....

(v) Paid this year on account of accumulations.

(Quotations as at close of April 2)

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 79 NEW YORK, THURSDAY, APRIL 4, 1935 TEN CENTS

New Tax Plan Is Presented In California

Cuts Income Levy, But Provides New Forms

SACRAMENTO, April 3.—The Administration has offered a new budget balancing plan in the Assembly Revenue Taxation Committee packed with TNT for taxpayers as an alternative for the previous program which has stirred up strenuous opposition and faces a severe test because of the personal income tax angle.

The new plan calls for a gross transactions tax at scales to raise $160,000,000 biennially, with a four per cent bank corporation tax and a net income tax at one third the Federal rate in lieu of the tax designed to raise $225,000,000.

Under the new program the 10 per cent admission tax would be dropped,

(*Continued on page 7*)

Brandt Authorized To Agree on Scale

Harry Brandt, president of the I.T.O.A., yesterday was given power of attorney to act for all members of the exhibitor organization in the negotiation of a new operators' contract with the I.A.T.S.E. Every member present yesterday signed a special form delegating Brandt as his representative.

It was also stated at the session that the deal to be negotiated will be

(*Continued on page 6*)

No Nominee Picked To Top Ampa Ticket

Up until a late hour yesterday the official nominating committee of Ampa had not selected a candidate for the presidency. Practically all other officers on the slate are set and it is hoped that the committee will have a selection ready for today's meeting.

Merlin H. Aylesworth heads the long list of personalities slated to appear on the dais at the M.P. Club. Today's session will be the last open one under William R. Ferguson's regime.

Fabian Upstate Deal To Start Next Week

Si Fabian's pooling arrangement with RKO in Albany and Schenectady becomes effective the middle of

(*Continued on page 2*)

Clearance on Scale Basis, Topic in K.C.

Board Abandons Hope of Action by Campi

KANSAS CITY, April 3.—While industry factors here have abandoned hope that Campi will get around to adopting a clearance plan for Kansas City, members of the local clearance board are said to favor a provision graduating first run clearance according to admissions.

Board members are talking about calling a special session to draft such an amendment to the proposed schedule. Recommendations incorporating similar provisions were sent to Campi when the last draft was submitted. At that time, however, the first run price situation was not completely clarified

(*Continued on page 6*)

Century-RKO Case May Go Over Again

Illness of Robert Wolff, RKO Radio exchange manager, may result in another postponement of the meeting slated for today by the local clearance and zoning board to deliberate on the Century-RKO issue in Long Island. Wolff has been home five days with a sore throat and returned to his office yesterday, still weak and hoping to be on hand for today's session. Last week Eugene Picker of Loew's was down with a bad throat and the Thursday conclave was called off.

Coast Clearance to Be Aired April 11

April 11 is the date set for the general hearing on the Los Angeles clearance and zoning schedule at Campi. Fox West Coast, which had requested the hearing for April 18, has agreed on the former date.

Exhibitors from southern California are expected to converge at Campi on the hearing date. F. W. C. has 13 specific situations which will be aired and it is known that many independ-

(*Continued on page 6*)

Cooper Again Heads Canada Distributors

TORONTO, April 3.—Col. John A. Cooper was reelected president of the M. P. Distributors' Ass'n. of Canada at its annual convention. It was reported that film rentals and theatre

(*Continued on page 2*)

Show Is Extended

Crowds at the Show of Showmanship sponsored by the Managers' Round Table Club of *Motion Picture Herald* have been so big that the show is to be held an extra day. It will close tomorrow night.

Today is Ampa day. Those who take in the lunch will visit the exhibit before or after eating.

Advertising classes of colleges hereabouts will see the show today and tomorrow.

Goldwyn Talks On Television, Color Outlook

By BRUCE ALLAN

LONDON, March 23.—Color and television are two important keys to the future of the industry, declared Samuel Goldwyn during his four-day stay here. Stereoscopy is also in the offing, he said.

The future of color, he declared, depends upon the reception of "Becky Sharp," recently completed by Pioneer with the three-tone Technicolor process. He predicted it would be a sensation, but added that use of color

(*Continued on page 7*)

International Study Of Television Begun

WASHINGTON, April 3.—An international investigation of all questions concerning the use of television, its relation to the technique of films and its employment for educational and intellectual purposes, including the promotion of closer communication between nations, has been ordered by the executive committee of the International Educational Cinematographic

(*Continued on page 7*)

Four New Theatres Being Erected Here

Four new 600-seat houses are now in various stages of construction in the local area. All are expected to be ready for opening sometime in June.

Springer & Cocalis is building the Tribune on Nassau St., Rosenzweig & Katz are erecting theatres at Dykman St. and Boston Rd. M. Stenberg is putting up a new house at Westchester Square.

Confirmation Of Paramount Plan Expected

Formal Hearings Begin Today Before Coxe

Formal confirmation of Paramount's plan of reorganization by the creditors of interest and the Federal court is generally expected throughout reorganization groups following the final hearings on the plan which begin today before Federal Judge Alfred C. Coxe.

Some opposition to the proposed board of directors is anticipated, but this will come from minority creditor interests and, if it succeeds in influencing the court to exercise the right that has been reserved to veto any of the proposed 16 directors, it will come as a distinct surprise to leading reorganization factors. Opposition to the board is expected to be led by

(*Continued on page 6*)

Para. to Sue Over Blumenthal Bonds

Paramount Publix trustees yesterday petitioned and were granted leave to bring suit against A. C. Blumenthal to recover $36,000 said to have been paid Blumenthal in Sept., 1932, for $25,000 face amount of Paramount bonds following an attack by Blumenthal on a pending transaction between Paramount and a group of banks.

In the petition submitted to Federal Judge Alfred C. Coxe yesterday the trustees contend that they believe the

(*Continued on page 6*)

Unions in Delaware Want Studios There

WILMINGTON, April 3.—The Central Labor Union here, at the request of projectionists, stage employes and musicians, has invited producers contemplating removal from California because of high taxes to locate in Delaware. In a wire to Louis B. Mayer of M-G-M, an invitation was extended following reports that agents from leading companies had made surveys in Delaware, New Jersey and Florida.

Pathe to Get Loans May 1, Says Poole

LOS ANGELES, April 3.—A. B. Poole, vice-president of Pathe, said today before leaving for New York, that on May 1 bank loans heretofore

(*Continued on page 2*)

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Pathe to Get Loans May 1, Says Poole

(*Continued from page* 1)

agreed upon will be turned over to the company. These will be used to pay off the balance of the funded debt, amounting to approximately $1,900,000. He added the loans will retire the remaining seven per cent bonds of the company, which would thus save about three per cent yearly on the $1,900,000 and also receive a later maturity date on bank payments.

Poole reiterated that Pathe's policy would be to confine its operations to financing and printing for producers and laboratory work for distributors. He said that another source of income, more pronounced recently due to market conditions, has been the profit from the sale of screen material owned by the company, contained in 2,000,000 feet of original negative. The sale of several stories from this negative has been negotiated, Poole asserted.

Cooper Again Heads Canada Distributors

(*Continued from page* 1)

attendance had shown a slight improvement for 1934.

The following were named directors: C. Hague, Universal; A. W. Perry, Empire; J. P. O'Loghlin, Fox; M. A. Milligan, Paramount; Henry Nathanson, Regal; L. M. Devaney, RKO; H. M. Masters, United Artists; H. O. Paynter, Vitagraph.

Purely Personal

BARNEY GLAZER, SHARON LYNNE and BEN PIAZZA were among those present at the Versailles until the wee small hours yesterday morning, all for the purpose of seeing and hearing captivating HELEN MORGAN do her piano-singing turn. SI SEADLER was there, as were FAIE JARMEL, JOE RIVKIN, CHARLIE MORRISON, MORRIS SMALL, STAN SHUFORD and his wife, LARRY REID, MARY BOYLE, EDDIE EDELSON and ROBERT YOUNG, the actor, and Mrs. Y.

•

EARL TUCKER, now safely ensconced in London where he is identified with the Kay Kamen outfit, distributors of Mickey Mouse accessories, writes that he is enjoying the British business and scheme. His disappointment to date is this: Not a London fog in sight.

Quip of the Day

Well known film man yesterday found himself involved, pleasantly, of course, in an extended luncheon date with fellow film men. Came 4:30, conscience, and intention on the former's part to return to his office.

"What for?" inquired one in the party.

"To close my desk."

JACK BUCHANAN arrives in New York from a holiday in Nassau on Friday. He'll be at the premiere of "Brewster's Millions" at the Rivoli on Saturday. He's starred in the film.

•

HOWARD CULLMAN will be one of the speakers at a massmeeting at Cooper Union tonight at which ratification of the Child Labor Amendment will be urged.

•

LEWIS HYMAN, vice-president of Principal Distributing Corp., is coming to visit New York and other key spots in the east. It'll be a six weeks' tour.

•

COL. JOHN BUCHAN, recently appointed governor general of Canada, is the same man who wrote "Thirty-nine Steps," which Gaumont British filmed.

•

M. A. LIGHTMAN has postponed for another week his planned visit here. Expects to get away from Memphis the first of next week.

•

GEORGE W. WEEKS, general sales manager for Gaumont British, went to Buffalo yesterday. He'll be back in town Saturday.

•

HELEN VINSON is on her way to town from the coast. She is headed for England, where she is to appear in a British film.

•

MICHAEL BALCON of Gaumont British gets back from the coast the latter part of next week.

•

PEGGY WOOD was one of the cruise passengers on the *Volendam* which sailed last night.

•

BEN ROSENBERG of National Screen in on the road again—this time New England.

•

CHARLES LAUGHTON arrives from England on the *Europa* today.

JOHN W. HICKS, Jr., vice-president of Paramount International Corp., leaves for Europe on the *Washington* on April 10. With him will be GEORGE WELTNER, assistant manager of the company, and T. X. JONES, special New York representative attached to the Paris office.

•

HELEN WESTLEY, with a lot of Hollywood employment behind her, continues faithful to the Theatre Guild. She has joined the road company of "The Taming of the Shrew."

•

FRED C. QUIMBY, short subject sales manager of M-G-M, returned yesterday from a visit to the company's studios. He was away several weeks.

•

CLAUDE RAINS, "The Invisible Man," drove a station wagon—know what we mean?—down Fifth Ave. yesterday, but he was seen.

•

GEORGE BANCROFT will stride New York's stages in the fall. CORT and ABRAMSON, who are a firm of producers, will do the honors.

•

JACK FLYNN, M-G-M district manager with headquarters in Detroit, has returned to the automobile city after several days here.

•

KATHARINE BROWN, eastern story head of Radio, has reached the coast, where she will confer with studio executives.

•

HARRY HUFFMAN of Denver was in town for a few hours yesterday and then sailed for a Bermuda vacation.

•

JAMES A. FITZPATRICK sails for Africa in about three weeks to start on his first independent feature.

•

TULLIO CARMINATI is in line for the lead of "Silhouette," planned for the stage by National Players.

•

JEROME LIPMAN, president of Lipmel Corp., English producing company, is visiting these shores.

•

JACK COHN and ABE MONTAGUE may get back from the coast today. If not, it'll be tomorrow.

•

LARRY DARMOUR is back on the coast after conferences with Majestic home office executives.

•

BALLARD MCDONALD, tunesmith, is doing the chores of "So Is Spring," stage vehicle.

•

NATE BLUMBERG was in Cleveland yesterday and is due in New York today.

•

A. CARTER GOODLOE's play, "What Would You Do?" has gone to Metro.

•

JIM CLARK arrived from Philadelphia yesterday. He will return today.

•

HUBERT HENRY DAVIES' play, "Outcast," will be filmed by Warners.

•

NETTA SYRETT's "Portrait of a Rebel" has been acquired by Radio.

•

W. RAY JOHNSTON hasn't returned yet from Atlanta. Any day now.

•

A. H. SCHWARTZ is back from Key West with plenty of fish stories.

Fabian Upstate Deal To Start Next Week

(*Continued from page* 1)

next week with Fabian supervising operations for RKO with the circuit booking and buying for the houses involved.

Fabian owns the Palace, Albany, which RKO is operating along with its Proctor's Grand. The two houses were pooled some time ago with Charles Buckley's Harmanus Bleeker Hall and the Leland, Albany.

In Schenectady, Fabian owns the Plaza. RKO has been operating this house and the Proctor which were pooled with Farley's State, Erie and Strand.

Entrance of Fabian into the upstate operation is a result of a compromise on Fabian's leasing deal with RKO on the two theatres he owns.

Miriam Howell to "U"

Miriam Howell, who has had considerable experience in the agency field, joins Universal tomorrow as eastern production manager, succeeding Max Hart. Elsie Newberger, for eight years story editor in New York for the company, continues without change.

Jerry Sackheim, western story editor, left for Hollywood yesterday.

Melville Shauer Marries

HOLLYWOOD, April 3.—Melville Shauer and Rosita Moreno are back from Yuma, Ariz., where they were married Tuesday.

Menjou Is Recovering

HOLLYWOOD, April 3.—Adolphe Menjou today was reported to be recovering in a hospital here from an attack of influenza.

Wall Street

Warner Pfd. Leads on Big Board

	High	Low	Close	Net Change
Cons.	4⅜	4⅜	4⅜	— ⅛
Cons., pfd. (1v)	17	17	17	.....
Eastman	121	119⅞	120⅜	— ⅜
Eastman, pfd.	153½	153½	153½	—1½
Fox "A"	9⅛	9	9⅛	.....
Loew's	35⅞	35⅛	35¼	— ⅜
M-G-M, pfd.	28¼	28	28	.....
Paramount	2⅝	2⅜	2⅝	+ ⅛
Pathe	⅝	⅝	⅝	.....
Pathe "A"	11¼	11	11⅛	+ ⅛
RKO	1½	1⅜	1⅜	— ⅛
Warner	2⅞	2¾	2¾	+ ⅛
Warner, pfd.	17	16½	17	+ ½

Technicolor Lone Curb Issue

	High	Low	Close	Net Change
Technicolor	19⅜	18¾	18¾	— ½

Warner Bonds Gain ½

	High	Low	Close	Net Change
General Theatre Equip. 6s '40	6⅝	6⅝	6⅝	— ⅛
General Theatre Equip. 6s '40 ctf	6½	6½	6½	— ⅛
Loew's 6s '41 ww deb rights	105¼	104¾	104⅞	+ ⅛
Paramount B'way 5½s '51	49½	49½	49½	— ¼
Paramount F. L. 6s '47	71	71	71	— ⅛
Paramount Publix 5½s '50	72½	72½	72½	+ ¼
Pathe 7s '37 ww	103⅜	103⅜	103⅜	.....
Warner Bros. 6s '39 wd	50½	50½	50½	+ ½

(*v*) *Paid this year on account of accumulations.*

(Quotations as at close of April 3)

go into your dance

Here's a Warner musical you can step out with to the tune of the hi-de-highest grosses since "42nd Street" days! To make your stepping easier we're showing you these four simple steps absolutely free. This is



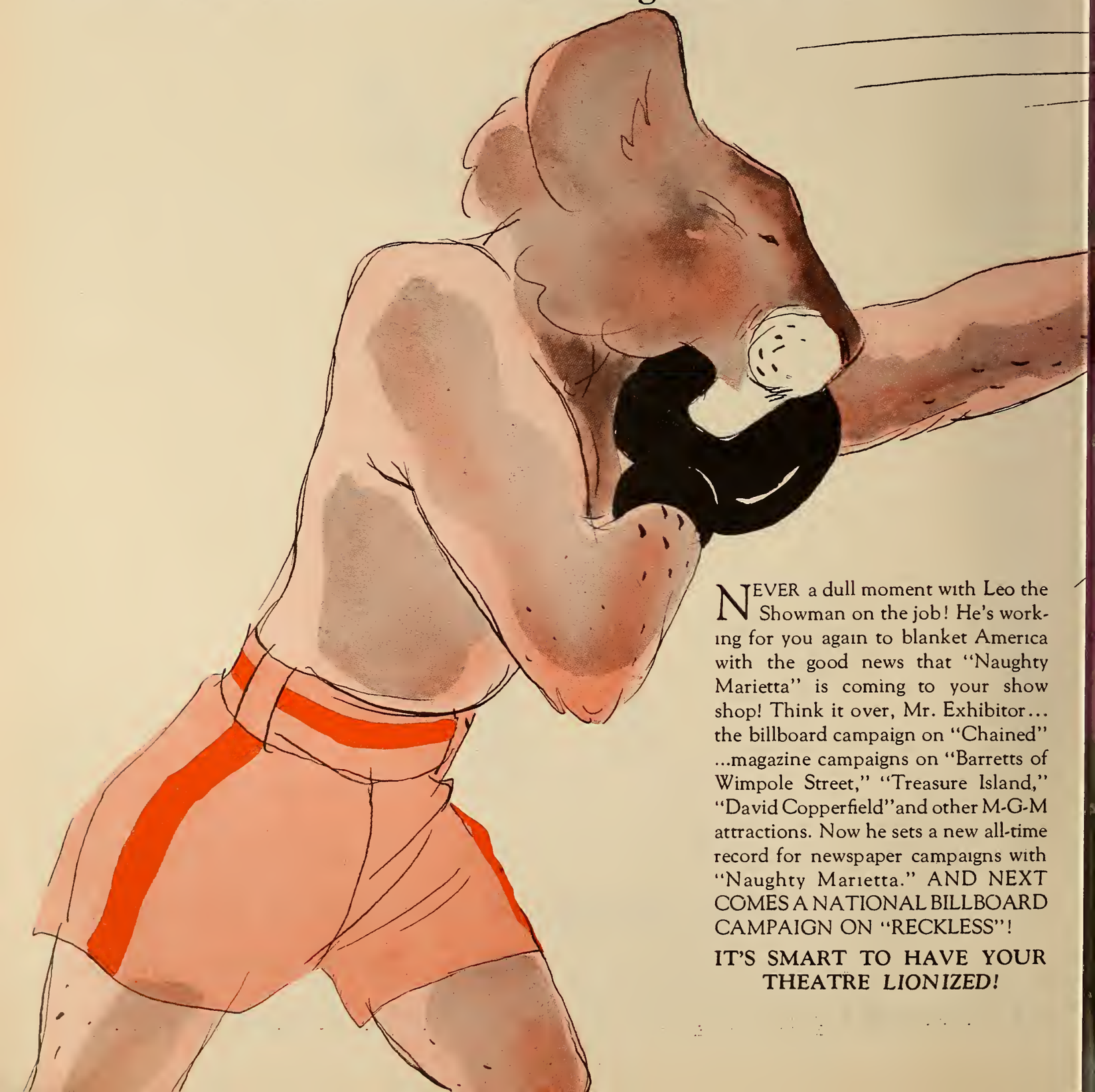
step no. 3 . . .

Start plastering the papers and your programs with the news that in "Go Into Your Dance" **RUBY KEELER** does the mosta of the swellest stepping in her screen career—dancing in 7 different languages to the rhythm of **AL JOLSON'S** great songs and Bobby Connolly's rich chorus numbers.

A First National Picture

SOCKO!

The BIGGEST space in the BIGGEST list of newspapers ever used in motion picture history. Leo's unprecedented ad campaign appears in 140 newspapers covering the 60 BIGGEST cities of America! A gift from Leo!



NEVER a dull moment with Leo the Showman on the job! He's working for you again to blanket America with the good news that "Naughty Marietta" is coming to your show shop! Think it over, Mr. Exhibitor... the billboard campaign on "Chained" ...magazine campaigns on "Barretts of Wimpole Street," "Treasure Island," "David Copperfield" and other M-G-M attractions. Now he sets a new all-time record for newspaper campaigns with "Naughty Marietta." AND NEXT COMES A NATIONAL BILLBOARD CAMPAIGN ON "RECKLESS"!

IT'S SMART TO HAVE YOUR THEATRE *LIONIZED!*

FULL PAGE AD SMASH

across 6-col. width!

This is just one of the sample advertisements. There are five different styles.

★★★★★ EXTRA!

FLASH!

The Biggest Event in New York's Amusement History!
Crowds! Crowds! Crowds!
Sensational World Premiere!



NAUGHTY MARIETTA

DON'T TAKE OUR WORD FOR IT ...READ THESE RAVE REVIEWS!

"*A new movie star* emerged from the Capitol screen when Nelson Eddy appeared opposite Jeanette MacDonald in 'Naughty Marietta' . . . his fine, full powered voice is admirably suited to the Herbert score . . . a welcome addition to the screen, he brings to it a canny sense of comedy and plenty of savoir faire." —Kate Cameron, *N. Y. Daily News*

"*Superlatives for 'Naughty Marietta'! It's the top, the super-stratosphere of musical motion picture entertainment!* In Nelson Eddy, who debuts so auspiciously as Jeanette MacDonald's hero, the screen has found a thrilling thrush, possessed not only of rare vocal tone, but of personality and form and features cast in the heroic mold. At the film's Capitol Theatre world premiere, a madly enthusiastic audience applauded each song to an extent that made the dialogue immediately following inaudible." —Regina Crewe, *N. Y. American*

"*Those advance enthusiasms were justified.* Nelson Eddy is a find, and Metro-Goldwyn-Mayer has wisely put him in a part well suited to his acting ability and magnificent voice. Jeanette MacDonald is at the top! It is a happy part for her; and Mr. Eddy seems the ideal co-star. This handsome version of his operetta should please even Victor Herbert himself."
—Eileen Creelman, *N. Y. Sun*

"*Virtually perfection of cinema light opera.* The triumph of 'Naughty Marietta' is registered by Nelson Eddy, who has a brilliant baritone voice. He is engaging and good-looking and seems to me a far more valuable acquisition than even the celebrated Mr. Tibbett."
—Richard Watts, Jr., *N. Y. Herald-Tribune*

"*A screen operetta which would have delighted its composer.* Encountering Jeanette MacDonald and Nelson Eddy in splendid voice, W. S. Van Dyke has made a photoplay which is gayly romantic and rhapsodically tuneful. Such fortissimo singing as Mr. Eddy and Miss MacDonald provide for those rapturous love songs has not been heard in a motion picture theatre since 'One Night of Love'. Mr. Eddy's distinguished baritone insures him a spotlight on the screen. Miss MacDonald, of course, is an accomplished actress as well as a first-class soprano. Then, for humor, there is Frank Morgan as the hilariously baffled Governor of New Orleans."
—Andre Sennwald, *N. Y. Times*

"*It's ter-rific.* MacDonald-Eddy are the new team sensation of the industry. Their duet of 'Sweet Mystery of Life' is the grandest thing ever recorded!"
—Ed Sullivan, *Daily News*

"*Naughty Marietta' is a personal triumph for Nelson Eddy.* Already famous on the concert stage, Mr. Eddy is established as a definite screen personality."
—Rose Pelswick, *N. Y. Journal*

"'*Naughty Marietta' is one of the best musical pictures that has ever been made* . . . Victor Herbert's music rings out from the screen with that same sweep that made 'One Night of Love' a landmark. W. S. Van Dyke is one of Hollywood's wonder men . . . his uncanny knack of swelling every inch of this picture with rich orchestrations and of disguising the plot with such music as will make you jump out of your seat is a wonder and a delight. From now on, Jeanette MacDonald and Nelson Eddy will be referred to as 'tops'."
—E. de S. Melcher, *Washington Star*

"*Great entertainment!* An exquisite film, so rich musically, and strong in story, it makes the average musical movie seem tawdry. Handsomely produced and skillfully directed, it features the splendid voices of soprano Jeanette MacDonald and baritone Nelson Eddy. The story is dramatic, its tender charm contrasted with stirring scenes of action and suspense." —Blaud Johaneson, *Daily Mirror*

"*Metro-Goldwyn-Mayer's latest cinema triumph is a complete one. Never before has music soared so gloriously from the screen.* Glittering and swiftly moving musical. Jeanette MacDonald and Nelson Eddy duets are inspirational. Eddy's technique is at once smoother and more adaptable to the screen, even than Tibbett's. 'Naughty Marietta' is the perfect marriage of operetta with the cinema."
—Edgar Hay, *Miami Herald*

"*A great screen operetta* sung to perfection. Possessed of a brilliant baritone voice, handsome Mr. Eddy has a way about him, which, with his singing ability should make him one of cinema's outstanding figures. Not even the great Lawrence Tibbett has ever sung before the screen microphone with more telling effect or beauty. MacDonald's is a stunning performance both vocally and dramatically."
—William Boehnel, *World-Telegram*


VICTOR HERBERT
He wrote his best-loved melodies for "Naughty Marietta"—hear them sung triumphantly from the screen!


W. S. VAN DYKE
... who has always given you something different ("Trader Horn", "Thin Man"), now does it with a musical.


JEANETTE MacDONALD
Never before has she been so lovely—never before has her golden voice been so perfectly recorded for the screen!


NELSON EDDY
Favorite of the concert world, his thrilling personality makes him the screen's *first* romantic singing star.


FRANK MORGAN
Hilariously funny as the baffled Governor of New Orleans who tried to tame "Naughty" Marietta.

and Douglas Dumbrille • Book and Lyrics by Rida Johnson Young • Produced by HUNT STROMBERG



Every so often a great motion picture electrifies the world by skyrocketing a star to immortality... Such was the case with "The Four Horsemen" and Rudolph Valentino; "Ben Hur" and Ramon Novarro; Wallace Beery, Ronald Colman, Clark Gable—to name a few—each stepped out into the spotlight from a great film hit. Today another nation-wide success, "Naughty Marietta" creates a new popular favorite in Nelson Eddy, its sensational singing star

THE PRODUCERS OF "DAVID COPPERFIELD" HAVE DONE IT AGAIN!
Out of Victor Herbert's masterpiece of romance and thrill, comes *Metro-Goldwyn-Mayer's* screen musical masterpiece.

Watch for "RECKLESS"—another big M-G-M hit starring JEAN HARLOW, WILLIAM POWELL!

GET READY CLEVELAND
It's Your Next Big Thrill!

STATE FRIDAY APR. 5
DOORS OPEN 10 A.M.

Clearance on Scale Basis, Topic in K.C.

(Continued from page 1)

and it was not known whether the low scales adopted by three first runs would become permanent. Clearance board members feel that a theatre with a lower than established price is not entitled to the protection in force for all first runs.

If such an amendment is pushed, it would further delay adoption of a schedule, which has already engaged the attention of the drafters for about a year. In view of the many delays and unsuccessful attempts few exhibitors and film men, if any, anticipate that a plan will be forthcoming from Campi this season.

The I. T. O. apparently has shelved attempts to obtain relief for subsequents, as it set out to do several weeks ago. It did gain its main point, however, when it obtained an agreement from Fox Midwest not to insist on protection over independents for the balance of this season.

Excelsior Springs Film Case Dropped

KANSAS CITY, April 3.—The Fox Beyer, Excelsior Springs, Mo., will not have to show cause why its film service should not be stopped, as it was ordered to do by the local grievance board. J. Erwin Dodson, Casino, same city, has withdrawn his complaint charging the Fox house has failed to abide by a cease and desist order on cash night.

Coast Clearance to Be Aired April 11

(Continued from page 1)

ents who have not had a previous opportunity to protest certain provisions of the schedule will come on for the New York session.

R. H. Cochrane is chairman of the Campi session today which will decide about 25 appeals tabled from last week's two-day session. A decision on appointment of impartial men as permanent chairmen of local boards is expected to be made today.

LOS ANGELES, April 3.—The Southern California I.T.O. and Associated Exhibitors are holding meetings Thursday to decide on representatives to the April 11 hearing in New York.

Orders New Complaints Filed

PITTSBURGH, April 3.—On the ground they were improperly filed, complaints on non-theatrical competition brought against the Pittsburgh Athletic Assn. and the Metropolitan Club by Harris Amusement Co., Loew's and Warner Bros. Circuit Management Corp. have been dismissed by the local grievance board, which stated distributors serving the respondents should have been named as co-defendants.

To Give 24-Hour Service

Standard Ticket Register Corp. is enlarging its quarters to furnish 24-hour service for repairing and replacing ticket vending equipment, says George Mead, general manager.

Brandt Authorized To Agree on Scale

(Continued from page 1)

based on the Brandt system, the first to be presented to Compliance Director Sol A. Rosenblatt. The I.T.O.A. head plans to leave for Washington within the next few days to confer with Rosenblatt.

In addition to the labor discussions, the local film situation was aired. Leon Rosenblatt was appointed chairman of the code committee, Morris Fleischman head of entertainment, Bernard Barr, legislation; Louis Meyers, insurance; John Benas, film; Dave Weinstock, light and power. Each chairman will name his committee personnel. Fleischman was also appointed chairman of the board of directors. Benas was elected to his post by the membership in addition to his appointment by Brandt.

Duals were not discussed, the matter being left for the general meeting on Tuesday.

Robbin to Stay as Supply Men's Head

J. Robbin is slated to be reelected president of the Independent Theatre Supply Dealers' Ass'n. at the four-day annual convention in Chicago starting June 15. The session will be held at the Edgewater Beach Hotel. All other officers are expected to be renamed.

The code for theatre equipment firms will be the principal topic of discussion.

Declares Missouri Bank Night Lottery

ST. LOUIS, April 3.—Attorney General Roy McKittrick has advised Prosecuting Attorney S. Spannagel of LaClede County that bank nights are in violation of the anti-lottery laws of Missouri. Spannagel had sought advice concerning a cash prize plan in use by the Lyric Theatre, Lebanon, on Friday nights.

Jack Hess Joins Mascot

HOLLYWOOD, April 3.—Jack Hess, who recently resigned as manager of the Orpheum, San Diego, has been appointed publicity head of Mascot studios. Dave Flournoy, who has been pinch hitting at the desk since Earle Hampton resigned, will continue as Hess's assistant.

Open Detroit Exchanges

DETROIT, April 3. — Jack Moss, former salesman, has opened an exchange to distribute Foy productions in this territory. Another new exchange will be opened this week by Al Dezel, who will distribute exploitation films.

Rowland Brown to Para.

HOLLYWOOD, April 3. — Rowland Brown, author of "By Any Other Name," which he recently sold to Paramount, has been signed to a contract. He is doing the adaptation of his own story.

"Black Fury" Approved

The New York board of censors yesterday finally approved "Black Fury." The picture will open at the Strand next week.

Para. to Sue Over Blumenthal Bonds

(Continued from page 1)

payment to Blumenthal was in violation of the rights of other general creditors of Paramount.

Details of the Blumenthal settlement were brought out by Attorneys Saul E. Rogers and Samuel Zirn, representing Paramount bondholders, during examinations of Ralph A. Kohn, former Paramount treasurer, and Austin C. Keough, Paramount general counsel, before the late Referee Henry K. Davis in September, 1933. It was revealed then that the settlement had been made after Blumenthal had instituted an action to have Paramount's 1932 credit transaction with 12 banks set aside and to have Film Productions Corp. dissolved. The latter company was organized to take title to negatives which were pledged as security for the new bank credit.

At the time of the settlement details of the case were kept confidential and records of testimony were removed from the court by mutual consent. This was done, it was said, to prevent other bondholders from instituting similar actions.

Testimony given in the examinations before Davis was that Blumenthal held 25 $1,000 bonds, the market value of which at the time of the settlement was about $7,500. It was stated that Blumenthal was paid $25,000, the face amount of the bonds, and that the $11,000 balance was to go to Nathan Burkan, Blumenthal's attorney. Cravath, de Gersdorff, Swaine & Wood, special counsel for Paramount, represented the company in the Blumenthal action.

Variety Club Gets Under Way in Omaha

OMAHA, April 3.—Variety Club is at last on its official way. At the first meeting every branch manager, theatre manager, film salesman and minor executive was in attendance.

A committee which will bring in final organization plans at Saturday's luncheon is composed of: Evert R. Cummings, John J. Gillin, Jr., Harry Shumow and Roy Miller. James Rogers has been named temporary treasurer.

Get Delay in Color Suit

SAN FRANCISCO, April 3. — Attorneys for Leon Douglas, who is suing Fox, Paramount and Walt Disney charging infringement of patents for the making of colored pictures, have obtained an extension to April 25 for the answering of 35 interrogatories filed by the Fox attorneys. Douglas' attorneys were first given to Jan. 21 to answer the questions, then obtained an extension to March 25.

Will Probe Marathons

BOSTON, April 3.—The Massachusetts House of Representatives yesterday adopted a petition already passed by the Senate for the investigation of marathon dance conditions. A committee will be appointed soon.

Yacht Boys to Warners

Warners have signed the Yacht Club Boys to a contract calling for their exclusive services for eight two-reel Vitaphone shorts and a feature.

Confirmation Of Paramount Plan Expected

(Continued from page 1)

Morris L. Ernst, member of the Vanderlip debenture committee and representative of professional talent holding Paramount bonds. Attorney Louis M. Levy, said to represent Paramount stockholders, will also present objections to the board and may be joined by Samuel Zirn, Archibald Palmer and other attorneys representing small bondholder groups.

However, the total claims against Paramount represented by the probable objectors are estimated to amount to less than $500,000, as compared with an estimated $30,000,000 of creditors claims which have assented to the plan in its entirety.

Further discussions on the underwriting of the $6,400,000 of new Paramount stock subscription warrants were held yesterday by representatives of the larger creditor groups in the office of Alfred A. Cook, counsel for Paramount Publix and for the Paramount stockholders' committee. Again, no final decision was reached, although it is understood that the underwriting in all probability will be handled by several investment houses, including Kuhn, Loeb & Co., Hayden, Stone & Co. and several others. Only the lowest bidders for the underwriting are being given consideration, it was stated.

Tenure of Office Discussed

Discussions of the tenure of office of the proposed directors also were held, with indications given that the tentative agreement that two and three-year terms will be given H. A. Fortington, Stephen Callaghan, Floyd B. Odlum and John Hertz, will remain as planned. Other one, two and three-year terms will be apportioned finally among the other 12 directors at a later date, it was said.

Informal discussions of officers of the new company continue to reveal support for George J. Schaefer for the presidency, although significant backing for Adolph Zukor and N. L. Nathanson is also in evidence. Any shift in creditor action on officers which left Zukor out of the presidency would probably result in his being made chairman of the board, according to sentiment now.

The hearing today may not be concluded with the first session, it is generally believed. However, it is felt that tomorrow or Monday should see the plan finally confirmed in the event of any delay.

Yoost Erpi Plea Delayed

The petition of William Yoost for leave to intervene in the Paramount Publix reorganization proceedings for the purpose of entering objections to Paramount's proposed new domestic recording license agreements with Erpi was referred to Federal Judge Alfred C. Coxe when it came before Judge Henry W. Goddard for hearing yesterday. Judge Coxe is expected to act on the petition today.

Pre-Release Dates Set

According to Warners, 161 special pre-release key city engagements have been set on "Go Into Your Dance."

New Tax Plan Is Presented In California

(Continued from page 1)

but films would be hit with a one per cent levy on manufactured articles, with one-fourth of one per cent on the wholesale product. Other changes include a one per cent severance on natural resources, two and a half per cent on gas and electricity, and two per cent on transportation.

Assemblyman Chatters, author of the income tax, announced his intention to subpoena the records of the State Franchise Tax Commissioner to learn what taxes films are paying to "disabuse the minds of the people of the idea that the industry is being discriminated against through a reasonable income tax measure."

Assemblyman Patterson's six-hour, five-day week bill has been passed in the House without debate, but it is believed there is a good chance for reconsideration.

Floridians Ask 10% Levy

TALLAHASSEE, Fla., April 3. — Florida showmen now have a fight on their hands for the Florida Educational Ass'n has decided to drop its plan for a general sales tax, and is going to ask the Legislature, which opened its 60-day session this week, to put a straight 10 per cent tax on all amusements and allow the proceeds to go to the school fund.

According to the association, it could use $20,000,000, nicely, but is willing to try and worry along with half that amount. It estimates the 10 per cent amusement tax should bring in at least $3,000,000 a year, and stresses the point that this tax would be paid by winter visitors as well as the residents.

In addition to this amusement tax money, it will ask for another cent from the gasoline tax. This, it figures, will make up the loss of revenue through the passage of the homestead exemption which went into effect this year.

Pa. Tax Fight Stirs Hope

HARRISBURG, Pa., April 3.—Following a protest of some 300 exhibitors from all parts of the state yesterday against the proposed 10 per cent ticket tax before the Senate Finance Committee, there is a feeling here that the measure may meet defeat. The Senate is controlled by anti-administration Republicans. The measure has already been passed by the House.

Support Advertising Bill

BOSTON, April 3.—Allied Theatre of Massachusetts, M.P.T.O.A. unit, is actively supporting a bill pending before the Joint Ways and Means Committee of the Legislature providing for a $15,000 appropriation for advertising the state. The theory is that it will increase the number of summer visitors.

Hold Missouri Hearing

JEFFERSON CITY, Mo., April 3.—The Senate Ways and Means Committee held a hearing today on the Administration's two per cent sales tax bill which passed the House last week. Its passage is regarded as certain in spite of the fact that exhibitors and business men generally are threatening to insist upon a state referendum.

Pass Maine Betting Bill

AUGUSTA, Me., April 3. — The House has passed the bill to legalize pari-mutuel betting on horse races by 93-45. It is expected to pass the Senate.

Kill Iowa Safety Bill

DES MOINES, April 3.—The Iowa Senate has kill a bill to provide safety regulations for projection booths. It was opposed by theatres on the ground that it would increase the number of operators.

Defeat Delaware Dog Races

DOVER, Del., April 3. — Combined efforts of Loew's, Warners and independent theatre owners are credited with having defeated in the House the bill to legalize dog racing. The measure, which permitted pari-mutuel betting, was defeated, 9-22.

Pass Tenn. Sunday Bill

NASHVILLE, April 3.—The Senate today passed the local option Sunday opening bill, 17-10. The House is regarded as more liberal than the Senate and its passage by that branch is expected. The measure is sponsored by the Memphis delegation.

Barker Joins Columbia

OMAHA, April 3.—William Barker, former Paramount booker, has joined the Columbia sales force here. He replaces Larry Hensler, transferred to the Des Moines territory three weeks ago.

Looking 'Em Over

"Case of the Curious Bride"

(Warners)

Warren William and Allen Jenkins combine to present a very entertaining and amusing mystery film that will keep audiences guessing until the last reel as to the identity of the culprit. Mystery fans, in particular, will go for this latest screen adaptation of one of Earle S. Gardner's novels, for there is enough comedy, particularly when Jenkins is on, to satisfy.

Director Michael Curtiz never lets the action lag. He handles Tom Reed's screen play in such a manner that audience interest is maintained until the end. Tom Abel's photography is good.

William, as Perry Mason, ace criminal lawyer and detective, decides to help Margaret Lindsay discover the reason for the return of the husband she had believed dead. In the meantime she had remarried. The returned "dead man" is murdered and Miss Lindsay accused of his death. William and Jenkins, aided by the usual battery of newspaper men and hindered by the police at every turn, proceed to unravel the mystery. Laughs are handed out right and left during the process and it isn't until the final few feet that the killer is revealed in a surprise finish and Miss Lindsay vindicated.

William is excellent as the suave, debonair Perry Mason, and Jenkins reaches comedy heights as his assistant. Miss Lindsay has little to do. Claire Dodd, who turns in a first rate performance; Wini Shaw, Warren Hymer, Phil Reed and Henry Kolker round out the cast. This film should do well.

Production Code Seal No. 685. Running time, 68 minutes. "G."

"Unwelcome Stranger"

(Columbia)

SAN DIEGO, Cal., April 3.—Combining plenty of action, excitement, drama and humor, this is an entertaining film about two orphans, a freckle-faced kid and a horse, and how they win the big handicap.

The story deals with Jack Holt, a race horse breeder, whose pet superstition is orphans. His wife, capably played by Mona Barrie, without his knowledge brings into their home Jackie Searl, a lame orphan. Searl overhears Holt's betting commissioner (Bradley Page) conspire with a crooked jockey (Frankie Darro) to throw the handicap.

At the last minute Searl rides Noma, also an orphan, to victory in the big race. There is plenty of suspense as Searl is unseated near the finish by his rival jockey to keep the audience on the edges of its seats. Noma, however, wins when the commissioners disqualify the guilty jockey.

Director Phil Rosen has turned out a race track picture with a new angle that should appeal to all ages.

Names and the novel treatment of the picture should be stressed by exhibitors.

Production Code Seal No. 643. Running time, 65 minutes. "G."

"Life Begins at 40," this morning's opener at Radio City Music Hall, was reviewed by wire from Hollywood on Feb. 2.

"It Happened in New York," opening tomorrow morning at the Roxy, was reviewed by wire from Hollywood on Feb. 23.

"West Point of the Air," which opens tomorrow morning ot the Capitol, was reviewed by wire from Hollywood on Feb. 23.

Goldwyn Talks On Television, Color Outlook

(Continued from page 1)

can add $300,000 to the cost of a feature.

Television is something for the more distant future, he indicated, but his opinion was that some day it may be possible for a studio to spend a year in producing a picture and have it shown simultaneously in all the theatres of the country by television.

Goldwyn's remarks on stereoscopy were somewhat of a repetition of his recent interviews in the United States. He has been working on it for three years, he said, and now has the process to the point where a special attachment on a projector will enable a spectator to get a stereoscopic effect without the use of "analysers." It will not greatly increase production costs, he said.

Goldwyn denied he had come to England to discuss theatre purchases, but said he had conferred on production with Alexander Korda. Merle Oberon's next, which will start in May, with either Fredric March or Herbert Marshall in the male lead, also was the subject of a conference, it was stated.

May Produce in England

Samuel Goldwyn may produce abroad, he indicated yesterday morning as he debarked from the *Olympic* after a four-day visit in England on personal business.

The U. A. producer said that his production plans in England depend on the California tax situation. Goldwyn stated he did not sign anyone while in London and will leave for the coast in a few days.

Asked about theatre conditions, he declared that business is better in England than ever before.

International Study Of Television Begun

(Continued from page 1)

Institute, it has been announced by the League of Nations.

Reports of the League disclose that plans have been made for a series of shorts on the aims and work of the organization, proposals for which have been received from the Atlantic Film Co. The pictures would be given world distribution.

Recent meetings of the institute have been devoted to a number of film problems, including the negotiations for the adoption of uniform dimensions for small-sized film, which thus far have been inconclusive.

Comerford Still Gains

WASHINGTON, April 3.—M. E. Comerford who has been in the Emergency Hospital for several weeks, continues to show improvement, according to Dr. Walter A. Bloedorn.

It will, however, be several weeks, the doctor states, before Comerford will be discharged from the hospital.

Reliance Switches Title

HOLLYWOOD, April 3.—Reliance's "Legion of Valor" is back to its original title, "Let 'Em Have It."

» » » Test Engagements in 4 Cities Furnish the Proof!

"PRIVATE WORLDS"

a woman's picture means BOX-OFFICE . . .

» a Great Woman's Picture!

PHILADELPHIA
Boyd Theatre
HELD OVER! Did average week's business in three days.

BOSTON
Metropolitan Theatre
Business for the week 50 per cent better than average.

COLUMBUS
Palace Theatre
Better-than-average business for the week.

NEW YORK
Paramount Theatre
HELD OVER! Steady build-up in patronage from day to day.

CLAUDETTE COLBERT in "PRIVATE WORLDS"
with **CHARLES BOYER, JOAN BENNETT,** HELEN VINSON and JOEL McCREA
A Walter Wanger Production • Directed by Gregory La Cava • A Paramount Release

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 80 NEW YORK. FRIDAY, APRIL 5, 1935 TEN CENTS

Para. Setup Approved; Court Supervision Ends

Coast-Coast Studio Flight Gets Up Steam

Bahamas Latest to Bid; Mayer States Views

Eastern studio projects are springing up like dandelions after a spring rain. Virginia, North Carolina and Florida have them and now the Bahamas has produced another for saving money on British quota pictures.

Out on the coast Louis B. Mayer is assuring the public the industry really means to say goodbye.

Governor Merriam's stratosphere tax program has already lost buoyancy, and if a fin should give way in the oratorical gale nobody would be surprised. The legislative crew might take to the rubber boats on an every-man-for-himself basis.

The Bahamas project is advanced by Vincent Wray, managing director of British-American Cinema Studios,

(*Continued on page 2*)

Aylesworth Favors Radio-Theatre Aid

Cooperation between the radio and film industries for the betterment of theatres was urged yesterday by Merlin H. Aylesworth, president of NBC and Radio-Keith-Orpheum Corp., before an overflowing audience at the Ampa.

"There is a great chance for fine cooperation between pictures and radio," he said. "We've offered to help get radio audiences to go to

(*Continued on page 18*)

Blumberg Optimistic After Theatre Trip

Nate J. Blumberg, general manager of the RKO circuit, returned to New York yesterday from a trip bringing word that theatre business in general was "pretty good" and that, more than ever before, real pictures are attracting real grosses.

Traveling by air, he visited Los Angeles, San Francisco, Portland, Denver, Kansas City, Chicago and Cleveland in two weeks.

Iowa Monopoly Suit Filed by Thornburg

DES MOINES, April 4.—A suit charging conspiracy in restraint of trade has been brought in Federal court here by Don and Eunice Thornburg, operators of the Family, Mar-

(*Continued on page 2*)

Ohio in New Outbreak of Tax Measures

COLUMBUS, April 4.—That 10 per cent admission tax sidetracked by the recent enactment of a three per cent sales tax is rattling around again like an army of skeletons in exhibitors' closets. In fact, all kinds of new taxes are rattling around only a few weeks after it looked as though the problem had been solved, temporarily, at least.

There has been some talk of presenting a constitutional amendment to exempt food and clothing from the sales tax. This would cut the estimated receipts by $50,000,000.

Apparently Governor Martin L. Davey regards this amendment seriously, because he has taken the tax bull by the horns and is jostling it all over the legislative arena. What the Senatorial picadors and the House matadors will do about it remains to be seen.

Governor Davey says $30,000,000 to

(*Continued on page 18*)

S. & C. at Work On Four New Theatres

In addition to the Tribune and Court which are now nearing completion, Springer & Cocalis are building two other theatres, one a 1,400-seat house at 204th St. and Broadway, and a second, a 1,200-seat theatre, at Hillside development at Boston Post Road. Both houses will be ready in September.

The Tribune, which will seat 600, is expected to be ready for opening May 1. The Court, also a 600-seater, will be opened about May 15.

Tenn. Sabbath Bill Goes to Governor

NASHVILLE, Tenn., April 4.—The bill permitting Sunday shows by local option was passed in the lower house today, 60 votes to 32. It was approved yesterday by the Senate, 17 to 10. It is predicted Governor McAlister will sign it, though there is no official indication regarding his attitude.

All Clear!

The United Artists publicity department released a story about a new Mickey Mouse character named Ambrose Kitten. The release contained the expression "leit motif."

A telephone call was made down the street for a translation of the expression. Morris Helprin explained:

"It's French for Walt Disney."

Move Started To Pick Dual Bills in K.C.

KANSAS CITY, April 4.—The Kansas City dual bill problem is on the road to solution with approval by the I. T. O. of the plan recommended by Fox Midwest that a committee be appointed to select features that may be dualled. The latest development follows the independents' demand that all product be released for dualling.

As tentatively agreed upon, the selection committee is to consist of two representatives of independents, one from Fox Midwest, one appointed by distributors and one first run member. A majority of the distributors have indicated their approval of the idea, and sentiment of the first run theatres is to be obtained. J. F. Rigney and

(*Continued on page 18*)

Reade Hits Brandt Single Bill Moves

Decrying the cumulative protection in this territory by major circuits and striking a blow at Harry Brandt, sponsor of the current move to eliminate duals locally, Walter Reade, says it's impossible to go single features.

"A promise or contract from Harry Brandt to adopt single feature policies wouldn't be worth the paper it is written on," Reade stated yesterday. "Brandt would be running a single feature on Saturday and on Monday

(*Continued on page 18*)

Starting of New Company Now Up to Creditors And Stockholders

Paramount Publix emerged from Federal court supervision yesterday with the final confirmation of the company's plan of reorganization by Judge Alfred C. Coxe.

The order confirming the plan brings to an end Paramount's rehabilitation processes after slightly more than 26 months of receivership, bankruptcy and reorganization proceedings. What remains to be done to complete the launching of the new Paramount company is almost wholly internal, corporate procedure which may be undertaken independently of the court. This will include the immediate calling of a special meeting of stockholders to formally elect the proposed new board of directors of 16 already agreed upon, the election of officers of the new company and the discharge by the court of the trustees of Paramount, Charles D. Hilles and Eugene Leake.

No change in the board of directors will be made. Judge Coxe cut short the voiced opposition to the board after listening to Morris L. Ernst and Louis M. Levy, attorneys for Paramount bondholders, with the statement

(*Continued on page 8*)

Board Splits Rule On Century-RKO

By a vote of four to two the local clearance board yesterday split its decision on the Century-RKO issue, declaring that the RKO Columbia and Strand in Far Rockaway were not competitive with the Century Fantasy in Rockville Centre but that the RKO Alden, Jamaica, was.

Eugene Picker of Loew's and Robera Wolff, RKO branch manager, were the two dissenting voters. This

(*Continued on page 4*)

Laurel-Hardy Feud Ends; Resume Work

HOLLYWOOD, April 4.—Stan Laurel and Oliver Hardy have made up. They smoked the pipe of peace today and Laurel signed a new contract with Hal Roach. As a result, they resume their new feature where they left off recently, and Hardy abandons his plans for a series of two-reelers.

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Iowa Monopoly Suit Filed by Thornburg

(*Continued from page 1*)

shalltown, Ia., against seven majors and the M.P.P.D.A. C. C. Dunsmoor and his wife, operators of the Capitol, and M. C. Roskopf and Sam Horwitz of the Casino, are named as co-defendants. Both these theatres are competitive to the Thornburg house.

The septet of producing and distributing companies accused of conspiring to put the Family out of business by offering "an unfair competitive advantage" to the two rival houses are Paramount Pictures Corp., First National Pictures Distributing Corp., M-G-M Distributing Corp., Fox Film Corp., United Artists Corp., RKO Distributing Corp., and Vitaphone Distributing Corp.

Unreasonable protection demands by the defendants and actual refusal to sell the plaintiffs product are charged in the suit.

Kent in Bed with Cold

HOLLYWOOD, April 4.—Sidney R. Kent is confined to bed at his hotel with a heavy cold and a sore throat. Physicians attending him say he will be back on the job in a few days. Mrs. Kent arrived here yesterday.

"Colonel" Gets $58,000

"The Little Colonel" garnered $58,000 on its second and final week at the Music Hall. The first week of "Ruggles of Red Gap" at the Rialto was good for $16,500.

Insiders' Outlook

By RED KANN

A MAJOR industry disturbance came to a finish yesterday. Federal Judge Coxe, from high on his bench in the United States District Court, placed his judicial seal of approval on a reorganized Paramount. Practically, and yet not actually, the company is now clear of the bankruptcy regime to which its every action has been reported for twenty-six months, plus one week. There remain details, many details, of rehabilitation, including election or directors, final submission of trustees' reports, their discharge by the bench which appointed them in the first instance. But they are details—picayune and routine by comparison with all which has gone before. . . .

▼

Relieved of its estate as a bankrupt, the atmosphere at Paramount immediately will clear. The job is not over, of course. From many angles, it is just beginning to take whatever form finally will emerge from the plans and ideas of its essentially banking board. To those who are in the saddle, it might be well to point out again the obvious pitfalls into which strangers to film technique may easily fall and to caution them in friendly manner of the wisdom of giving film men the right to run a film company. . . .

▼

Paramount is a valuable property, the various body blows and kicks in the pants administered by the depression notwithstanding. Inherent in its structure are great strength and virility, no more significant proof of this evidencing itself than the manner in which its production and selling machinery maintained speed under circumstances discouraging and disheartening. A colossus of this industry, it would be strange to contemplate what it would be without Paramount. There are those who maintain this or any other major elimination from the picture would mean little; that another company would take its place; that production output would continue at its level whether Paramount made its yearly quota or not. This column argues that the celluloid ensemble without Paramount would be like a family minus one of its most important members and that its removal from the scene would represent a void not easy to fill. . . .

▼

"I have no desire any more to play in the commercial theatre. And the movies are purely commercial. My plan would be to use that economic independence which the movies can give to an actor to seek to eliminate the commercial theatre and to attempt to create the kind of a theatre in which, we, as actors, could find the opportunity to do the sort of thing we want to do."—Leslie Howard in *The New York Times.*

At the risk of pouts and protests from feminine readers in comfortable Westchester surroundings, the temptation, irrepressible, is to ask Howard why he does not do the thing he so glibly talks about. Retiring and modest in his characterizations on screen and stage for which he has been working steadily and very lucratively in recent years, it comes as a shock to conclude that Howard, in life, is inclined to drift so far afield from those expert delineations of his. . . .

▼

Exactly what sort of regulation, if any at all, does Abram F. Myers, the general counsel of Allied States, look upon with favor? Citing that interesting Federal court decision in Denver the other day wherein the judge ruled exhibition was intrastate business and, therefore, not compelled to bow its will to the mandate of the NRA code, he told Allied members in the Northwest on Tuesday that the decision verified his original contention. His argument has been that exhibition was not subject to the code. So far he's in the clear. Whether you agree or not with his viewpoint has nothing at all to do with the case in point. . . .

▼

In the same speech, same place, if not in the same breath, Myers predicted Congress would enact the Pettengill bill prohibiting compulsory block booking. Allied is openly on record with its approbation of this proposed piece of legislation. What needs clarification should be obvious if you have read thus far. Left hand: Myers opposes the code as constituted because theatre operation, he asserts, is not an interstate business. Right hand: He endorses the Pettengill measure which would exercise a Federal check of another ilk on the self-same intrastate business which he opposes under the code. What hand is guiding him anyway? . . .

▼

Ham and eggs, that good, old domestic institution, remain indivisible. In other words, Stan Laurel has ironed out his difficulties with Hal Roach and the team of Laurel and Hardy continues. A bright spot in the daily grist of the news. . . .

Coast-Coast Studio Flight Gets Up Steam

(*Continued from page 1*)

Inc., who is now in New York from Miami.

The Bahamas, he says, are a "logical solution" of the British quota problem.

"Up to this time quota pictures have been practically a total loss," he asserts, "due to the fact that they are rarely even shipped to America. At our Nassau studios we will be able to produce quota pictures at approximately one-half the London production cost, due largely to ideal weather conditions. In addition, we will be able to feature American players with box-office names."

Wray says that in addition to his Nassau plant he is completing a studio at Opalocka, Fla.

Virginia Is Excited

RICHMOND, April 4.—This state is so steamed up over the possibility of an eastern migration of studios that Gov. George C. Peery is now awaiting the arrival of Chester Beecroft from Hollywood.

Reports have it that he will supervise construction of a studio at Portsmouth for Hyman B. Lasting and associates.

Other promoters are also busy. Southern Pictures, Inc., has been chartered in North Carolina and there is talk of building a studio in Charlotte.

Mayer Predicts Migration

HOLLYWOOD, April 4.—Speaking before the Breakfast Club, Louis B. Mayer predicted the industry would move from California. He voiced the opinion it may be too late for the state to intervene. He blamed the proposed state taxes, political and economic conditions and the activities of demagogues as the reasons for the shift.

Mayer said: "I predict we will move and I don't think Governor Merriam can stop us whether he wants to or not. If I went to Sacramento and spoke, they'd probably double the taxes, since I'm mighty unpopular there as I represent a business that pays wages. Today the film industry gives millions yearly in taxes to Los Angeles city and county. That's from the companies and not individuals and you can add to that amount the individual taxes. Take away their money and they've got to go."

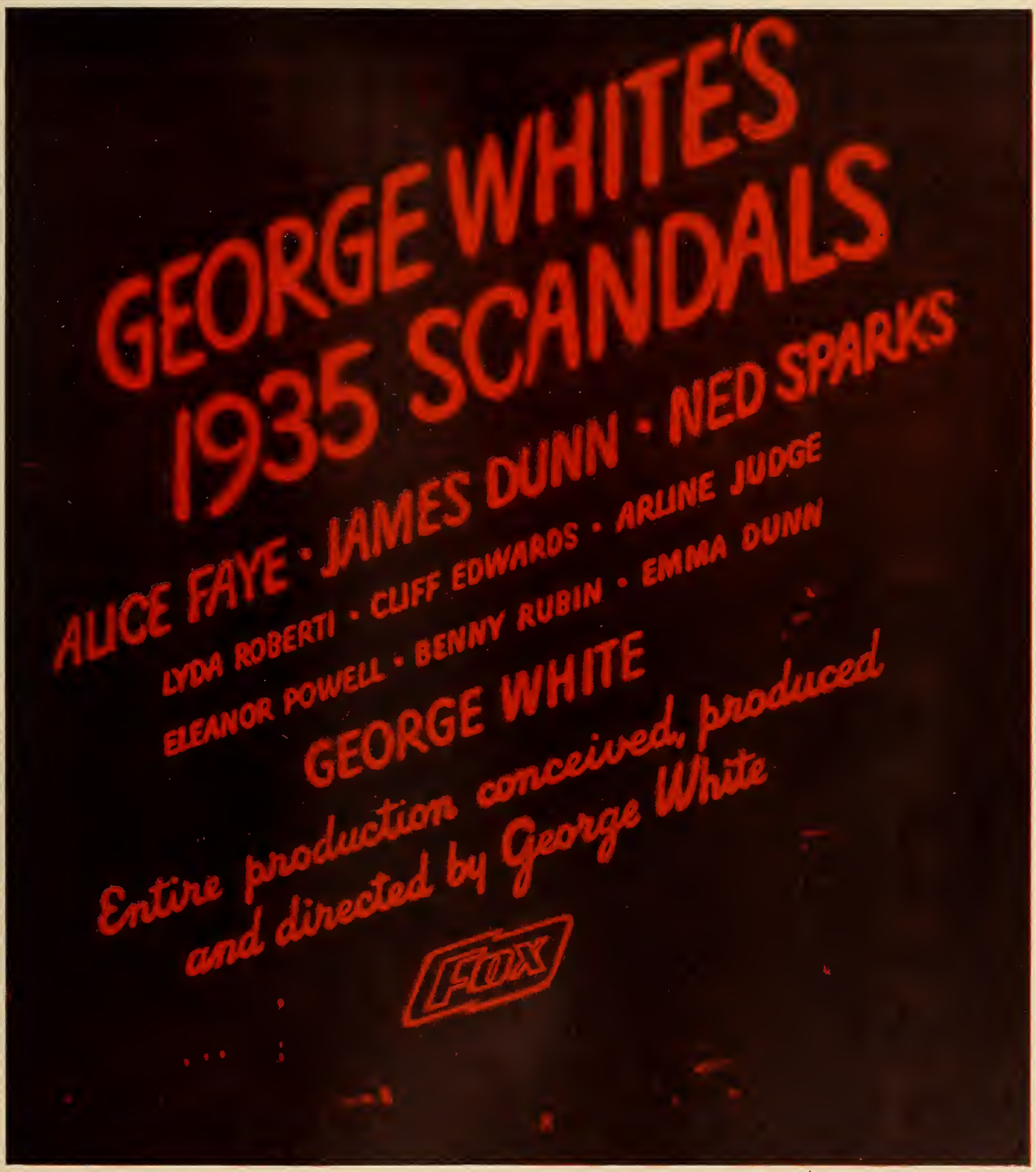
"If we don't move now and if there is no change in the attitude of the public regarding throttling the industry," he continued, "we'll move next year or the year after. As long as demagogues have these Utopias and business people do nothing but grumble, hope is lost."

Mayer concluded his talk by citing "outrageous" taxes, slashing at legislators and hinting at lucrative inducements held out to the industry by other states.

"Waltz" Opening Set

Strauss' "Great Waltz" opens at the Westminster Cinema tomorrow for a two-a-day run.

THE SIGN OF THE BIGGEST SHOW IN TOWN



Screen play by Jack Yellen and Patterson McNutt. Based on a story by Sam Hellman and Gladys Lehman. Songs by Jack Yellen, Cliff Friend, Joseph Meyer. Additional lyrics by Herb Magidson. The Songs: "According to the Moonlight," "It's An Old Southern Custom," "Hunkadola," "Oh, I Didn't Know You'd Get That Way," "I Was Born Too Late," "I Got Shoes—You Got Shoesies."

Board Splits Rule On Century-RKO

(Continued from page 1)

was not unexpected, since Loew's has the Hillside, Jamaica, which would ultimately be affected by the decision if Jamaica was held to be competitive with Rockville Centre.

Century is understood to be more interested in the Jamaica situation than Far Rockaway and will appeal.

The board argued for several hours, but the session was called to a halt when it was found that the four men in favor of handing down the decision as it stands would not change their views. The decision was then signed and the board took up the clearance complaint of the Music Hall, Clinton, N. J., against the Washington, Washington, N. J. The situations were declared non-competitive.

Wolff, who has been sick for the past five days, was on deck for the final voting. He was not feeling well and left for home after the decision had been signed. He showed signs of fatigue during the entire meeting.

Bolognino Off Board

After the decision had been handed down on the Century-RKO case, Laurence Bolognino declared yesterday he was officially off the local zoning board. He told MOTION PICTURE DAILY he had quit six weeks ago, the resignation to become effective when the case wound up.

McNabb Wins Delay in K. C.

KANSAS CITY, April 4.—The contention of A. B. McNabb, Neodesha, Kan., that he needed a stimulator because his competitor, Glen Klock, had overbought product won him a respite from the local grievance board's decision that he immediately discontinue bank night.

The board called in McNabb to show cause why his film service should not be stopped for failure to comply with a cease and desist order. He argued he could not operate without bank night, as about all the product he had was westerns. The board found him guilty of disregarding the original order, but stayed the stop-service order until Campi hands down a decision in McNabb's overbuying case against Klock.

It became necessary for McNabb to cease bank nights when Klock filed a compliance on reduced admissions.

Hits Cleveland Clearance

CLEVELAND, April 4.—The clearance and zoning board is scheduled to meet Tuesday to hear a protest of the Inter-City Amusement Co., operating the Utopia, Painesville, against first run theatres of Cleveland, which have 14 days' protection over Painesville. Inter-State wants this reduced to seven days.

In support of this protest, the protestant cites the clearance of seven days between Cleveland and first run theatres of Elyria and Lorain, which are approximately the same distance from Cleveland, in the opposite direction from Painesville.

Stop Milwaukee Giveaways

MILWAUKEE, April 4.—The Hollywood, local neighborhood house operated by Hollywood Co. of Milwaukee, Inc., has been ordered to discontinue giving away bags of groceries by the local grievance board. The complaint against the house was brought by the Saxe Amusement Management's Garfield, both houses being competitive.

Purely Personal

CHARLES LAUGHTON, returning on the *Europa* yesterday after conferring several weeks with ALEXANDER KORDA in London on stories, leaves for Hollywood today. He will next appear in "Mutiny of the Bounty" for M-G-M and must be in England on June 15 to start work on his next for London Films. When asked by MOTION PICTURE DAILY yesterday how many pictures he will make for M-G-M, LAUGHTON corrected the interrogator and said he was under contract to IRVING THALBERG and not M-G-M. He says his trip over was "flat." The previous ocean voyage, he said was "lousy."

•

MIRIAM HOPKINS will be heard in a dramatic sketch on the first Shell Chateau broadcast over the NBC network tomorrow night. AL JOLSON and MAX BAER will be on the same program.

Quip of the Day

Jimmy Durante and Dorothy Mackaill provided some of the clowning at the A.M.P.A. yesterday. Dorothy planted a gardenia on Schnozzola's lapel, then sat in his lap and threw her arms around him. All of this on the dais.

Jimmy disentagled himself, gave Dorothy her gardenia and, turning to Howard Dietz, said:

"Do you think this will cause comment?"

Morris Helprin, at the same function and after two hours of the show, looked at his watch, discovered it was 2:45 and left, remarking:

"I'm going now. This is where I came in."

ROBERT M. GILLHAM arrives from the coast today. He has been conferring on production plans with Paramount studio executives.

•

JOE WEIL of Universal has just completed a striking press book in color for "The Bride of Frankenstein." It is 22 in. by 12 in.

•

ROBERT YOUNG appeared in person at the Capitol last night. It was for only one performance. He departs for Hollywood next week.

•

FRANK C. WALKER is off for Pinehurst to play golf with Attorney General HOMER CUMMINGS and some others.

•

HARRY BUXBAUM is due back from Florida today. He's been away for three weeks.

•

JACK ELLIS has reached the boiling point and he's showing signs of it on his neck.

•

MERLIN H. AYLESWORTH plans to go to Hollywood within the next few weeks.

•

ED LEVY was in from New Haven yesterday.

•

JACK BOWEN is back from a Florida vacation.

•

HAL ROACH is due in from the coast shortly.

RAY NOBLE, composer of the songs in "Brewster's Millions," will be host to a group of fellow band leaders at a midnight showing of the film tomorrow night at the Rivoli. Among those expected to attend are DON VOORHEES, XAVIER CUGAT, OZZIE NELSON, FREDDY MARTIN, RUDY VALLEE, PAUL WHITEMAN, HAL KEMP and ABE LYMAN.

•

HALSEY RAINES of M-G-M will have his show, "The Eye," given a tryout performance starting tonight at MRS. JOSEPH URBAN'S Waverley Place theatre at Yonkers and ending Sunday night. RAYNESS COPLAND collaborated with RAINES on the mystery melodrama.

•

LOUIS NIZER was made an honorary member of the Ampa yesterday, MERLIN H. AYLESWORTH spoke briefly on NIZER'S past performances and presented the scroll on behalf of the organization.

•

TONY GABLIK, art director at the Warner home office, will be represented by two oil paintings at the Society of Independent Artists exhibit opening at Grand Central Palace tonight.

•

CESAR ROMERO and CAMERON ROGERS, the first an actor in and the second adaptator of "Cardinal Richelieu," saw the film yesterday for the first time at a private screening at United Artists.

•

DAVE LOEW carries a prize golf score card with him these days to show to doubting Thomases. It's signed by a caddie and ALEXANDER KEMPNER—and that's proof enough.

•

SAMUEL GOLDWYN will not leave for the coast until JOSEPH M. SCHENCK returns from Hollywood next week. AL LICHTMAN gets in Monday. SCHENCK possibly the day after.

•

MIRIAM HOWELL, newly appointed eastern production manager for Universal, leaves for Hollywood today to first see what makes those production wheels whir.

•

HOWARD DIETZ'S mother was in the audience watching her son act as master of ceremonies at the Ampa yesterday. And did she get a kick out of it?

•

COMPTON MCKENZIE'S "Sylvia Scarlett" has been acquired by Radio. KATHARINE HEPBURN may be starred.

•

CHARLIE MOSKOWITZ is recommending sun ray lamps as a result of that burn on his visage.

•

SAM H. HARRIS is due in from Hollywood Monday. Or the next day. Or the next.

•

E. S. KLEEBLATT has resigned his post with the Eagle Press, Brooklyn, to join Cuneo Press.

•

ADAM HOBHOUSE'S "Hangover Murders" has been acquired by Universal.

•

FRED SCHWARTZ is scheduled to start on that Florida vacation today.

•

HOOT GIBSON is at the Warwick from the coast.

Warners and Levins End Clearance Row

Warners and the three Levin Brothers, Harry, Abe and Louis, of the Elwood, Newark, have patched up their clearance and booking difficulties with the result that the hearing slated in Washington for April 13 before the Industrial Appeals Board has been definitely called off.

Under the arrangement practically completed, Levin will pool product with Warners' Regent, Newark, and Capitol, Belleville. The deal also winds up the clearance and zoning case which the Elwood has had pending in Washington for several months.

David T. Wilentz, attorney general of New Jersey, acted as legal representative for the Levins on the clearance issue. He was slated to appear before the NRA board on appeal.

Lou Levin and Warners yesterday admitted the get-together, with all sides happy over the arrangement.

Mason Ignores Code

WASHINGTON, April 4.—Lowell Mason, former counsel for the Darrow board, completed his testimony before the Senate Finance Committee today without referring to the film code.

Mason paid his respects to several codes which the board had investigated and also charged that many of the codes contained provisions permitting things which had been outlawed by the courts before the NRA was created.

Missourians Sign Code

KANSAS CITY, April 4.—O. W. Williams, Civic, Brookfield, Mo., and Sam Yaffe, Uptown, Trenton, Mo., are the latest assenters to the film code in this territory.

Guild Actors Renew Fight Upon Academy

LOS ANGELES, April 4.—Opposing arbitration by the Academy in a case where an actor demands his own conciliation board, the Screen Actors' Guild has started a pen and word-of-mouth campaign among players and agents suggesting they refuse to accept the studio contract clause giving a player the privilege of Academy arbitration.

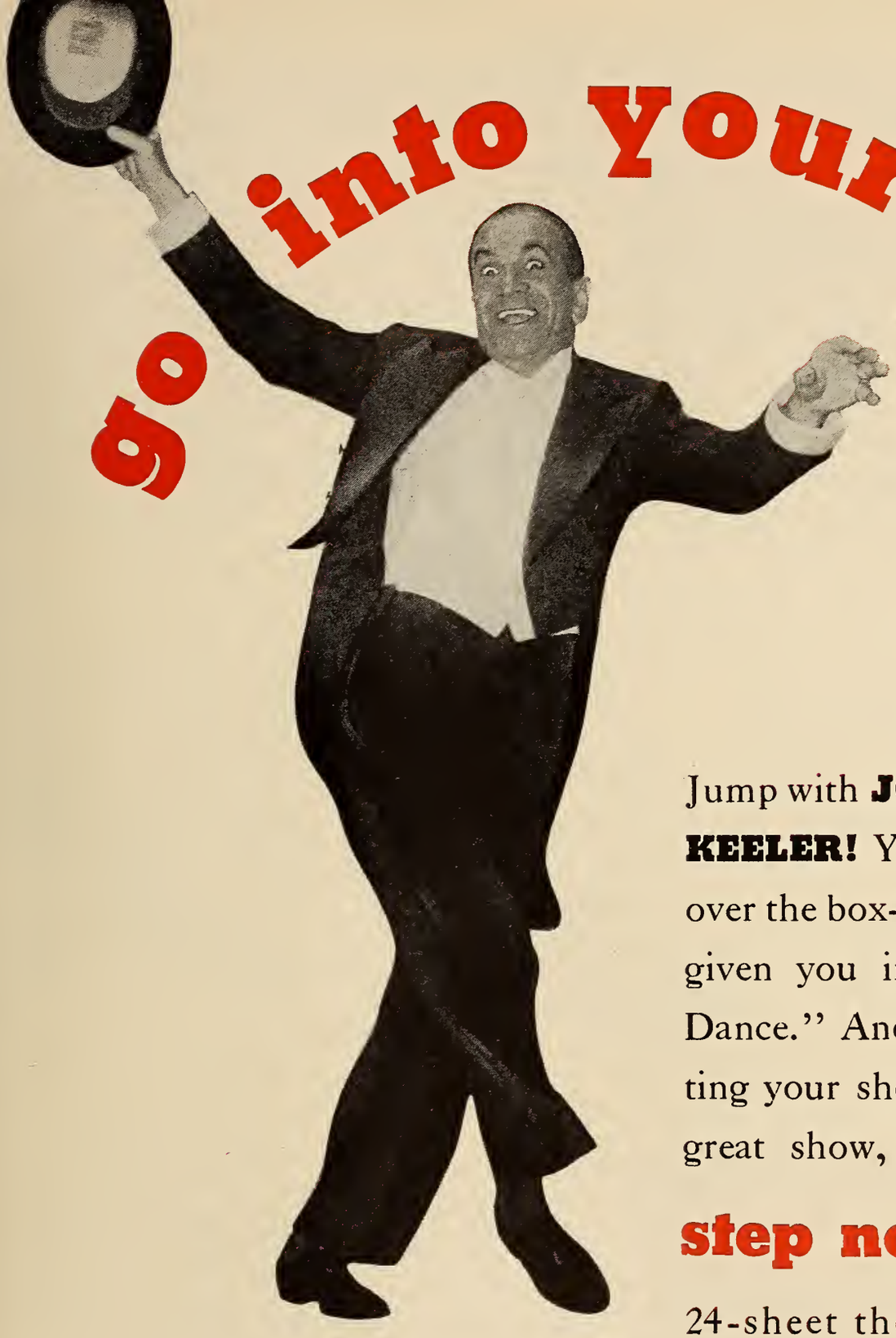
The Guild's opposition to the Academy is the result of the first month's trial of the new working conditions system ruled effective March 1 by the latter. During the month, according to an Academy statement, 800 players accepted no arbitration other than its own. What has stirred the Guild is that many of these players were its own members.

The Guild suggests verbally and by letter that players utilize the facilities of its conciliation committee.

Campi Hears 25 Appeals

Campi devoted its entire session yesterday to decisions on about 25 appeals. It will resume this morning on the rest of the cases on the calendar. In addition to the appeals, other business, including appointment of impartial members as permanent chairmen of local boards, will be taken up. Ed Kuykendall was chairman. He will continue in that post at the session today.

go into your dance...



Jump with **JOLSON**—kick with **KEELER!** You'll be *that* happy over the box-office goods they've given you in "Go Into Your Dance." And when you're strutting your showmanship on this great show, don't slip up on

step no. 4 . . . .

24-sheet the fact that "42nd Street's" famous author has given this big Warner musical a real human-interest story—and that 8 supporting stars like Glenda Farrell, Helen Morgan and Patsy Kelly help tell it, under Archie Mayo's direction.

A First National Picture

Hyman Here to Talk On O'Brien's Series

Louis Hyman, personal representative of Sol Lesser, president of Atherton Prod., arrived yesterday for a 10-day visit during which time he will confer with Fox sales executives on the George O'Brien westerns.

O'Brien is halfway through "The Cowboy Millionaire," third of four planned for the current season. The next western will be "Hard Rock O'Brien" with Dave Howard directing. Lesser will also make four of the same series for Fox on next year's schedule.

Hyman plans to visit every Fox exchange and confer with branch managers and salesmen on his way back to the coast.

ASC Reelects Arnold

HOLLYWOOD, April 4.—John Arnold has been elected to a fifth term as President of the American Society of Cinematographers.

Victor Milner has been reelected first vice-president, James C. Van Trees is second vice-president and Charles B. Lang, Jr., third vice-president. Fred W. Jackman is the new treasurer and Frank B. Good stays in the secretary berth.

John W. Boyle, Elmer G. Dyer, A. L. Gilks, Charles Lang and Joseph Walker will serve three-year terms on the Board of Governors.

Lazarus Is Reelected

NEW ORLEANS, April 4.—Henry Lazarus again heads Allied of Louisiana as president. He will also continue to serve as treasurer. Harry S. McLeod was elected first vice-president, but resigned, stating press of business in managing the Pratt properties, among which is the St. Charles theatre, compelled him to. Joseph Alsina is second vice-president and Henry Schulman secretary. The meeting went on record in favor of dual bills.

Form Fashion Magazine

ALBANY, April 4.—Fashion Magazine of the Screen, Inc., has been chartered at Albany with capital of 100 shares no par value. Ethel Davis, Rose Brodsky and Joseph Billik are the incorporators.

M-G-M Holds Knight

HOLLYWOOD, April 4.—M-G-M has signed June Knight to a new long term contract. Miss Knight will appear in "Broadway Melody of 1935" as her first assignment.

Talk Oil City Merger

OIL CITY, Pa., April 4.—A deal is under discussion here to combine the management of the three local houses—the Drake, Lyric and Latonia. H. L. Stahl and M. Marks would be in charge.

New Short Completed

Cartoon Exhibitors, Inc., recently formed to produce and release shorts, finished its first reel yesterday. It is made up of comments and gags contributed by well known humorists accompanied by incidental music.

Fire at Kentucky House

MAYFIELD, Ky., April 4.—Damage estimated at $10,000 was caused by a fire that originated in a fan room of the Princess, owned by Warners.

Looking 'Em Over

"Brewster's Millions"

(British and Dominions-United Artists)

The familiar yarn of Jack Brewster, who inherited $2,500,000 from his grandfather with $6,000,000 more from an uncle dangled before him provided he spent the first fortune complete in six months emerges again. This time it is set to musical treatment and tempo with moderately pleasant results.

Jack Buchanan, young man of ingratiating personality, feet that are agile and voice that is agreeable, if small, plays the title role and indulges in pranks, fantastic and madcap, to squander the first millions in order to get the remaining six. He backs a musical show, buys a palace in the form of a sumptuous yacht, saves the annual fiesta of a small Italian village for its mayor and populace and very nearly loses out when his play clicks and his stock investments soar. Comes the finish as Brewster would have it, financially and in the matter of the heart with all the beats pounding in unison on behalf of Nancy O'Neil.

Production values are sumptuous, but the picture either is overlong or appears to be so in a number of its lengthier sequences. Some of the gags, too, have a very familiar ring and more age on their shoulders than fresh quips ought to have if they are determined to remain fresh.

Production Code Seal No. 655. Running time, 78 minutes. "G."

K.

"Eight Bells"

(Columbia)

It will be "Eight Bells" for audiences, but all probably won't be well until at least the fourth reel is reached, for up to there the action is still floundering in its attempt to get started.

R. William Neill's direction seems to have allowed too much dialogue during the first half of the picture, but from that point on his work is commendable. Joseph Walker's photography is exceptionally good.

The yarn has Ralph Bellamy, captain of a tramp steamer, demoted in place of John Buckler so that the latter can insure the delivery on time of the cargo and thus save the line owned by Ann Sothern's father. The two men clash immediately. When Miss Sothern is found a stowaway on the ship, matters are made worse since she is engaged to Buckler. The latter does everything wrong and finally steers the ship off its course and into a hurricane. From this point on, the action is fast and dramatic. The boat suffers about every accident possible except sinking and finally makes port chiefly because of the herculean work of Bellamy. The finish finds Bellamy and Miss Sothern in each other's arms since she has discovered she didn't really love Buckler after all. As fare for neighborhood houses this film should prove satisfactory.

Production Code Seal No. 679. Running time, 63 minutes. "G."

"El Dia Que Me Quieras"

(The Day You Loved Me)

(Paramount)

Carlos Gardel and Rosita Moreno sing and dance through this feature in a most pleasant manner. It is Gardel's picture, however, particularly because of his singing. The one number he does with Miss Moreno where their voices blend splendidly should be long remembered.

Despite the fact the film is in Spanish, so clear is the story and so well is it handled by director John Reinhardt that it is easily followed even if one has no knowledge of the language. The photography by William Miller is good.

The story has Gardel, the son of a wealthy South American banker, interested more in the theatre than anything else. He marries Miss Moreno, a dancer, against his father's will and is disowned. Five years later Miss Moreno dies because of the privations they have suffered, but Gardel carries on with the daughter she has presented to him.

The scene then shifts to Europe, where Gardel and his grown child are the sensations of the theatre and night clubs. Hollywood claims them and it is while there that the daughter, also played by Miss Moreno, meets and falls in love with Del Campo. Gardel's father dies and leaves him his fortune. Del Campo's father objects to the love match, but upon discovering her true identity consents to their marriage. All ends well.

Others in the cast are Tito Lusiardo, Manuel Pelufo, Jose Luis Tortosa and Celia Villa. No production code seal. Running time, 80 minutes. "G."

"Life Begins at 40," yesterday's opener at the Music Hall, was reviewed by wire from Hollywood Feb. 2.

"West Point of the Air," today's opener at the Capitol, was covered by Hollywood wire Feb. 23.

"It Happened in New York," previewed at the Roxy last night, was also reviewed from Hollywood in the same issue.

Short Subjects

"Star Night at Cocoanut Grove"

(M-G-M)

Gary Cooper, Bing Crosby, Jack Oakie, Mary Brian, El Brendel, Toby Wing, Sir Guy Standing and Mary Pickford are here presented as being guests in the Grove with Leo Carrillo as master-of-ceremonies. Miss Pickford speaks into a mike and Crosby sings while Ted Fio Rita and his orchestra play. These are the outstanding features of this typical short presenting stars at play.

It should prove interesting, particularly since it is done in Technicolor. Reviewed without production code seal. Running time, 25 mins. "G."

"Hit and Rum"

(Radio)

The comedy and humor of this short are simple and puerile. Children will probably enjoy it but adults may be more bored than amused.

Leon Errol and Eddie Kane, both inebriated, run head-on into each other while driving their cars. Harry Bowen, a maniac obsessed with the idea he is a judge, is wedged between the two wrecked automobiles. Errol and Kane then cavort about, winding up in court after they sober up because of a subpoena meant for Bowen. The finish finds Bowen being taken away to an asylum and Errol collapsing.

Production Code Seal, No. 684. Running time, 20 mins. "G."

"Flying Oil"

(Educational)

This Terry-Toon is up to the average in entertainment set by previous cartoons of the series.

The reel opens with a "flying oil" salesman hawking his ware to the animals. They all buy and proceed to fly all over the countryside. The antics of all, particularly of the mice, should draw many a chuckle from audiences, especially from children.

Production Code Seal, No. 0375. Running time, 7 mins. "G."

"Three Little Pigskins"

(Columbia)

The Three Stooges are featured in this short and their antics will probably have those audiences that appreciate their type of comedy roaring. It is by far one of the funniest comedies they have ever made.

The boys are panhandling when they are mistaken for three football stars and are signed up for a team run by gangsters. The fun reaches its height once they get into the game.

Highly recommended. Production Code Seal, No. 305. Running time, 14 mins. "G."

"Buddy's Theatre"

(Vitaphone)

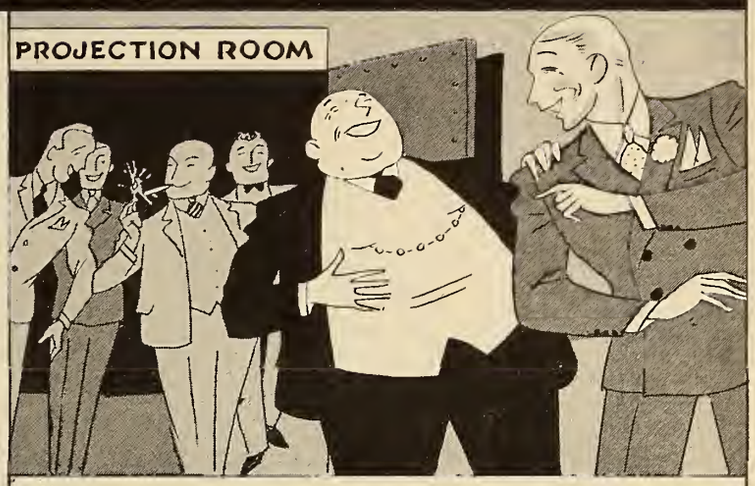
Buddy as a theatre operator, is in love with a star. He plays one of her pictures and when she finds herself being pursued, on the screen, he dives out of the projection rooms to rescue her. The funniest sequences of the reel, however, are the burlesque of a newsreel and trailer.

Fairly entertaining cartoon. Production Code Seal, No. 574. Running time, 5 mins. "G."

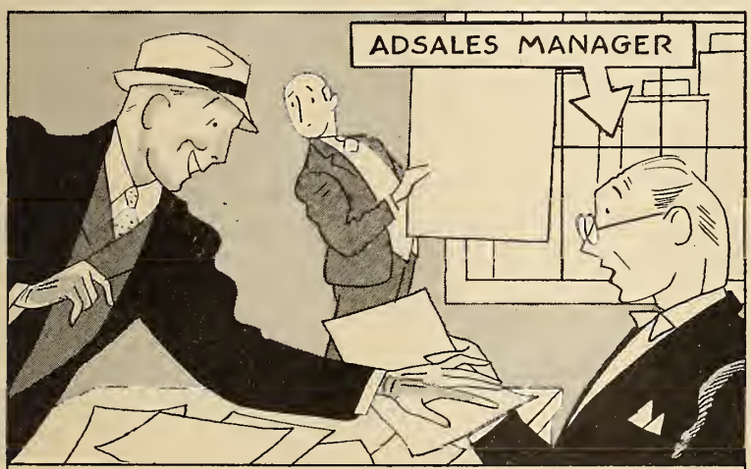
★ SUCCESS STORY ★



❶ "HELLO! **FOX EXCHANGE?** I WANT A SCREENING OF **"$10. RAISE"** THEY TELL ME IT'S TREMENDOUS!"



❷ "THE BEST COMEDY IN YEARS! A CINCH!"



❸ "DOUBLE MY USUAL ORDER. EVERY-BODY IN TOWN IS GOING TO HEAR ABOUT **THIS** SHOW!"



❹ "SPEND SOME EXTRA DOUGH ON THE HOUSE FRONT... I WANT A FLASH! WE'VE GOT A **HIT** TO SELL!"



❺ "I LOVE IT, TOO! IT DOES ALL OF US GOOD TO SEE A GOOD SHOW!"

Make a date with yourself to see

$10 RAISE

at your FOX Exchange

"$10 RAISE" with Edward Everett Horton, Karen Morley, Alan Dinehart, Glen Boles. Produced by Joseph Engel. Directed by George Marshall. Screen play by Henry Johnson and Louis Breslow. Story by Peter B. Kyne.

FOX

Para. Setup Is Approved By the Court

(*Continued from page* 1)

that the selection of a board was not regarded as the court's province and should remain in the hands of those "who own the company." Thus the following 16, agreed upon by creditor groups some time ago, now will be formally elected members of the board of the new company at the special meeting of stockholders to be called in the near future. Gerald Brooks, Stephen Callaghan, Robert K. Cassatt, H. A. Fortington, William S. Gray, Jr., Duncan G. Harris, John D. Hertz, Percy H. Johnston, Henry R. Luce, Charles A. McCulloch, Maurice Newton, Floyd B. Odlum, Charles E. Richardson, George J. Schaefer, Frank A. Vanderlip and Adolph Zukor.

Joyce Submits Report

By-laws of the new company provide for a board of "not more than 18" members, hence two vacancies will exist on the initial board and, it is believed, these will not be filled immediately.

Prior to confirmation of the plan by Judge Coxe, a report was submitted by Special Master John E. Joyce which allowed provisionally and finally claims against Paramount amounting to $50,952,937, which were entitled to vote on acceptance of the plan. Section 77-B of the bankruptcy reorganization statutes requires that in order for a reorganization plan to be confirmed by the court it must have the assents of two-thirds of the creditors and a majority of the stockholders. Assents to the plan received totaled $34,805,368, or approximately $840,000 more than required. In addition, the assents of 2,068,323 shares of the outstanding 3,221,000 shares of common stock were received.

No opposition to the plan itself was voiced by any creditor at yesterday's hearing, and the opposition to the proposed board of directors was confined to Ernst and Levy. Confirmation by the court also included confirmation of the plan of reorganization for Paramount Broadway Corp., holding company for the Paramount Bldg. and Theatre.

How Para.'s Troubles Began

Paramount's financial difficulties, largely impelled, according to testimony given the Federal court, by theatre purchase obligations which matured in large amounts in 1932, coincident with the decline of business throughout the country, culminated in a voluntary petition for receivership, Jan. 26, 1933. Adolph Zukor and Charles D. Hilles were appointed equity receivers by the Federal court. Several months later a voluntary petition in bankruptcy was filed and Hilles, Eugene Leake and Louis J. Horowitz were elected trustees. Horowitz resigned a month later and was replaced by Charles E. Richardson.

With the enactment of the new Federal reorganization legislation for the relief of embarrassed corporations last June, Paramount availed itself of the act to become a debtor corporation for the purposes of reorganization and the three bankruptcy trustees were continued as trustees of the debtor company. Richardson resigned at the end of last year as the reorganization took final shape, and Hilles and Leake have since continued as trustees. Their final discharge by the court is now expected as soon as the formal election of directors and officers of the reorganized company has become a fact.

Attacks Do a Tail Spin

Attacks on the proposed new Paramount board of directors by Morris L. Ernst and Louis M. Levy, attorneys, came off at yesterday's hearing on confirmation of the reorganization plan "as advertised." And how they were advertised.

Ernst, a member of the Vanderlip debenture committee, who is also counsel for prominent writers, made a stirring plea to make room on the new board for professional talent, who knew something about the business, by taking a few bankers off the board who didn't. He also suggested for the board someone who realized the future possibilities of films in the educational field; someone who appreciated the relation of films to radio, and another who would be an authority on foreign trade.

Referring to conflicting banking interests represented on the proposed board, he said that the body, as now constituted, "is an arena set up for combat," and said that John D. Hertz should not be on the board because of his association with Lehman Bros., who Ernst described as "bankers for RKO."

"It is my impression," Judge Coxe interrupted at this point, "that RKO is being run by a trustee appointed by this court."

Ernst also voiced opposition to the presence on the board of Adolph Zukor, on the grounds that he is a defendant in suits instituted by the Paramount trustees.

Levy, whose sentiments were periodically reported to the press by his office well in advance of their being voiced in court, started to echo Ernst's statements but was cut short by Judge Coxe.

"I do not conceive it to be the court's duty to choose a board," Judge Coxe said. "The right I reserved for the court to veto any member of the board and name others was done only to place the court in a position where it could name a board in the event that the various creditor groups could not. They have agreed on a board and they own the company.

"Moreover," Judge Coxe added, "if it was given to me to select a board, my inclination would be to pick business men in preference to professionals. Too many prima donnas around wouldn't do any one any good."

Few Para. Sales Reported

Little trading in Paramount securities was engaged in by those affiliated with the company's bankruptcy and reorganization committees, according to information submitted by the principals to the Securities and Exchange Commission, verified copies of which were filed with Federal Judge Alfred C. Coxe yesterday.

The Vanderlip debenture committee purchased only one debenture certificate of deposit and no profit or loss was involved, it was stated. Frank A. Vanderlip, chairman of the committee, reported the personal purchase of 175 bonds during February, March and April of this year, and Lawrence Stern, a member of the committee, reported the purchase and sale of 30 bonds, and the purchase of 5,700 shares of Paramount stock. Other members of the committee reported no trading in the securities at all.

The Paramount Broadway bondholders' committee reported no trading, but added that 3,000 bonds were purchased by Kuhn, Loeb & Co., with which a former member of the committee was associated, and that Robert Goelet, a committee member, had purchased $45,000 of the bonds. The Schenck-Broadway committee reported no trading by itself or any of its members.

The stockholders' committee reported trading by three of its members. Barney Balaban purchased 1,000 shares and sold 500; Maurice Newton purchased six shares, and Hallgarten & Co., with whom he is associated, purchased and sold 90 bonds and 2,000 shares of stock, without profit on the transactions. Duncan Holmes, another member of the committee, purchased 35,300 shares of stock and sold 35,000.

The bank group committee reported no trading in the securities by any of its members, but added that the First National Bank of Chicago holds 139 bonds and the Manufacturers Trust Co., 15 bonds.

The Munger debenture committee and the merchandise creditors' committee reported no trading in the securities by either the committees or their members.

Stops Yoost Para.-Erpi Moves

Federal Judge Alfred C. Coxe yesterday denied petition of William Yoost to intervene in the Paramount Publix reorganization proceedings in order to enter objections to the company's proposed new domestic recording license agreement with Erpi. The petition was denied on the grounds that the court held the Paramount trustees and their counsel competent to act in the best interests of the company in effecting the settlement of Erpi's $1,900,000 claim against Paramount, which embraces the new license agreements.

Later, in the course of the hearing on confirmation of Paramount's reorganization plan, Ralph Vatner, attorney for Yoost, attempted to enter objections to the proceedings through an attack on the Erpi claim settlement and the license agreements, but was cut short by Judge Coxe, who reminded the attorney that the Erpi subjects were not a part of the reorganization plan and discussion of them, therefore, was out of order.

Reelect M-G-M Directors

Nicholas M. Schenck, J. Robert Rubin, Louis B. Mayer, Irving Thalberg, Harry Rapf, David Bernstein, Leopold Friedman, Arthur M. Loew and David M. Loew were reelected directors of M-G-M yesterday at the annual stockholders' meeting.

Contrast

St. Louis, April 4.—Carl Steinkieler, leader of the orchestra at the Grand Opera House 20 years ago, is now driving a city ambulance.

Paul Ashenbrenner, pianist in Steinkieler's orchestra, who used to get $28 per week for four shows daily, recently took $2,800 for a week's engagement at the Ambassador. He's now known as Paul Ash.

Wall Street

Loew's Leads Gain on Big Board

	High	Low	Close	Net Change
Columbia, vtc ..	40½	40½	40½	+ ¼
Consolidated	4⅛	4⅛	4⅛	— ¼
Cons., pfd. (1v)..	17¼	17	17¼	+ ¼
Eastman 120½	120⅛	120½	+ ⅛	
Loew's	36	35½	36	+ ⅝
M-G-M, pfd.	27¾	27½	27½	— ½
Paramount	2⅝	2½	2⅝	.....
Pathe	⅝	⅝	⅝	.....
Pathe "A"	11¼	11⅛	11¼	.....
RKO	1⅝	1½	1½	+ ⅛
Warner	2⅞	2⅜	2¾	.....
Warner, pfd.	16½	16½	16½	— ½

Technicolor Continues Gain

	High	Low	Close	Net Change
Technicolor	19⅞	19	19⅞	+1⅛

Keith Bonds Rise 1⅝ Points

	High	Low	Close	Net Change
General Theatre Equip. 6s '40, ctf	6¾	6¾	6¾	+ ¼
Keith B. F. 6s '46	69⅜	69¼	69⅜	+1⅝
Loew's 6s '41 ww deb rights.	104¾	104¾	104¾	— ⅛
Paramount B'way 5½s '51	50	50	50	.....
Pathe 7s '37 ww..	103⅜	103⅜	103⅜	.....
Warner Bros. 6s '39 wd	51	50½	51	+ ½

(*v*) *Paid this year on account of accumulations.*

(Quotations as at close of April 4)

Samuelson Repeats Boycott Suggestion

CHICAGO, April 4.—Addressing a special meeting of Allied directors here, Sidney Samuelson today amplified on the resolution adopted at the convention of Allied of the Northwest in Minneapolis this week in which was urged a nationwide boycott of distributors who threaten the building of theatres to effect the sale of product.

Samuelson's topic was the Loew invasion of Chicago. The head of national Allied declined to say what further measures would be taken, but assured those present that the exhibitor organization's opposition to invasion schemes such as Loew is planning was very definite and would be vigorously pushed here and elsewhere.

Paramount European Heads Plan Meeting

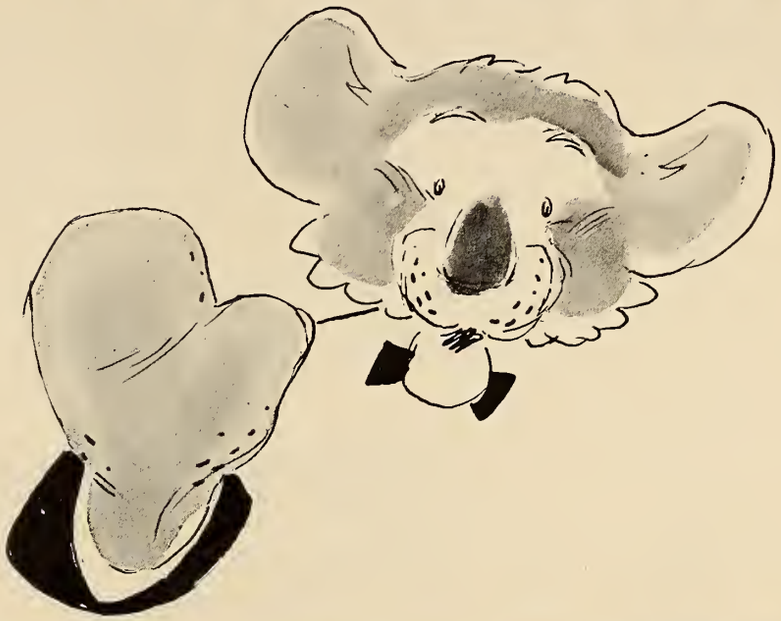
Preceding the convention in the United States which starts May 23, all Paramount foreign heads will convene in Paris early next month for a discussion of new product.

All the European countries will be represented at the session. John W. Hicks, Jr., vice-president of Paramount International Corp., will sail next Wednesday on the *Washington* with Frank Farley, European talent scout; George Weltner, assistant manager of the company, and T. X. Jones, special New York representative attached to the Paris office.

Gus Schaefer, general manager of continental Europe and Germany, returned Wednesday from a Florida vacation. He was accompanied by his wife and George Schaefer. The continental head hasn't decided when he will sail for home. He will attend the Paris conclave.

Hicks and Weltner plan to be back in time to attend the convention at the Waldorf, starting May 23.

"THANK YOU MR. KANN–



FOR STOPPING THE PRESSES!"

The exhibitors of America are waiting for the first

FLASH!

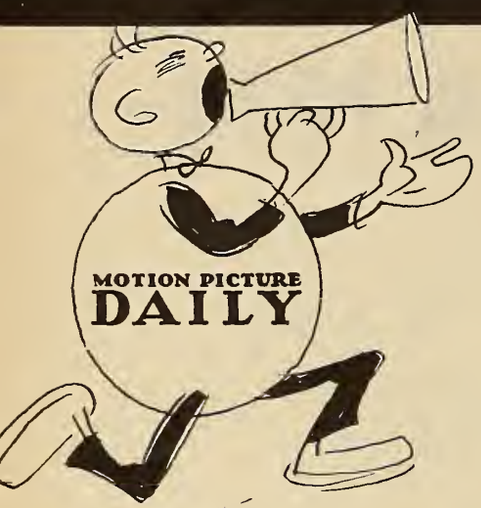
"RECKLESS"

PRESS NOTICES!

By Direct Wire from California

Preview! Turn to next page and see—

"RECKLESS"! WOW!



MOTION PICTURE DAILY's RAVE!

Hollywood, Cal.

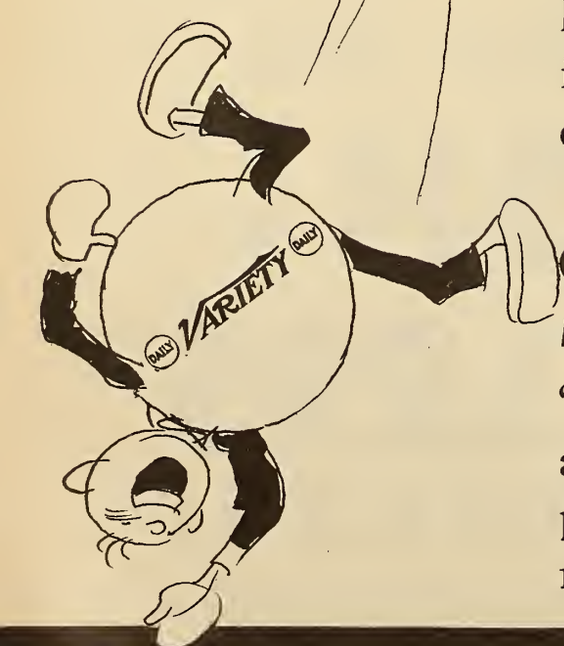
"'Reckless' superb production plus big draw cast names makes this a certain money picture. Story gives Jean Harlow, William Powell, Franchot Tone great opportunities. Dialogue sparkles and action speeds along. Three musical numbers. Production lavish. Hits all types of audiences."



HOLLYWOOD REPORTER GOES WILD!

Hollywood, Cal.

"M-G-M's 'Reckless' certain hit! Powell, Harlow, Tone tops! Swell audience picture ripped right out of the headlines. Literally jammed with entertainment value, music and production numbers in a story that could have stood by itself. William Powell further distinguishes himself for the fans. Jean Harlow gives herself a lift way up. Writing is bright. Direction has tempo. Fleming has directed a swell picture, paced it well and has gotten excellent performances out of the players. All the music is good. The money poured into this picture is evidenced at every point."



COAST VARIETY DOES HANDSPRINGS!

Hollywood, Cal.

"A picture that will live up to most anything press agents can say. Top notch entertainment expertly produced and directed. Everything in it for both male and female patrons."

"RECKLESS" spells RECORDS!

"Life Begins" Washington's Hit, $18,500

WASHINGTON, April 4.—"Life Begins at 40" shot the take at Loew's Palace to $18,500, or $4,000 over average.

Runnerup was the Earle, with $21,400 for "Ruggles of Red Gap," a take $3,800 over par. The stage show had no especial draw.

"Love in Bloom" surprised the Metropolitan with $5,000. "Under Pressure" at Loew's Columbia was good for $3,400. "Man of Aran" held up at the Belasco with $1,000.

Loew's Fox slipped under the line by $500 at $20,000, even with "Folies Bergere" on the stage. "Roberta," in its third week at RKO-Keith's, did a sweet $10,000—which is only $1,400 under the first week average. The picture went into its fourth week.

Total first run business was $79,300. Average (Belasco excepted) is $71,200.

Estimated takings exclusive of tax:

Week Ending March 27:

"THE MAN OF ARAN" (Gaumont Brit.)
BELASCO—(720), 25c-65c, 7 days. **Gross:** $1,000.

Week Ending March 28:

"RUGGLES OF THE RED GAP" (Para.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Park & Clifford, Grace Du Faye & Co., Eton Boys & Do Re Mi, De Roze. **Gross:** $21,400. (Average, $17,600)

"UNDER PRESSURE" (Fox)
LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days. **Gross:** $3,400. (Average, $3,100)

"FOLIES BERGERE" (U. A.)
LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Herb Williams, Talbot Haslett & Evelyn Tyner, Two Daveys, Danny Dare Dancers. **Gross:** $20,000. (Average, $20,500)

"LIFE BEGINS AT 40" (Fox)
LOEW'S PALACE—(2,370), 35c-77c, 7 days. **Gross:** $18,500. (Average, $14,500)

"LOVE IN BLOOM" (Para.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,100)

"ROBERTA" (Radio)
RKO-KEITH'S—(1,836), 25c-55c, 7 days, 3rd week. **Gross:** $10,000. (Average, first week, $11,400)

"Roberta" Garners $8,000 in Oklahoma

OKLAHOMA CITY, April 4.—Two hits reached this place at the same time and made the going rough for the other first runs. "Roberta" took top honors by getting $8,000 at the Criterion, over normal by $3,000.

"The Little Colonel," the other money-maker, was over the line by $2,000 on a gross of $6,000 at the Midwest.

Total first run business was $18,700. Average is $13,500.

Estimated takings for the week ending March 28:

"ROBERTA" (Radio)
CRITERION—(1,700), 10c-26c-36c-55c, 7 days. **Gross:** $8,000. (Average, $5,000)

"THE LITTLE COLONEL" (Fox)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $6,000. (Average, $4,000)

"SOCIETY DOCTOR" (M-G-M)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $1,900. (Average, $2,000)

"ROCKY MOUNTAIN MYSTERY" (Par.)
LIBERTY—(1,500), 10c-15c-26c-36c. Stage show, 4 days. **Gross:** $2,300. (Average week, $2,500)

"ADVENTURE GIRL" (Radio)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $500. (Average week, $2,500)

"Ruggles" Is Big Noise Among Frisco First Runs

SAN FRANCISCO, April 4.—"Ruggles of Red Gap" was the big noise among the first runs last week. It piled up $26,500, above the line by $3,500, at the Warfield.

At the same time "Gold Diggers of 1935" was making quite an impression at the Paramount by pulling $12,500. These grosses were outstanding, because every other downtown first run was under the profit mark.

Total first run business was $78,500. Average is $80,000.

Estimated takings:

Week Ending March 26:

"ROBERTA" (Radio)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days, 3rd week. Stage, band. **Gross:** $12,000. (Average, $13,000)

Week Ending March 27:

"A NIGHT AT THE RITZ" (Warner)
"BEHIND THE EVIDENCE" (Col.)
FOX—(4,600), 15c-30c-40c, 7 days. **Gross:** $8,000. (Average, $9,000)

"TRANSIENT LADY" (Univ.)
"GREAT GOD GOLD" (Ind.)
ORPHEUM—(3,000), 15c-30c-35c-40c, 7 days. **Gross:** $6,000. (Average, $8,000)

"LIFE BEGINS AT 40" (Fox)
ST. FRANCIS—(1,400), 15c-35c-55c, 7 days. **Gross:** $7,000. (Average, $8,000)

"SCARLET PIMPERNEL" (U. A.)
UNITED ARTISTS—(1,200), 15c-35c-55c, 7 days. **Gross:** $6,500. (Average, $8,000)

Week Ending March 28:

"GOLD DIGGERS OF 1935" (Warners)
PARAMOUNT—(2,670), 25c-35c-40c, 7 days. **Gross:** $12,500. (Average, $11,000)

"RUGGLES OF RED GAP" (Para.)
WARFIELD—(2,700), 25c-35c-55c-65c, 7 days. Stage, band. **Gross:** $26,500. (Average, $23,000)

"Rumba" with Show $9,500 Top in Omaha

OMAHA, April 4. — With Mary Brian heading a stage show and "Rumba" on the screen, the Paramount had a fine week, getting $9,500, over average by $1,500. The house now goes back to split weeks with vaudeville three days and duals four days.

"Gold Diggers of 1935" was strong at $5,100 in the Brandeis and "West Point of the Air" had a fine $6,000 at the Omaha. "The Good Fairy" and "We Live Again," a dual, were disappointing at $7,400 in the Orpheum.

Total first run business was $28,100. Average is $24,500.

Estimated takings:

Week Ending March 28:

"RUMBA" (Para.)
PARAMOUNT—(2,800), 25c-35c-40c, 7 days. Stage: Mary Brian in Music Box Revue; Forsythe, Seamon, Farrell; Arena & Hines; 12 Hollywood Revelers; Sylvia Dancers; California Co-Eds; Burt & Hickey; Ward, Pinkie & Terry. **Gross:** $9,500. (Average, $8,000)

Week Ending March 27:

"GOLD DIGGERS OF 1935" (F. N.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $5,100. (Average, $4,000)

Week Ending March 27:

"WEST POINT OF THE AIR" (M-G-M)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

Week Ending March 28:

"THE GOOD FAIRY" (Univ.)
"WE LIVE AGAIN" (U. A.)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $7,400. (Average, $7,500)

Form Three New Firms

ALBANY, April 4.—Three new film firms have just been chartered here. They are: Hurley Screen Co., Inc., formed by Dina Braun, Sylvia Rohm and Hilda Pachman; Truelife Pictures Corp., Ann Victor, Rheita K. House and Ruth Wedeen; Techni-Film Advertisers, Inc., Ernest M. Terry, Thomas C. Brett and Kenneth I. Walton.

Complete "Silent Code"

Stage & Screen Prod., Inc., have completed the final takes on "The Silent Code," Northwest thriller, and the picture will be released about the middle of this month.

"Diggers" Is Detroit Hit; Gets $22,400

DETROIT, April 4.—"Gold Diggers of 1935" stepped out into the profit division in a big way at the Michigan last week by getting $22,400. Hugh Herbert headed a stage bill.

"Roberta" was outstanding with $6,700 in its third week at the Adams, the take being $1,700 over par. "The Good Fairy," with "Folies Bergere" on the stage, was strong with $16,200 at the Fox.

Total first run business was $65,200. Average is $60,000.

Estimated takings for the week ending March 29:

"ROBERTA" (Radio)
ADAMS—(1,770), 10c-40c, 7 days, 3rd week. **Gross:** $6,700. (Average, $5,000)

"THE GOOD FAIRY" (Univ.)
FOX—(5,100), 15c-55c, 7 days. Stage: "Folies Bergere." **Gross:** $16,200. (Average, $15,000)

"AFTER OFFICE HOURS" (M-G-M)
"THE WINNING TICKET" (M-G-M)
FISHER—(2,975), 10c-40c, 7 days, 2nd run. **Gross:** $3,300. (Average, $5,000)

"GOLDDIGGERS OF 1935" (Warners)
MICHIGAN—(4,100), 15c-55c, 7 days. Stage: Hugh Herbert and four acts of vaudeville. **Gross:** $22,400. (Average, $20,000)

"WOMEN MUST DRESS" (Monogram)
"LOVE IN BLOOM" (Para.)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $6,100. (Average, $5,000)

"WEST POINT OF THE AIR" (M-G-M)
UNITED ARTISTS—(2,070), 15c-55c, 7 days. **Gross:** $10,500. (Average, $10,000)

Premier Now Excelsior

HOLLYWOOD, April 4.—Premier Pictures will henceforth be known as Excelsior Pictures. Producers Leslie Simmonds and Sig Neufeld made the switch due to a title conflict.

Filming got under way this week on the first of a series of nine pictures. "Hell Breaks Loose" is the title and Guinn Williams and Sally Blane are co-starred. Sam Newfield is directing.

Henry Dumbell Recovers

NEW CANAAN, Conn., April 4.—Henry Dumbell, manager of the Playhouse, who has been seriously ill, has recovered and has returned to his duties at the theatre.

"Roberta" Is Loop Leader; Gets $30,000

CHICAGO, April 4.—"Roberta" skyrocketed the Palace gross to $30,000, leaving par $8,000 behind. Vic Oliver and John Fogarty headed a vaudeville bill.

"Gold Diggers of 1935" was also in the big money, getting $40,000 at the Chicago. Par is $34,600.

Business was pretty dull elsewhere on the Loop. "Sequoia" was $1,000 up at $12,000 in the Roosevelt, but elsewhere the takes were at or below the mark.

Total first run business was $134,000. Average is $127,600.

Estimated takings:

Week Ending March 26:

"THE SCARLET PIMPERNEL" (U. A.)
UNITED ARTISTS—(1,700), 30c-40c-60c, 2nd week, 7 days. **Gross:** $11,000. (Average, $17,000)

Week Ending March 28:

"GOLD DIGGERS OF 1935" (Warners)
CHICAGO—(4,000), 25c-50c-68c, 7 days. Stage: Margo, Barton & Mann and others. **Gross:** $40,000. (Average, $34,600)

"THE FIREBIRD" (Warners)
ORIENTAL—(3,940), 25c-40c, 7 days. Stage: Polly Moran, Dorothy Page and others. **Gross:** $15,000. (Average, $15,000)

"ROBERTA" (Radio)
PALACE—(2,509), 25c-35c-50c, 7 days. Stage: Vic Oliver, John Fogarty, Bebe Barri Dancers. **Gross:** $30,000. (Average, $22,000)

"THE LITTLE COLONEL" (Fox)
GARRICK—(900), 25c-35c-40c, 7 days, 2nd Loop week. **Gross:** $5,000. (Average, $5,000)

Week Ending March 29:

"SEQUOIA" (M-G-M)
ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $12,000. (Average, $11,000)

"RUGGLES OF RED GAP" (Para.)
APOLLO—(1,400), 25c-35c-50c, 4th Loop week, 7 days. **Gross:** $7,000. (Average, $8,000)

"SCHOOL FOR GIRLS" (Liberty)
STATE-LAKE—(2,776), 20c-25c-35c, 7 days. Stage: Lewis & Moore, Leslie, Ayres & Gold. **Gross:** $14,000. (Average, $15,000)

"Ruggles" $4,000 Leader in Lincoln

LINCOLN, April 4.—"Ruggles of Red Gap" sent the Stuart into the profit column with a $4,000 take, $900 over average. "Living on Velvet" was enough over to make the Lincoln the second best with $2,600, $400 to the good.

The Orpheum found out how bad a straight picture could be in its last half with "The Private Life of Don Juan" for four days. The first three with "Little Men" and a five-act stage show carried the week's load and fanned up a bare $1,800, which is down by $500. The Varsity, too, slept with the second week of double features, "Let's Live Tonight" and "In Spite of Danger."

Total first run business was $9,200. Average is $9,100.

Estimated takings:

Week Ending March 28:

"LITTLE MEN" (Mascot)
"PRIVATE LIFE OF DON JUAN" (U.A).
ORPHEUM—(1,200), 10c-15c-25c, 7 days, 3 days with stage show headlining Bayes & Speck. **Gross:** $1,800. (Average, $2,300)

"LIVING ON VELVET" (Warners)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,600. (Average, $2,200)

"IN SPITE OF DANGER" (Col.)
"LET'S LIVE TONIGHT" (Col.)
VARSITY—(1,100), 10c-15c-25c, 7 days. **Gross:** $800. (Average, $1,500)

Week Ending March 29:

"RUGGLES" (Para.)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $4,000. (Average, $3,100)


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MIDNIGHT

Ohio in New Outbreak of Tax Measures

(*Continued from page* 1)

$35,000,000 more in revenue is needed for poor relief, old age pensions, schools and whatnots. To get the money he now proposes renewal of the 10 per cent amusement tax, gross income taxes, one per cent personal income taxes, a one per cent payroll tax, a professional tax on physicians, dentists, attorneys and others, an impost on checks, safe deposit boxes and tourist homes; an increase in the rates on gasoline, motor vehicles, utility companies, transportation, chain stores, and a tax on matches.

The only thing that escapes is trees. Governor Davey is a tree surgeon.

Lehman Gets Sunday Bill

ALBANY, April 4.—Sunday legitimate theatre shows are now up to the Governor. The two Berg bills, one permitting opening and the other requiring one day off in seven for performers and theatre attaches, have passed both houses of the Legislature.

Equity yesterday wired Governor Lehman protesting Sunday night performances for legitimate attractions. Theatre managers hold that they would close Monday nights if the Sunday ban was lifted.

Dorgan Bill Is Embalmed

BOSTON, April 4—The Massachusetts House has refused by a vote of 57 to 31 to offer a substitute measure following an unfavorable report by its Public Welfare Committee on the petition of Representative Thomas Dorgan, former bus driver of Dorchester, to ban everyone under 14 from seeing pictures not passed by an appointed religious board. A similar Dorgan bill was killed last year also.

The House's action was a victory for Arthur Howard of Allied, Joseph Brennan of the M.P.T.O.A. and Martha Ferris of the Film Board of Trade, who had waged a strenuous fight against the measure.

Delaware Sunday Bill Defeated

DOVER, April 4.—A bill to permit Sunday films in Delaware after 1:30 o'clock in the afternoon was defeated here yesterday in the House, 8-20, just before the present session was scheduled to adjourn.

The measure, which has caused more protests and controversies than any other bill, called for a referendum in cities and incorporated towns.

Battle N. H. Tax Bill

CONCORD, April 4.—Strenuous opposition has developed to a theatre licensing bill similar to one just defeated in Massachusetts. It would authorize town and city authorities to impose any fees, regulations or restrictions they consider desirable.

Defeat Daylight Bill

CONCORD, N. H., April 4.—A bill prohibiting daylight saving, which was passed, 188-100, in the House, was voted down by the Senate today, 13-10. Under the terms of the bill fines would have been imposed for the display on clocks of any time except Eastern Standard Time.

Vote for Maine Racing

AUGUSTA, Me., April 4.—The Senate today passed the bill already approved by the House which would legalize harness racing and pari-mutuel betting. It is expected Gov. Louis J. Brann will sign the measure. More than a dozen Maine fairs are expected to stage races between Aug. 1 and Oct. 20.

Amateur Critics Go On Air from Strand

Now that "amateur hours" are the current rage on the radio, Warners, by reason of a brain-child of S. Charles Einfeld, are sponsoring their own amateur program. They go on the air for a half hour every time a picture opens at the Strand and feature "amateur critics culled at random from the outcoming audience." It is being bruited about, however, that Warners are not being as altruistic as they appear, but that the program is really an exploitation stunt.

The Strand lobby was turned into a broadcasting studio yesterday morning and the "criticisms" went out over the ether via station WNEW. Announcer Martin Black, assisted by Sid Rechetnik and "Ding" Miller and other members of the home office publicity staff, herded the departing audience after the first showing into a lane that led to a battery of microphones. The inducement dangled before the patrons, none of which *didn't* want to go on the air, was a $50 prize for the best sounding voice combined with the best criticism of the film. A similar amount is given to runners-up. The judges of both voices and criticisms were station executives and Warner officials who happened to be tuned in on the program. It was denied, however, that the radio officials judged the voices and the theatre men the criticisms. It wouldn't have made much difference anyhow, since every person said he liked the film.

The idea will be continued until the theatre either runs out of "amateur critics" or something happens to prevent Warners from going on the air.

"Black Fury," which is set to open next Thursday, will be the next film to be "air-critiqued."

Meyer Planning to Improve Universal

HOLLYWOOD, April 4.—Fred S. Meyer, new business manager of Universal, stated today he is laying plans to erect a new administration building, relandscape the studio grounds and refurbish the entire plant.

Meyer said his sole policy was to see the studio operated on a budget and pictures made on a budget basis. He asserted production activity will be handled by Stanley Bergerman as executive producer and Carl Laemmle, Jr., as independent producer, adding he would confine his own activity to the business end.

The first feature on the 1935-36 schedule, according to Meyer, will be "Diamond Jim Brady."

In an open letter to employes Meyer asked cooperation and invited criticism.

Cohn, Hepburn Head East

HOLLYWOOD, April 4.—Jack Cohn and Abe Montague of Columbia are on their way east by plane. Ditto Katharine Hepburn.

Aylesworth Favors Radio-Theatre Aid

(*Continued from page* 1)

theatres, but nothing has been done about it.

"You will find more and more cooperation between the radio and screen in the future," he prophesied. "Radio has never kept people away from the theatre and I feel that radio is one of the greatest exploitation mediums for pictures.

"Newspapers have been a vital force in publicizing films, but I still feel that there is a greater opportunity for exploiting pictures by use of radio."

Prior to Aylesworth's talk, Howard Dietz, toastmaster, in his introductory speech stated that Aylesworth had had an opportunity to be elected governor of Colorado, but preferred a radio post.

Taking his cue from Dietz, Aylesworth rose to the occasion and stated that he probably would have made a "lousy" governor of Colorado and he has made out just as well as an RKO executive.

"Every suggestion I have offered to RKO or NBC has been turned down," he averred, "but I may yet get a chance to have one of my recommendations adopted."

He commented on the work done by members of Ampa, declaring that "if we made pictures as good as you publicity men put them over we would be making a lot more money." He said he was sincere about that.

He Touches on Television

Without stating that he had seen the article in MOTION PICTURE DAILY, Aylesworth said: "I read this morning in the trade papers that Samuel Goldwyn, from London, talks about color and television. I believe Goldwyn stated that color depends on the reception of 'Becky Sharp.'" At this point he turned to Ned Depinet, sitting on his right, and said: "I believe that it's our picture, Ned, isn't it?"

The NBC is not perturbed over television. He added: "We know television is coming. So is color, but like other innovations we will meet them."

He wound up by saying "Let's take the great forces of radio and the theatre and make them work for each other."

There were 250 in the M. P. Club's dining room and another 50 had to be turned away. William R. Ferguson, president, introduced John Boettiger, Mrs. John MacCormick, David R. Strumpf and numerous guests in addition to several past presidents. He thanked the various committees and members for their splendid cooperation during his term of office and then turned the gavel over to Dietz. From this point on it was a free for all, a riot of fun with Jack Pearl, Jimmy Durante, Rex Weber, Blackstone, Dietz, Ferguson and Rube Goldberg providing the antics.

It was Ferguson's last open meeting and one that will go down in the annals of Ampa history as a never-to-be-forgotten funfest.

Loew Declares Dividend

Loew's yesterday declared a quarterly dividend on preferred stock of $1.62½, payable May 15 to stockholders of record April 30.

Move Started To Pick Dual Bills in K.C.

(*Continued from page* 1)

Emanuel Rolsky have been named as the I. T. O. representation on the committee.

This group is to meet once a week and agree on the features to be doubled. Product that can stand up by itself will not be selected for multiple bills, according to the plan. All double bills will be set back 28 days in clearance.

The independents' original idea to dual all features with the clearance setback found opposition in at least one major distributor and Fox Midwest. The circuit came back with a proposal for selecting only certain product for twin bills.

While distributors want an accord from exhibitors, Jay Means, I. T. O. head, said a complete agreement would not be necessary and that if the great majority approved the plan it would be adopted. However, the first runs have not been seen as yet, and it is probable that opposition will be forthcoming from these sources. Major circuits operating first runs have expressed opposition to dualling this season's product at subsequent runs.

Cleveland Pact Up Today

CLEVELAND, April 4.—The Cleveland M. P. Exhibitors' Ass'n. will meet Friday after lunch to discuss the single feature situation. An effort will be made to secure signatures for renewal of the present single feature agreement, but it is understood that those exhibitors now in direct competition to houses playing double features will not sign a new agreement.

Reade Hits Brandt Single Bill Moves

(*Continued from page* 1)

would be playing double features," he said.

"I have two double feature houses, the City and the Savoy," Reade said, "and both have to wait from 53 to 80 days after Broadway."

Pointing out an example of the compound protection by circuits, Reade declares that he had to wait until now to play "Kid Millions" at the City. The U. A. film was released generally Dec. 28, last. He holds that Loew's is responsible for holding up the date.

The Mayfair and Astor on Broadway, also operated by Reade, are single feature houses. In the event the Criterion is demolished and Loew's abandons the New York, Reade will adopt a twin bill program at the Mayfair, he says.

Burkan's Col. Holdings

WASHINGTON, April 4. — Nathan Burkan, a Columbia director, is listed in a report to SEC as holding 25 shares of the company's stock.

Passover Starts April 17

Passover, an important holiday for the Jewish race throughout the world, starts April 17 and continues for eight days.

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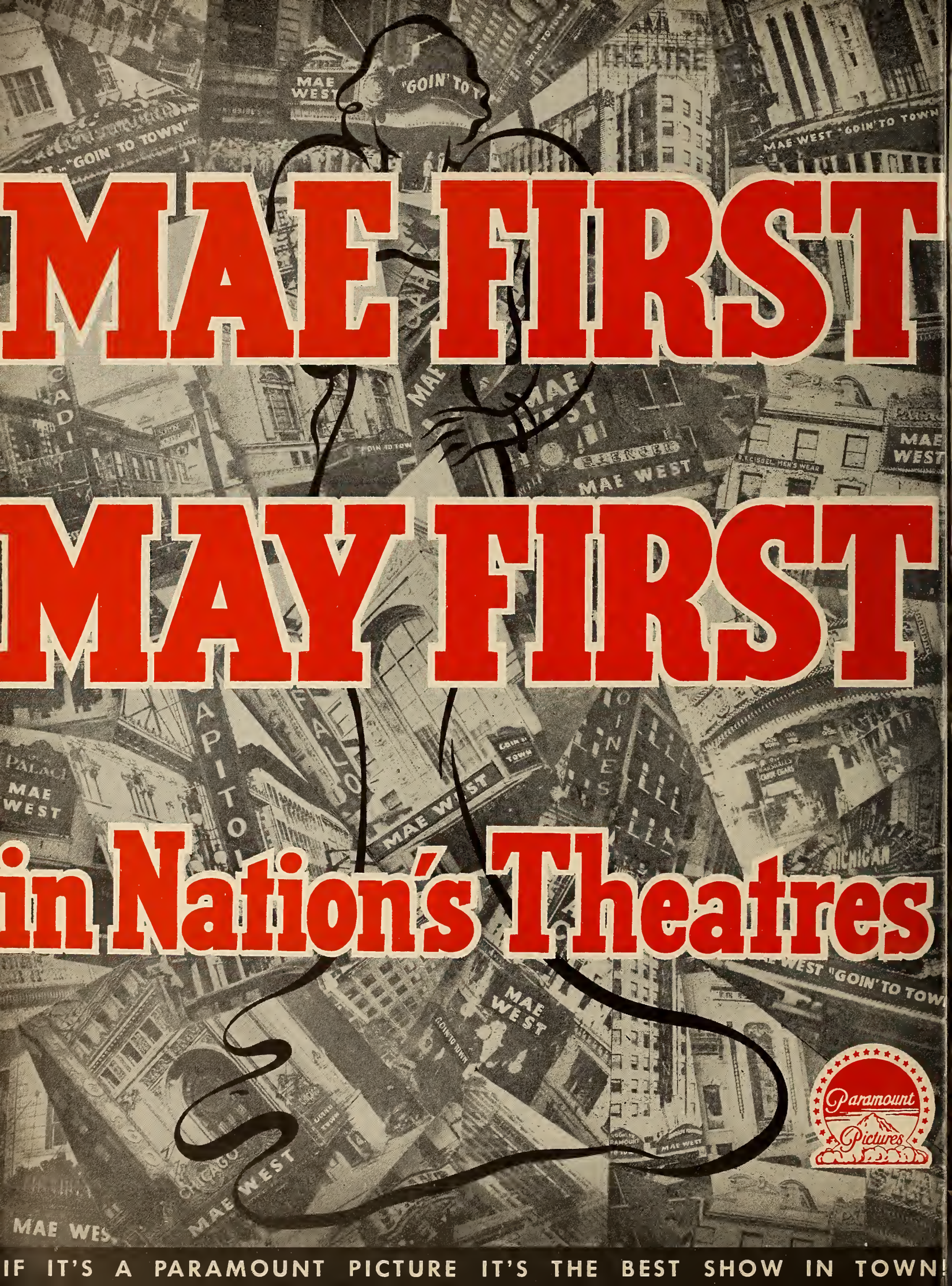
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Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 81 NEW YORK, SATURDAY, APRIL 6, 1935 TEN CENTS

Footage Levy Emerges from Minn. Battle

Showmen Ruefully Study Ticket Tax Victory

MINNEAPOLIS, April 5.—With the 10 per cent amusement tax killed out of the Minnesota omnibus tax bill and a film footage tax substituted, industry representatives wonder whether they have won a victory or lost the war.

Allied theatre owners moved in a body on the House and Senate committees hearing the bill Wednesday to protest against the amusement tax. They were accompanied by Minnesota Publix representatives. They won their fight, BUT—. Announcement followed that a footage tax had been substituted.

Present sales contracts require that

(*Continued on page 3*)

Industry Heads in Frisco Tax Confab

SAN FRANCISCO, April 5.—Will Hays, Joseph M. Schenck, Louis B. Mayer and Winfield Sheehan were in conference here today with industrial leaders on efforts to promote a better understanding on the California tax situation.

The Hollywood delegation, according to reports, admitted no objection

(*Continued on page 3*)

Bonus Plan Started For RKO's Managers

RKO theatre executives are inaugurating immediatelv a bonus plan that will apply to all managers and division managers. Bonuses, in addition to the regular salary, will be paid to all managers who improve the operating results in their theatres for the current year over last year. In a similar manner bonuses will be paid to all division managers who show improved operating results in their divisions.

Columbia Lineup to Be About Same: Cohn

KANSAS CITY, April 5.—Columbia's new season lineup will be about the same as the current schedule, declared Jack Cohn, vice-president, upon his arrival from the coast early today by plane. He has been west for production conferences.

Harry Cohn is expected east in about a month, prior to the annual

(*Continued on page 2*)

See Code Fate Hanging Upon Poultry Test

NRA to Press for Quick Action in High Court

WASHINGTON, April 5.—The scope of the new recovery legislation today was seen by observers to depend upon the opinion of the U. S. Supreme Court in the New York poultry code case, which the Department of Justice and the NRA yesterday announced would be pressed for quick hearing.

The widespread criticism of the Government's withdrawal of the lumber code case this week was seen as pushing the Administration into an

(*Continued on page 4*)

$100,054 Is Granted For Code Operation

WASHINGTON, April 5.—The NRA today granted Campi permission to spend $100,054.68 for code administration during January, February, March and April. The order granting the budget extension is effective as of April 4 unless good cause to the contrary is shown before April 19, it was stated.

The sum set as a maximum represents four times the actual expendi-

(*Continued on page 4*)

Berinstein, Hicks To Head L.A. Group

Ben Berinstein and Harry Hicks are expected to head a group of coast exhibitors who will be on deck here next Thursday to attend the general hearing on the Los Angeles

(*Continued on page 4*)

Close Shave

It's a good thing it didn't rain yesterday afternoon. Herb Berg might have broken out into a lather.

He was walking around with "The Three Little Pigs" done in soap in various pockets. Just another exploitation stunt for Disney.

Grosses Generally Down on Broadway

Business was generally low along Broadway last week with the exception of the Palace and Rialto, which are doing swell with "Roberta" and "Ruggles of Red Gap," respectively. At the former house the picture garnered $12,000 and at Arthur Mayer's theatre the gross ran to $15,500. The Rialto is holding the Paramount

(*Continued on page 4*)

Warners Will Make Quota Films Longer

Warners will make longer features in England next year, Irving Asher, production head at the Teddington studios, stated last night prior to sailing on the *Olympic* for home. He said the company would make about 20 for 1935-36 instead of 24, the current schedule. The reduction is due to the increased footage. The 24 for

(*Continued on page 3*)

Monogram May Make 42, States Johnston

KANSAS CITY, April 5.—Monogram may increase next year's schedule to 42 features, six more than the current season, it was revealed here today by W. Ray Johnston, head of the company, who said production details would be completed in about two weeks and submitted for approval at the annual meeting, to be held about

(*Continued on page 4*)

Hexapods Stirring Alarm

Hollywood, April 5.—A movement is reported to be under way to put all the film colony's hexapods under strict observation and control. The Academy technical branch has taken no official action as yet, but it has been learned from a member of the Actors' Guild that widespread alarm has been caused by Grace Bradley's bite.

The idea is to see that the gold fish are fed, but without danger to the feeder.

Ordinarily, a properly housebroken hexapod curls up into a small round ball with nothing but his outer shell exposed when

(*Continued on page 3*)

Early Call to Be Issued for Para. Election

Stockholders to Round Out a Board of 16

The election of eight new Paramount directors to complete the proposed board of 16 is scheduled for a special meeting of stockholders to be called in the near future and will mark the beginning of actual resumption of independent corporate proceedings by the company after more than 26 months of Federal court and trustee supervision.

Eight of the 16 directors agreed upon by creditors were formally elected to the board in December. A ninth, Dr. Julius Klein, elected at that time, will resign in the near future, leaving eight additional members to be elected. The eight who are already members of the board are Gerald Brooks, Duncan G. Harris,

(*Continued on page 2*)

Criterion and Loew's To Be Sold April 26

Sale of the Criterion and Loew's New York theatre property at auction is scheduled for April 26 to satisfy a $4,353,444 defaulted mortgage on the property, held by City Bank Farmers Trust Co., which will bid in the theatres on that date unless a new arrangement with Paramount is concluded in the meantime.

Included in the parcel to be auctioned off by Joseph P. Day are six additional store and building structures adjoining the theatres on 44th

(*Continued on page 2*)

Schulberg to Make New Para. Proposal

B. P. Schulberg will submit a new production proposal to the new Paramount board in the near future, as a result of the vetoing of the original deal by Paramount's creditor representatives recently, it was learned yesterday.

The new proposal is expected to call for the production by Schulberg of 14

(*Continued on page 2*)

Educ'l to Observe 20th Anniversary

On May 8 next, Educational will celebrate its 20th anniversary. The short subject company was formed in 1915 with Earle W. Hammons as president and has retained its name and head through the years.

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Columbia Lineup to Be About Same: Cohn

(*Continued from page* 1)

sales convention which will probably be held in a midwestern city.

Abe Montague, who accompanied Cohn, said that despite reassuring word from some quarters in the industry, the California legislative situation is such that an exodus from the state is being considered seriously.

Cohn and Montague reached New York late yesterday afternoon.

Move on to Settle Bank vs. Fox Suit

Efforts to settle the $1,000,000 suit of the Chicago Title & Trust Co. against William Fox and Fox Theatres are being made, it was stated in state supreme court here yesterday when counsel petitioned and were granted a further postponement of trial of the action to May 13.

The Chicago bank instituted the action as assignee for Herbert Lubin, former Roxy Theatre stockholder. The suit is an outgrowth of defaults on the guaranteed redemption of Roxy stock, involving $1,000,000. Trial of the suit had been scheduled to start yesterday.

Presnell Quits Warners

HOLLYWOOD, April 5.—Robert Presnell has resigned as an associate producer for Warner over his dissatisfaction with the type of stories handed him, it is said. He has been signed by Universal to write and direct one film.

Purely Personal

STANLEIGH P. FRIEDMAN of Warners' legal department, WILLIAM LYON PHELPS and RUDY VALLEE were interviewed by FRANK HEALY yesterday on a special broadcast over WJZ in honor of the 286th anniversary of the birth of ELI YALE, founder of Yale University. FRIEDMAN, in the interview, told how he wrote, "March, March on Down the Field," the University's football song. He also conducted an orchestra that played six tunes.

•

ED KUYKENDALL leaves for Washington Sunday night to be on hand for the Senate Finance Committee hearing on the NRA. He is particularly anxious to hear what ABRAM F. MYERS will have to say.

•

MICKEY WALKER regaled JACK SPRINGER, SAM COCALIS, EDDIE GRAINGER, JOE LEE and several others with stories at The Tavern yesterday. GRAINGER, by the way, is off on another sales trip Monday.

Quip of the Day

Producer, excited about rain in a print of his favorite picture and taking it up with the lab:

"What are you trying to do, ruin me?"

"Don't get excited. It's a new service to save production cost. Whenever your script calls for rain, you don't have to bother with it. We'll add it in the lab for you at no extra cost."

DAVID LOEW, back from the coast, is silent on coast tax problems, war scares in Europe and the roughness of the plane trip, but on the subject of that 75 he turned in on his last round of golf ——!

•

SIDNEY SAMUELSON returns today from Minneapolis where he attended the two-day annual session of the Allied Theatre Owners of the Northwest.

•

CHARLES B. PAINE counts among his lingering memories the manner in which the Universal gang observed his birthday the other day.

•

TYREE DILLARD, JR., will be in Washington Monday and will confer with Compliance Director SOL A. ROSENBLATT for a few days.

•

HOOT GIBSON leaves today for a trip. He arrived Thursday from the coast for a brief conclave with First Division executives.

•

SAMUEL GOLDWYN shifted his plans, which is not unusual for him, and left by 'plane for the coast last night with Mrs. G.

•

CAESAR ROMERO is giving a cocktail party Sunday afternoon at the Lombardy.

•

LEW BROWN leaves for Hollywood in a few days to join SAMUEL GOLDWYN.

•

BRUCE GALLUP takes over his new duties at Columbia Monday.

•

HARRY C. ARTHUR gets back from St. Louis on Monday.

DR. JULIUS KLEIN, member of the Paramount Vanderlip debenture committee, yesterday closed the offices he has maintained in the Paramount Bldg. throughout the reorganization, marking the wind-up of the committee's activities as a result of court confirmation of the reorganization plan.

•

HELEN VINSON arrives here by plane today to visit her mother for two weeks. She will then sail for England to make a picture for Gaumont British.

•

FRANK A. VANDERLIP and PERCY H. JOHNSTON, Paramount board members, have returned from the coast after visits at the Paramount studio.

•

ARTHUR BRISBANE was given a private showing of M-G-M's "Buried Loot," first of a "Crime Doesn't Pay" series of two-reelers, by OSCAR DOOB.

•

JACK SIMONS, Poli manager in New Haven, and DON ROSS, Loew manager in Reading, were home office visitors yesterday.

•

. . . *New Haven*

HARRY ROGOVIN and SAM ROSEN couldn't wait to get home from Florida and wired the wives to meet them in New York.

•

BARNEY PITKIN is yearning for conventions and BEN LOURIE is chasing white pills around the local courses at dawn.

•

BEN SIMON is reviving dreams of a Fox screening room on the strength of a shipment of chairs from the old Boston office.

•

EARL WRIGHT to New Hampshire to attend his brother's funeral.

•

. . . *St. Louis*

Seen along the row, BUCK LEWIS of Rolla, Mo.; S. E. PERTLE of Jerseyville, Ill.; BILL GRIFFIN and MRS. I. W. RODGERS of Cairo, Ill.; CHARLIE DAWSON of Bowling Green, Mo.; VIC J. URBANE of Breeze, Ill.; D. GILLI of Carlyle, Ill.; FRANK BARNES of Carmi, Ill.; ART and MRS. BEARE of Chester, Ill.; C. W. CANNON of Ellsberry, Mo.; SIG HOLLOWAY, Hardin, Ill.; TED COLEMAN of Mount Carmel, Ill.; R. M. ASBURY of Vandalia, Mo., and VERNE COFFMAN of Moweaqua, Ill.

•

OPHELIA LOHRENZ, cute Warner cashier, becomes bride of W. B. ADAMS, the former cashier and now salesman in Kansas City. The bride's brother, RUD LOHRENZ, is a Warner salesman at Minneapolis.

•

VIC KLARSFELD, the heir apparent to FLO ZIEGFELD's title of the world's best picker of women. Witness ANN HYNES and EVELYN MAHLE.

•

Warner cashier, EVELYN RIETHER, is now the manager's secretary and EDNA FOX has been added to the stenographic staff.

•

CHARLIE GOLDMAN, "DINTY" MOORE and JIMMY MAHONEY talking about golfers, present company excepted.

Early Call to Be Issued for Para. Election

(*Continued from page* 1)

Percy H. Johnston, Henry R. Luce, Charles A. McCulloch, Maurice Newton, Frank A. Vanderlip and Adolph Zukor. The eight soon to be elected are Stephen Callaghan, Robert K. Cassatt, H. A. Fortington, William S. Gray, Jr., John D. Hertz, Floyd B. Odlum, Charles E. Richardson and George J. Schaefer.

The underwriting of the $6,400,000 of new Paramount stock subscription warrants is also expected to be agreed upon by the creditor groups in the near future, with present indications pointing to underwriting by a group which will include Kuhn, Loeb & Co., Hayden, Stone, Lehman Bros., Lazard Freres and possibly others. The new securities must then be approved by the Securities and Exchange Commission. Election of officers of the company will be delayed for several weeks inasmuch as there now appears to be little semblance of agreement among the creditor groups on those who will occupy the top posts.

In all, the processes of corporate organization of the new company may require about eight weeks, it is now estimated. About June 1, it is expected, a decree will be entered directing the trustees, Charles D. Hilles and Eugene W. Leake, to turn over Paramount assets in their possession to the new company. Simultaneously, the final report of the trustees will be filed with a petition asking for their discharge.

The approval by the Federal court at Brooklyn of Allied Owners' $5,000,000 claim settlement with Paramount increases the assents to the Paramount reorganization plan to a total of almost $40,000,000, as compared with the approximately $51,000,000 of claims entitled to vote on the plan.

Schulberg to Make New Para. Proposal

(*Continued from page* 1)

pictures during the next two years, each of which would be budgeted at not more than $250,000, as contemplated in the original proposal. Production, however, will probably be slated for the Paramount studio, instead of an outside studio, and new financing principals for 50 per cent of the production cost will also be proposed. The vetoed offer contemplated 50 per cent financing by Paramount and the remaining 50 per cent split between Erpi and Ralph Kohn. No objections have been raised by creditors to participation in the financing by either Paramount or Erpi.

Criterion and Loew's To Be Sold April 26

(*Continued from page* 1)

and 45th Streets. The property was owned by Seneca Holding Corp., a wholly owned Paramount subsidiary, and has been offered for sale by the company on two different occasions within the past year and a half without an acceptable bid being received.

Footage Levy Emerges from Minn. Battle

(Continued from page 1)

exhibitors pay this tax, if and when imposed.

In the new Minnesota bill the levy is one-half cent for each linear foot of film used in the state. This would be $30 on a 6,000-foot feature. Whether it would be levied just once after the arrival of a print at an exchange or for each showing and how the payments will be worked out is not clear.

Exhibitors have expressed a willingness to accept a fair share of the tax burden, they say, but what they were fighting for was to keep the industry from being set apart as a luxury. One of the worries over the footage levy is the possibility that it might result in a reduction in the number of prints and their use until they become antiques.

That exhibitors will have to work the tax into admission prices sooner or later is regarded as a foregone conclusion.

Playdate Veto Seen Possible

COLUMBUS, April 5.—Signature of Governor Martin L. Davey to the bill of Senator Edward N. Waldvogel, to prohibit designated playdates is being withheld pending a decision requested from Attorney General John W. Bricker as to its constitutionality.

Belief that distributors, who have contended that the bill is unconstitutional, are exerting pressure to influence a veto, is strengthened by the fact that this is the first time since taking office in January that Governor Davey has asked advice from the attorney general, who is of a different political affiliation. Heretofore, he has sought legal information on legislative questions from attorneys on the state payroll, or relied upon his lawyer friends for the necessary counsel.

Delaware Beats Film Bills

DOVER, April 5.—Not one of the four bills affecting films introduced in the Delaware Legislature had passed when the session adjourned sine die.

Only two, the bills to permit Sunday shows and dog racing, were called up for a vote. Both were defeated by the House.

One of the other bills called for a censor board and the other was intended to apply a three-cent tax on each admission.

New Ontario Taxes Loom

TORONTO, April 5.—Theatre and exchange executives of Ontario are wearing furrowed brows as a result of an announcement by Premier Mitchell F. Hepburn that the province closed the fiscal year with a deficit of $30,599,000 and that new taxes will be imposed.

The change of the date of the fiscal year from Nov. 1 to April 1 is causing confusion in study of the statements.

The statement of ordinary revenue for the past five months shows the amusement tax produced a total of $297,628, or an average of close to $60,000 per month. Yet the amusement tax item in the budget for the year starting April 1 is $850,000, which means that the Government expects to collect better than $70,000 per month.

The same situation is found in the censor board figures. During the past five months revenue from censorship fees totaled $38,887 and the estimated receipts from this source during the next 12 months are $91,000.

Debate California Tax

SACRAMENTO, April 5.—Continued debate over the income tax is continuing to occupy practically the entire time of the House. A Democratic bill boosting the proposed rate from two to 25 per cent has been offered as an amendment to the Administration bill which calls for a third of the Federal rate.

The bill will come up again Monday for amendments.

New Film Tax Up at Albany

ALBANY, April 5.—A bill was introduced in the Assembly today by Bernard J. Moran, Democrat of Brooklyn, to impose a tax of two tenths of a mill per foot on all film before it is examined by the censor board.

Held Unconstitutional

AUSTIN, Tex., April 5.—The Third Court of Appeals has ruled the state's anti-trust laws are unconstitutional. This was by way of affirmation of a trial court's dismissal of an anti-trust suit brought by Attorney General James V. Allred against 17 oil companies.

Denies "Millions" Delay

Denying Loew's had held up the dating of "Kid Millions" at the City, David Loew yesterday stated that the U. A. picture was available for the territory embracing the City on Jan. 30.

Form Republic Prod.

ALBANY, April 5.—Republic Prod., Inc., has been chartered to deal in films and machinery with a capital of $1,000. Incorporators are Mary V. Patane, John A. Pfeier and John P. Butler.

Hexapods Stirring Alarm

(Continued from page 1)

his meditations are disturbed. Lately, however, possibly due to the advance of spring and Governor Merriam's insistence on a high income tax, hexapods have been showing temper. Whenever the lids have been lifted from their boxes they have stood on their hind legs and glared balefully at all and sundry. Some of the older hexapods have even gnashed their teeth.

This is a bad sign, according to expert hexapodists, but novices have taken these manifestations as a matter of course—just as when a trained flea displays temperament.

Miss Bradley was a novice. She lifted one struggling hexapod without using the cube sugar tongs and dropped it into the goldfish tank. Togo, her favorite, the one with the big fan tail, flashed under a tiny coral arch on the side of the tank where the marine grass was thickest, and waited for the hexapod to drown. This, in spite of the fact that Togo hadn't eaten since breakfast. It was then late afternoon.

Still unaware of her danger, Miss Bradley grasped another hexapod just abaft the shoulder blades. This was where she made a mistake. The grip should have been behind the ears. The hexapod turned on her with an ugly leer and sank his fangs into her forefinger right near the base of her polished fingernail.

She screamed—not loudly, of course. Just a cultured scream suited to a microphone.

Now she is under the care of a physician and experts are attempting to analyze the poison, and the publicity department is maintaining a discreet silence in order to avoid a panic in Hollywood, the western edge of San Fernando Valley, Beverly Hills, Santa Monica and Malibu Beach.

Industry Heads in Frisco Tax Confab

(Continued from page 1)

to the proposed transactions tax, feeling this would be fairer than the income levy. San Francisco business representatives have offered assurances that all industries would work together for fair legislation, with no discrimination against any particular one.

J. J. Bryson, legislative representative of the Hays office, was also present at the conference, details of which were kept secret. Hays left later in the day for Sacramento.

Ludington to Come East on Film Talks

With Nicholas M. Ludington expected to arrive from the coast over the week-end, the board of directors of First Division Prod. will start the first of a series of conferences Monday on production and sales policies.

Ludington has been ill on the coast and is expected to leave Hollywood by plane Sunday. All other directors of the company have been in New York for the past week awaiting Ludington, who is president of the producing unit.

End Milwaukee Ad Row

MILWAUKEE, April 5.—After several weeks, during which the Fox circuit refused to run any advertising in the *Milwaukee Sentinel*, the tiff between the circuit and the local daily morning newspaper has been ironed out and Fox's advertising is again appearing in the *Sentinel*.

Astaire-Rogers to Start

HOLLYWOOD, April 5.—The next Fred Astaire-Ginger Rogers musical, "Top Hat," is scheduled to start next Monday. Helen Broderick, Erik Rhodes and Eric Blore are also in the cast, with Mark Sandrich directing.

Wall Street

Eastman Gains 2 on Big Board

	High	Low	Close	Net Change
Columbia, vtc	41	40½	41	+ ½
Consolidated	4¼	4¼	4¼	+ ⅛
Cons., pfd (1v)	17⅜	17¼	17¼	.....
Eastman	122½	120⅝	122½	+2
Fox Film "..A"..	9¾	9⅛	9½	+ ⅜
Loew's	36½	35⅞	36⅜	+ ⅜
Loew's, pfd.	108½	108½	108½	+1½
Paramount	2⅝	2½	2½	— ⅛
Pathe	⅝	⅝	⅝	.....
Pathe "A"	11¾	11⅜	11⅜	+ ½
RKO	1⅝	1¼	1⅜	— ⅛
Universal pfd.	39½	39¼	39½	— ½
Warner	3	2¾	3	+ ¼
Warner, pfd.	18⅛	16¼	18	+1½

Technicolor Steady on Curb

	High	Low	Close	Net Change
Technicolor	20⅛	19⅝	19⅞	.....
Trans Lux (.10 k)	2¼	2¼	2¼	— ¼

RKO Bonds Gain 3½

				Net
General Theatre Equip. 6s '40 ctf	7	6¾	7	+ ¼
Keith B. F. 6s '46	69½	69½	69½	+ ⅛
Loew's 6s '41 ww deb rights	104¾	104¾	104¾	.....
Paramount B'way 5½s '51	49⅞	49⅞	49⅞	— ⅛
Paramount F. L. 6s '47	74½	73½	74½	+3⅜
Paramount Publix 5½s '50	75½	73¾	75¼	+2¾
Pathe 7s '3 ww	103¼	103¼	103¼	— ⅛
RKO 6s '41 pp	30	30	30	+3½
Warner Bros. 6s '39 wd	51	51	51	.....

(K and v) Paid this year.

(Quotations as at close of April 5)

Warners Will Make Quota Films Longer

(Continued from page 1)

this season run about 4,500 feet to 5,000 feet each. The new ones will run 7,000 feet.

A third sound stage will be built following Asher's arrival. It will be 100 x 120 feet. A new administration building and a new power plant are also on the new construction program. Asher conferred with Harry M. Warner yesterday on these matters. Latest types of equipment will be installed.

No decision has been reached on taking American stars over for British pictures. Asher said he hoped to get a few but nothing is definite. Laura LaPlante, his wife, will make four next season, the first of which will start the end of May. It is tentatively titled "Water Nymph," an original by Guy Bolton. The star is now in Hollywood arranging to take her mother to England. She will be in New York in two weeks.

"In making our new pictures, we will aim for a world market," Asher declared. "We are not going to make $300,000 and $500,000 pictures and are not trying to compete with this type of production. We will try to make good, salable product, and if we can do this we will have no difficulty finding a market."

Jerome Jackson, formerly with Gaumont British, has joined the Warner outfit as associate producer under Asher.

"Production is booming in England," the Warner executive said, "and theatre business is swell; in fact it's hard to get tickets at many theatres. This is due, I think, to good product."

Bette Davis with Donat

HOLLYWOOD, April 5.—Bette Davis will play opposite Robert Donat in Warners "Captain Blood."

See Code Fate Hanging Upon Poultry Test

(Continued from page 1)

action which it had sought to avoid as long as possible.

The New York poultry case is declared by Donald R. Richberg, chairman of the National Industrial Recovery Board, to be an almost perfect subject for a test, as it involves most of the disputed points in the Recovery Act. In the lower court the Government was upheld on 17 of the 19 points involved.

An effort is to be made to secure an early hearing on the case in the hope that the court will render an opinion before Congress passes the bill extending the life of the Recovery Act.

$100,054 Is Granted For Code Operation

(Continued from page 1)

tures during December, plus $500 for legal fees made necessary by a suit filed against the Cleveland grievance board and $1,100 for the payment of accounting and auditing service rendered Code Authority.

The money is to be spent from surplus funds available as of Dec. 31 last.

Orders authorizing Code Authority to use a $36,000 surplus from last year's contributions to meet operating expenses pending the development of a budget for the first half of the current year have been approved by the National Industrial Recovery Board.

Because of the issuance of an order some days ago in which assessments on a flat basis or by brackets were prohibited, approval of the current budget has been held up pending the development of a new formula for contributions.

Use of the surplus will not prevent the return of money to industry contributors, either as credit against their assessments or in cash, since it is considered merely as a loan to save the authority the embarrassment of panhandling for funds with which to operate until it gets a new budget.

Berinstein, Hicks To Head L.A. Group

(Continued from page 1)

clearance and zoning schedule. J. Robert Rubin will be chairman of the session and the full Campi body will hear the various protests.

William T. Powers and Edward Alperson of Fox West Coast will be on hand. It was the original F.W.C. petition protesting 13 situations that brought on delay in putting the schedule into effect.

With Dan Michalove as chairman and A. J. Mertz and William Yoost on the appeals committee, two Boston clearance and zoning complaints were aired yesterday. The cases were: Charles Ross, Strand, Windsort, Vt., against Peter D. Latchis, Latchis, Clairmont, New Hampshire, and M-G-M; Somerville Capitol, Somerville, Mass., and the Capitol, Arlington, Mass., appealing on the entire schedule for the territory.

After a two-day session, Campi yesterday completed all appeal cases up for decision. There were 38. Ed Kuykendall was chairman. Nothing was done about appointing impartial men chairmen of local boards.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Spring Tonic"

(Fox)

HOLLYWOOD, April 5.—This picture has a capable cast that is handicapped by story. Claire Trevor, Lew Ayres, Walter King, Jack Haley, Zasu Pitts, Siegfried Rumann and Mitchell and Durant with others equally able gather only occasional laughs from involved farce situations.

The story starts with Miss Trevor walking out on her wedding to Ayres. Taking Miss Pitts, her maid, she motors to a deserted summer resort which is used as a moonshiners' hang-out by Rumann and Mitchell and Durant. At a circus playing nearby King frees a tiger to keep his wife, Tala Birell, busy so he may philander. Eventually the characters and the tiger chase each other all over the countryside with Haley, on the scene as a newspaper reporter, contributing a good part of the comedy. When the tiger is captured and proves to be a tame one, Ayres is restored to Miss Trevor and the other characters continue about their business.

Clyde Bruckman has directed with slapstick technique, at times getting much out of the situations. The production of Robert T. Kane is suitable and the photography is all right.

Production Code Seal No. 737. Running time, 57 minutes. "G."

No Decision Is Made On Huffman Appeal

WASHINGTON, April 5.—No determination of action to be taken on the decision in the Harry Huffman case at Denver in which it was held the code did not apply in intrastate commerce has yet been reached by the Department of Justice.

Department officials explained today they had not yet received a report from the district attorney in that city. In any event, it is not anticipated an appeal will be pressed by the Government at this time in view of the probability that within the next six weeks the Supreme Court will render an opinion in the New York poultry case, which is considered a test of the validity of the Recovery Act and the poultry code as a whole.

RKO and Century in Joint Campi Appeal

RKO will join Century circuit in appealing the decision of the local clearance and zoning board which on Thursday declared RKO's Columbia and Strand, Far Rockaway, L. I., noncompetitive to the Fantasy, Rockville Center.

The Alden, Jamaica, clearance over the Century house stays, according to the majority opninon. Eugene Picker of Loew's and Robert Wolff of RKO Radio were the two dissenting voters.

Salem Clearance Is Cut

BOSTON, April 5.—The clearance of Salem over Beverly, Danvers, and Peabody has been cut by the clearance and zoning board, acting upon a complaint of the Sudbury Amusement Co., which operates the Orpheum in Danvers. Salem shall have a maximum clearance of 14 days over these three communities, "except on such pictures as Salem fails to play within 28 days after availability." In these instances, Salem has clearance over theatres directly involved and no more.

More N. E. Code Signers

BOSTON, April 5.—The Alley, Groveton, N. H., has assented to the code. The house is operated by Art Sharby. The Art in Springfield and the Plymouth in Worcester, Charles Caballero houses, also have assented.

Berenstein Hearing Set

HOLLYWOOD, April 5.—The bank night complaint of B. N. Berenstein against W. J. Edwards has been set for hearing by the local grievance board for next Tuesday.

Berenstein and Edwards have the Tower and Florence, respectively, in Pasadena.

Drop South Boston Case

BOSTON, April 5.—The Broadway and Strand, South Boston, have withdrawn their clearance protest against Olympic Theatres, Inc.

Monogram May Make 42, States Johnston

(Continued from page 1)

May 1, probably in Cincinnati or Chicago.

Upon his arrival from Chicago, Johnston conferred with Robert F. Withers, manager of Midwest Film Distributors, Monogram franchise holder. He left tonight for Pittsburgh, planning to be back in New York Monday.

Aylesworth Rushes West

M. H. Aylesworth, RKO and NBC head, left by plane yesterday for Denver, from where he will go to Fort Collins, Col., to attend the funeral of his mother, Mrs. Georgia Shores Aylesworth, who died Thursday night following a long illness. Aylesworth is expected back early next week.

Tri-Ergon Cases Ended

SCRANTON, April 5.—An official notice from the U. S. Supreme Court has been received in U. S. District Court here terminating all actions in connection with the Tri-Ergon cases against Wilmer & Vincent and Altoona Publix.

"Mississippi" Rings Bell in K.C., $8,500

KANSAS CITY, April 5.—"Mississippi" was the Newman's bell ringer, turning in $8,500 in seven days, above normal by $2,500. It was held.

Total first run business was $33,600. Average is $32,500.

Estimated takings:

Week Ending March 27:

"THE MYSTERY OF EDWIN DROOD" (Univ.)

MAINSTREET—(3,100), 25c-35c-40c, 7 days. Stage: Lupe Velez, Irene Vermillion, Four Vespers, Pettet & Douglas, Medley & Duprey. **Gross:** $7,200. (Average, combination bills, $8,000.)

"MISSISSIPPI" (Para.)

NEWMAN—(1,800). 25c-40c. 7 days. **Gross:** $8,500. (Average, $6,000.)

"THE LITTLE COLONEL" (Fox)

UPTOWN—(2,000), 25c-40c, 5 days, 3rd week. **Gross:** $2,200. (Average, $2,500.)

Week Ending March 28:

"WEST POINT OF THE AIR" (M-G-M)

MIDLAND—(4,000), 15c-25c-40c, 7 days. **Gross:** $9,400. (Average, $9,000.)

"TRANSIENT LADY" (Univ.)

TOWER—(2,200), 25c, 7 days. Stage: Six Lucky Boys, Allen Reno, Fowler, Walsh & LaZarr, Alfredo & Dolores, Jack Carson, others. **Gross:** $6,300. (Average, $7,000.)

Grosses Generally Down on Broadway

(Continued from page 1)

film until next Tuesday or Wednesday.

Second week of "Naughty Marietta" at the Capitol wound up with $27,000, or $11,000 under the first stanza. "I'll Love You Always," a Columbia film, was a complete disappointment at the Roxy. It took in a reputed $19,000 and Irving Lesser says it's the lowest gross in 41 weeks.

"The Wedding Night" ended its three-week run at the Rivoli last night. The tally for the final session was about $12,623. "Traveling Saleslady," at the Strand, took in approximately $12,189. The Mayfair, with "The Man Who Knew Too Much," grabbed roughly $8,000 on a second week holdover and the Gaumont British film stays another week with indications the gross will average around the same figure.

Maloy Estate Sued On a Fraud Charge

CHICAGO, April 5.—Thomas E. Maloy, whose dictatorship of the I. A. T. S. E. here was terminated by gang fire on Feb. 4, is named along with his widow and 11 of his lieutenants in a suit filed in Circuit Court today in behalf of Harland Holmden, third vice-president of the union, who charges misappropriation of $500,000 of union funds.

An accounting of the union's books is asked in the suit, which charges that $400,000 paid over to the union was never even entered.

U.A. Group Returning

HOLLYWOOD, April 5.—Joseph M. Schenck, Al Lichtman and William Phillips left by plane for New York today after a week conferring with Darryl Zanuck, Edward Small, Harry Goetz and Walt Disney on future product and reviewing the California tax situation.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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POOLS IN OFFING FOR ALL SECTIONS

"Stupid" Law Moves Are Hit By Kuykendall

Blames Sales Policies For Pettengill Bill

Responsibility for the harassment of the industry with "stupid legislative panaceas," such as the Pettengill Bill, is placed squarely at the door of distributors and their "stupid, short-sighted" sales policies by M. P. T. O. A. in the organization's current bulletin released Saturday by Ed Kuykendall, president.

In an attack on the Pettengill Bill and consideration of its probable adverse effects on smaller theatres and the industry at large, the M.P.T.O.A. bulletin declares, in effect, that a reasonable cancellation privilege of 20 per cent granted to exhibitors without nullifying conditions, would close the door to the introduction of legislation

(*Continued on page 7*)

Seven of Paramount Lineup Already Set

Seven of the 65 pictures Paramount will announce at its convention here starting May 23 are set. They are: "The Crusaders" with Henry Wilcoxon and Loretta Young and produced by Cecil B. De Mille; Tulio Carminati in "Paris in the Spring" and "Mary Ellis"; "So Red the Rose," a King Vidor production; "Rose of the Rancho" with John Boles and Gladys Swarthout; "The Milky Way" for which no cast is set, and "Anything Goes" with Bing Crosby.

"The Big Broadcast," which Barney Glazer will make, is likely to be included on the 1935-36 list. This is not yet set.

Maine Betting Bill Signed by Governor

AUGUSTA, Me., April 7.—Governor Louis Brann has signed a bill legalizing pari-mutuel betting on trotters and pacers and the measure becomes effective 90 days after the current session of the legislature adjourns, which is expected in a few days. The new bill prohibits betting on Sundays and by minors at all times.

Roosevelt, Beacon, Acquired by S. & C.

Springer & Cocalis have taken over the Roosevelt, Beacon, making the third house for the circuit in the town and ending a price war which has been

(*Continued on page 6*)

Not Even a Peek

Birmingham, April 7.—Eleven members of a jury saw a film here the other day, but the twelfth member, Rev. Arthur O. Garner, sat with his back to the screen and with his eyes blindfolded. He wouldn't even do this until the other 11 members had agreed to allow him to read from the Bible and deliver a sermon after the showing.

Ohio Playdate Bill Invalid, Ruling Holds

COLUMBUS, April 7.—The Waldvogel bill designed to ban designated playdates is unconstitutional, according to an opinion handed down Saturday by Attorney General John W. Bricker to Gov. Martin L. Davey.

In his opinion the Attorney General held that the measure would interfere with the rights and property of copyright owners under Federal laws and would be an unwarranted interference with the rights of private contract of the owners of the film.

The measure has passed both branches of the Legislature, but when

(*Continued on page 7*)

Charnow Wins Case After Seven Months

After seven months of fighting, Julius Charnow of the Leonia, Leonia, won his clearance and zoning fight against RKO and Loew's in New Jersey. Campi last week decided that he does not have to follow the two circuits' theatres in North Bergen and Union City, but can play seven days after Englewood.

This is what Charnow has been seeking all along. His case had been

(*Continued on page 8*)

Court Stay Gained On L. A. Bank Night

LOS ANGELES, April 7.—Bank nights will remain here temporarily as a result of the Federal court ruling in the test case of the Oxnard Theatres, Inc., against the local grievance board and distributors, naming J. J. Milstein, et al, defendants. Judge McCormack denied a motion of dismissal and gave the defendants 20 days in which to file an answer.

British Quota Quality Will Receive Study

By BRUCE ALLAN

LONDON, March 29.—"Full consideration" to any suggestions which might be made by the Films Act Advisory Committee to improve the quality of British quota films, has been promised in the House of Commons.

Dr. Burgin, Parliamentary secretary to the Board of Trade, in replying to this effect to Herbert Williams, pointed out that the act had 10 years' duration and there was plenty of time to consider recommendations. An inquiry into the working of the act was not considered necessary, nor were developments in the trade regarded as having made it obsolete.

This reply is considered very significant in view of the fact that an

(*Continued on page 2*)

Studio Pace Lags; 38 Features Going

HOLLYWOOD, April 7.—Production dropped off slightly last week with the seven-day checkup showing 38 features and three shorts in work, compared to 41 features and seven shorts for the week previous.

M-G-M still holds the lead with nine features before the cameras, one preparing and 11 in the cutting room. Fox is second with five, five and five;

(*Continued on page 2*)

Four Downtown Spots In Lincoln on Duals

LINCOLN, April 7.—Four of the nine downtown houses here are using double features now as a result of J. H. Cooper's decision to put two films in the picture half of the week at the vaudefilm Orpheum, the other Cooper spot now offering two is the Sun.

Both L. L. Dent houses, the warring Westland Kiva and Varsity, have duals, too. This is close to the one time record when six of the nine downtowners had two features on every program in the spring and summer of 1934. The Lincoln has also cut the afternoon price from 25 cents to 20 cents.

Revival of Idea Set for Beginning of 1935-36 Theatre Season

Reticent to an extreme because they argue specific tips may break down their objective, important circuit operators headquartering in New York are discussing a number of pooling deals throughout the United States to become effective immediately prior to, or with the advent of, the 1935-36 season. If the plan, as aired now, develops, it will mark a revival of the pooling idea on a scale not even transcended in the months which followed the era of bankruptcies and receiverships.

The development is born of the continued necessity of paring costs and an apparent desire to reduce cutthroat type of operation engendered by high speed competition. A third factor, less tangible but rating consideration in the deliberations, is the belief pools on more or less of a wholesale scale will

(*Continued on page 6*)

NSS Says Warners Knew of Trailers

That the Warners action to obtain a permanent injunction against National Screen Service restraining the latter from producing trailers based on Warner pictures is nullified by Warners' knowledge of the National Screen practice over a long period of years without action having been taken, is offered as a defense in National Screen's reply to the suit, it

(*Continued on page 6*)

Shortage of Prints Being Studied Here

Following complaints by the I. T. O. A. and Allied of New Jersey, home office executives of major distributors are checking into the alleged print shortage situation.

Sales heads say that if there is any dearth of prints they are anxious to relieve the strain by increasing the regular standing orders.

Samuelson May Take Up Loew Expansion

Returning from Minneapolis, Chicago and Columbus on Saturday, Sidney Samuelson, president of Allied, stated he might take up the Loew invasion angle at the Allied of New

(*Continued on page 6*)

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Studio Pace Lags; 38 Features Going

(*Continued from page* 1)

Warners, four, one and nine; Universal, four, zero and two; Columbia, three, three and three; Paramount, two, one and three; Radio, two, two and five; 20th Century, zero, zero and one; independents, nine, three and six.

Short subject production shows a slight uplift with Roach registering one in production, three preparing and four in the cutting room. M-G-M has zero, two and four; Universal, zero, one and two; Columbia, zero, one and two; Warners, zero, zero and one; Radio, zero, one and one, with the independents checking up two, two and four.

Warner Aiding Dinner

Harry M. Warner is chairman of the dinner committee in charge of a testimonial dinner to be tendered by the American Jewish Congress tonight at the Commodore in honor of Bernard S. Deutsch, president of the Board of Aldermen. Louis Nizer is chairman of the executive committee.

Skouras Awards Prizes

LOS ANGELES, April 7.—Charles Skouras has awarded bonuses and prizes to some 25 FWC managers and house employees who were the winners of the recent 13 week drive in a ceremony held over the weekend in the offices of A. M. Bowles, western division manager in San Francisco.

Insiders' Outlook

By RED KANN

CAN the members of the exhibition family live in the same big house without tearing each other apart? Volumes in the written and unwritten history of the business say they cannot. Certainly the preponderance of evidence bears out the conclusion. Yet, lurking somewhere behind the conversations current today in several quarters about the possibilities of and plans for theatre pools here, there and perhaps everywhere throughout the country is an intangible idea which might be somewhat loosely defined as family harmony. A thought such as that very often springs from a common ill or a mutual objective. The ill today is that theatre business, improved as it is over depression-depths days, is not what it ought to be; the objective, obviously, is to improve it. . . .

▼

Regardless of what makes the idea persuasive, the inclination today appears to be for pools and more pools to cut overhead, split available product, perhaps reduce clearance from a phantom to a fact and to bring about a friendlier, round-the-Maypole attitude where strife and drawn swords now flash. It may be something else tomorrow, for this business, by its makeup, is nothing if it is not volatile. But the plan, in outline, is interesting and something to contemplate with what actual results time alone will tell. . . .

▼

In exhibition, also, another thought is shaping itself. This has to do with the theatre's primary consideration: product, how good or how bad, and from that point on, what? Generally recognized is the truth that hit pictures from all sources total somewhere in the neighborhood of only 15 per cent. Advertising and exploitation, intelligently conceived and applied, are doing a job for the remaining 85 per cent. However, and drawing upon a survey of their grosses, there is a growing coterie of theatre operators who, gradually but inevitably, are veering toward the conclusion that a way out is to give extended playing time and repeat runs to wow attractions. . . .

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Typical of this attitude and cited here largely because it is the latest to hit the deck is the observation brought back to New York the other day by Nate Blumberg, general operator of the RKO circuit. He expressed himself as convinced that more days for the unusual and, so, less for the usual attraction constitute the new note in theatre operation. We are doing it, not only with pictures, but with stage attractions as well. "There will be more of it in the future," he stated. Why not? One point on which practically all film men agree is that the day of the in-between attraction, flesh or celluloid, is a constantly diminishing factor and that more reliance must be placed on real drawing cards whenever they come along.

▼

This brings to mind a lengthy talk with Irving Thalberg in Hollywood about a year ago. He was the only producer on the coast—and this commentator saw, sat with and conversed with all of them—who refused to pass the buck to the exhibitor. Thalberg argued then and, today undoubtedly feels the same way about it, that the fault with grosses was not the slavery of the exhibitor to his ritual of one change or two changes or three changes of film a week, but with the producer in Hollywood, who did not furnish theatres with attractions in numbers sufficient to warrant holding them two, three or even additional weeks beyond that. It was his idea at the time that exhibition will continue as hazardous as it is today until Hollywood develops or acquires producers enough to deliver pictures enough to rate substantially with the public. An interesting thought with which this observer agrees thoroughly, although he now expresses his doubt about the ultimate reaching of such a gold-lined Utopia. . . .

▼

This column's favorite ill-advised actor went at it again late last week. Having taken one earlier crack at the commercial screen and stage which rewards him handsomely and, presumably without violent objection on his part, for stint behind camera and before audiences, Leslie Howard, that brave soul, continues with ideas about autograph hunters. What, for instance, does he think of the species? "They belong to the movies and the typical movie fan is a sort of freak," replied Howard, according to *The New York Times.* He's been annoyed by them, has Howard, who further illustrates his business profundity with: "Autograph hunting is bad manners, apart from everything else." It might be pointed out to this current matinee idol that the adulation of his public, which takes one form of expression in the autograph hunting which he finds so distasteful, is something for which Howard should express his gratitude in prayers if he utters any, as well as in autographs. Popular stars of other days and of other times have become second leads, character actors and even less in fewer seconds than it takes to read this. . . .

British Quota Quality Will Receive Study

(*Continued from page* 1)

official announcement was made earlier in the week that the quota provisions of the act would not be varied. This was read in some quarters as an assurance that no amendment of the act in any detail was contemplated.

* * *

Suggestions by local authorities that free film shows of a patriotic character shall be given to children, during the King George "Jubilee" celebrations have been generally negatived by C. E. A. branches. Epitomizing the general opinion of members of the exhibitors' association, the Scottish branch has passed a resolution that ordinary matinee prices shall be charged at special "Jubilee" performances.

* * *

Associated British Pictures has declared an interim dividend for the first time, paying four per cent. Trading figures are believed to have exceeded all estimates and a final distribution of 10 per cent for the year is regarded as a possibility in financial circles.

Gaumont British, leading rival of the Maxwell group, paid three per cent interim and its last year's total dividend was six per cent.

* * *

Immediate conferences will be held between exhibitor and distributor nominees of C.E.A. and K.R.S. to see if agreement can be reached on a standard contract.

This was one of three urgent matters on which the exhibitors recently deputized distributors. A definite refusal has again been given by the K.R.S. to the suggestion that they should cooperate in a campaign against overbuilding.

A joint committee has been appointed to go into the question of varying "small exhibitor" preferential renting terms. Exhibitors want the classification extended to theatres taking an average of £175 a week.

* * *

Ward King has sailed for Singapore to make "Remau, Remeau," ("Tiger, Tiger") for Columbia's British office, with an all-native cast. Mrs. Beatty's book with the same title provides the story.

Century to Make Twelve

HOLLYWOOD, April 7. — Twentieth Century will make 12 for 1935-1936, including "Ivanhoe," "The Man Who Broke the Bank of Monte Carlo," "Sing, Governor, Sing," "Shark Island," "Nile Patrol," "Gentlemen, the King," "Earthbound" and "Professional Soldier."

Darryl Zanuck will hunt bears in Alaska before starting on the lineup.

They Haven't Taken the Intestinal Fortitude Out of 21* Movie Critics, Either!



*1

Gus McCarthy of Motion Picture Herald dares to give his honest opinion of

PAUL MUNI in "BLACK FURY"

"One of the greatest dramatic pictures of this or any other year . . . It rips, tears and crashes into a powerful story!" (Warner Bros., Producers . . . A First National Picture.)

DASHIELL HAMMETT'S CRACKING

"Universal's 'Mr. Dynamite' Surefire Mystery Comedy...Here is a fast-moving, wise-cracking bundle of entertainment that fairly whizzes across the screen to establish a new character in murder mystery melodrama which should rival the popularity of the 'Thin Man' . . . 'Mr. Dynamite' is sure-fire box office anywhere"!

—Hollywood Reporter



Carl Laemmle presents

Edmund **LOWE** *in*

MR. DYNA

. . . With JEAN DIXON, Esther Ralston, Verna Hillie, Joyce Compton, Mary Wallace, Victor Varconi and Matt McHugh . . . A UNIVERSAL PICTURE directed by ALAN CROSLAND . . . E. M. Asher, Associate Producer


SUCCESSOR TO "THE THIN MAN"!
WIFE

Purely Personal

RAY NOBLE'S band is the latest addition to "The Big Broadcast." BEN PIAZZA has signed the leader and his band to appear with BING CROSBY, WILLIAM C. FIELDS, BURNS and ALLEN and the Vienna Boy Choir. Several international stars are being spotted in the Paramount film. The deals will be closed when Piazza gets back on the coast. BARNEY GLAZER, deals will be closed when PIAZZA gets trekking west either tomorrow or Wednesday.

•

E. H. GOLDSTEIN today joins Consolidated. On Saturday he finished as vice-president of Majestic, which today moves its headquarters from the RKO Building to Liberty home offices.

Quip of the Day

Each hole on the private golf course which is part of Pembroke, Arthur Loew's estate at Glen Cove, is named after a world capital in which the Metro foreign department operates theatres.

Mort Spring played the course over a recent week-end and got lost in the rough just off Brisbane, Australia.

NATHAN YAMINS is back in Fall River, Mass., following the Minneapolis Allied meet. He flew to New York for last Thursday's Campi meeting.

•

M. B. COMERFORD of Scranton spent a few days in Washington last week visiting M. E. COMERFORD, who is recovering from his recent illness.

•

MRS. BELLOC LOWNDES, who penned "Letty Lynton," in which Joan Crawford has appeared on the screen, is at the Ritz Tower from London.

•

PAT ROONEY and the missus were targets of a Friars celebration in club quarters last night. It was their 32nd wedding anniversary.

•

HERMAN RIEFER, auditor in the Fox New York exchange, is mourning the loss of his mother who passed away over the week-end.

•

FRED MCCONNELL was in Albany and Scranton last week. The trips had to do with "The March of Time."

•

SAM ECKMAN, in charge of M-G-M activities in England, arrives tomorrow on the *Ile de France*.

•

RALPH ROLAN has returned from a three-day trip to Kansas City. He planed both ways.

•

JOE BRANDT and his wife return today on the *Statendam* from a Mediterranean cruise.

•

CHARLES STILLMAN of "The March of Time" flew to Cleveland and back last week.

•

CESAR ROMERO will be interviewed by BIDE DUDLEY over WOR tomorrow.

•

WILLIAM C. SMALLEY, upstate circuit operator, returns today from Miami.

•

MEYER SCHINE of Gloversville was in town Saturday.

•

WILL H. HAYS is expected back from the coast late this week.

•

. . . Omaha

STAN BROWN, district manager for A. H. BLANK, told MOTION PICTURE DAILY that STAN, JR., was screen tested by M-G-M. Junior starred in U. C. L. A. "Campus Capers" and attracted film moguls' attention.

•

LEO BLANK, Vitagraph manager, Minneapolis, dropped into the local office for a conference with C. K. OLSON.

•

CHARLEY SCHLAIFER receiving congratulations for his winning an honorable mention in the Quigley Awards—the first in this part of the country to click in such a contest.

•

ALLENE FRANSEN, "world's most beautiful usherette" interviewed over the radio by CHARLEY SCHLAIFER, A. H. Blank's publicity man.

•

C. M. HANSEN will open a new theatre at Dillon, Mont., about April 15, calling it the Fren.

•

R. ANDERSON of the Casino at Gunnison, Utah, and BEN RICH, exhibitor from Montpellier, Ida., among visiting exhibitors.

•

. . . Portland, Ore.

FRANK NEWMAN, JR., of the Paramount theatre, in addition to making another high record with "Life Begins at 40" and entertaining the four Mills Brothers, is writing the highlights of his busy life.

•

GORDON CRADDOCK of Universal giving out the advance program of the Oregon annual film gold tournament, in addition to heavy bookings on Universal features.

La Hiff's Tavern

A chop house of exceptional merit

156-8 West 48th St., N. Y. C.

"Black Fury" Meets More Censor Frowns

Warners are having trouble with more censors over Paul Muni's latest, "Black Fury." The film was scheduled to go into the Strand here some time ago, but was held up for a time. Over the weekend it was revealed that Chicago censors had banned the picture on the ground it was "inflammatory and conducive to social unrest."

The Maryland state censors refused to pass the film, also, demanding certain deletions be made.

Warners will contest the actions, it was announced here.

Wall Street

Eastman Leads Gain on Big Board

	High	Low	Close	Net Change
Columbia, vtc	41¾	41	41⅝	+ ⅝
Consolidated	4⅜	4⅜	4⅜	+ ⅛
Cons., pfd. (1v)	17⅛	17¼	17¼	.....
Eastman	124⅞	122¾	124⅞	+2⅜
Fox "A"	9¼	9¼	9¼	— ¼
Loew's	36⅜	36⅛	36⅜	.....
M-G-M, pfd.	27⅝	27⅝	27⅝	+ ⅛
Paramount	2⅝	2½	2⅝	+ ⅛
Pathe	⅝	⅝	⅝	.....
Pathe "A"	12	11⅞	11⅞	— ⅝
RKO	1½	1⅜	1½	+ ⅛
Universal, pfd.	18	17½	17⅝	— ⅜
Warner	3	2⅞	2⅞	— ⅛

Technicolor Continues Gain

	High	Low	Close	Net Change
Technicolor	20¼	19⅞	20¼	+ ⅜

Paramount Publix Bonds Gain ⅞

	High	Low	Close	Net Change
General Theatre Equip. 6s '40	7½	7	7⅜	+ ½
Keith B. F. 6s '46	70	70	70	+ ½
Loew's 6s '41 ww deb rights	105	104¾	105	+ ¼
Paramount Broadway 5½s '51	50	50	50	+ ½
Paramount Publix 5½s, '50	75⅞	75¼	75⅞	+ ⅞
Warner Bros. 6s '39 wd	51¼	51	51½	+ ½

(v) *Paid this year.*

(Quotations as at close of April 6.)

NSS Says Warners Knew of Trailers

(*Continued from page* 1)

was disclosed on Saturday with the filing of the answer in state supreme court here.

The answer is known as a "defense of estoppal" and is based on the contention that Warners failed to exercise the vigilance required in equity proceedings of the kind in order to contest the practices complained of. National Screen declares in its answer that not only has it produced trailers based on Warner pictures for a number of years but that, in some instances, these National Screen trailers were used by Warners in their own theatres. It is also alleged that the practice continued with the "acquiescence, consent and encouragement" of Warners.

The answer contains a general denial of the charges made in the Warner complaint and asks that the action be dismissed. The case is not expected to go to trial for several months yet.

In its original complaint, filed early in February, Warners sought a permanent injunction and $1,000,000 damages, alleging that the distribution of Warner trailers by National Screen constituted an unfair and unauthorized practice. It was also charged in the complaint that copyrighted titles of Warner pictures and names of players under contract to the company were used in the trailers without authorization and that these practices lessen the Warner revenue from its own trailers and diminish the popularity of its players.

Shirley Temple to Rest

HOLLYWOOD, April 7.—Shirley Temple has been granted a 12-week vacation by the studio, and will take a trip to Honolulu during her rest period. Upon her return, Shirley will go into "Curley Top."

Theatre Pools In Offing for Many Sections

(*Continued from page* 1)

tend to reduce the difficulties of setting up clearance and zoning.

The move, in its present form, does not set up as a condition deals involving major circuits alone, but takes into consideration operating agreements between circuits and independents where coalitions appear feasible.

Recent pooling deals closed in the east have Paramount taking over operation of the Peekskill, Peekskill, from Raymond Wittickson, who also has the Pickwick, Greenwich, Conn., not involved in the set-up. Paramount never sold Wittickson while he operated the Peekskill house.

In Newark, Warners last week pooled its Regent with Levin Brothers' Elwood. The Capitol, Belleville, a Warner unit, is also tied in with the arrangement, which brought to a close a long pending clearance and zoning case filed by Lou Levin against Warners. An appeal hearing was slated for April 13 before the Industrial Appeals Board in Washington.

Loew's and RKO are now partners in the Orpheum, Denver, with the latter operating. RKO had the house alone before Harry Huffman took it over on a deal with the receivers. M-G-M product is now being booked into the house in addition to Radio's.

There is talk of Loew's making operating affiliations with Chicago independents to supplement a number of theatres slated to be built by the circuit.

On Wednesday the pool between Si Fabian and RKO in Albany and Schenectady is to become effective. Fabian owns the Plaza in Schenectady and the Palace in Albany which have been run by RKO in pools with Farley and Charles Buckley. Fabian becomes the new operator with RKO buying and booking.

Samuelson May Take Up Loew Expansion

(*Continued from page* 1)

Jersey meeting tomorrow at the Lincoln.

Samuelson declared he had nothing more to say about the Loew matter at this time. He pointed out that a resolution was passed at the Minneapolis two-day session of Allied Theatres of the Northwest whereby action would be taken by the national organization in the event Loew's goes through with its building program in the Windy City.

Roosevelt, Beacon, Acquired by S. & C.

(*Continued from page* 1)

raging for weeks. S. & C. have had the Beacon and Paragon. It is planned to close the Paragon and put vaudeville into the Beacon on Saturdays. Prices will be increased.

The Astor on Broadway may also go to S. & C. A bid has been made to Walter Reade and turned down. However, reports have it that Springer & Cocalis want the house to buck Harry Brandt's Globe. Another bid is expected to be made within the near future.

"Stupid" Law Moves Are Hit By Kuykendall

(Continued from page 1)

by professional organizers through which have come the Brookart, Pettengill and other measures.

"We are opposed," the bulletin states, "to the stupid, legislative panaceas that have been proposed, which would perhaps cure block booking but would impose such severe hardships and burdens on the small exhibitor that he would be destroyed. It cannot be improved through legislation any more than censorship laws can improve pictures. But the stubborn attitude of the distributors who, through their counsel, have blocked all reasonable efforts to modify their sales policies with respect to full-line forcing, gives the reformers a golden opportunity to 'raise hell with the movies.'"

"We have fought for years," the bulletin observes, "to obtain a reasonable rejection privilege on group buys, partly accomplished in the code entirely through our persistent efforts. But it's not enough, should be at least 20 per cent on each group of 10 or more features, without qualifications or tricks."

Lists Points Against Bill

Reciting some of the injurious effects which the M.P.T.O.A. believes would result from enactment of the Pettengill Bill, the bulletin says that "it is quite likely that it will double film rentals at the smaller theatres, insure uniformly mediocre box-office attractions, provide a Roman holiday for lawyers in the endless, costly litigation it would breed, and rapidly spread unfair and disastrous non-theatrical competition throughout the country."

"It's like taking arsenic for a cold," the bulletin concludes. "You can get rid of the cold, but the cure is so much worse than the disease that nobody tries it—more than once."

The bulletin compliments the Department of Justice on its efforts to obtain an early trial of the Federal suit against Ascap, and urges exhibitors to support the bill introduced by Senator Duffy of Wisconsin to amend the copyright laws, declaring that the measure would afford some relief and would curb "the Ascap monopoly to a limited extent."

A plea for retention of the exhibition code as an aid to the regulation of "unscrupulous competition" is made in the bulletin, which also strikes at dormant clearance and zoning plans in the face of the approach of a new selling season.

Pick MPTOA Executive Body

The new executive committee of M.P.T.O.A. has been elected by directors of the organization representing six sections of the country, it was reported Saturday by Ed Kuykendall, M.P.T.O.A. president.

The new committee includes the following: George A. Giles of Cambridge, Mass., for the New England and New York divisions; O. C. Lam, Rome, Ga., for the southern division; Jack Miller, Chicago, for the central division; Lewen Pizor, Philadelphia, for the eastern division; Charles E. Williams, Omaha, for the mid-western division, and Morgan A. Walsh, San Francisco, for the western division.

Kuykendall and Morris Lowenstein of Oklahoma City, M.P.T.O.A. national secretary, are also members of the executive committee.

Women Oppose Film Taxes

Los Angeles, April 7.—The Los Angeles County branch of the California Federation of Women's Clubs, with a membership of 12,000 voters and now in its fourth annual convention at Covina, has adopted a resolution which has been forwarded to the current assembly urging the legislators not to levy any excise taxes which may bear heavily on the industry and cause it to remove operations from the state. The organization cited the loss the state would suffer. A resolution expressing appreciation for the excellent pictures now being released was also adopted.

No Tax Cut, Paris Talks of Closings

Paris, April 7.—Threats of closing film theatres during May and August are being heard because the Chamber of Deputies adjourned without reducing theatre taxation, but they are not taken seriously in some quarters.

The failure to reduce taxes is laid to a maneuver by French exhibitors. They had inserted in the pending bill a provision that houses showing American films would not get the cuts. A protest was lodged by the U. S. Government and the bill was allowed to die.

Kennery to Cornwall

Cornwall, N.Y., April 7.—Ed Kennery will be the manager of the New Cornwall, 600-seat house, which is expected to be ready for opening the early part of May.

Ohio Playdate Bill Invalid, Ruling Holds

(Continued from page 1)

questions as to its constitutionality were presented to Governor Davey he sought a ruling from the Attorney General before signing it.

In his ruling the Attorney General said: "Each film, before it may be shown in this state, must first pass muster with the board of censors and it is presumably fit to be exhibited on any day of the week.

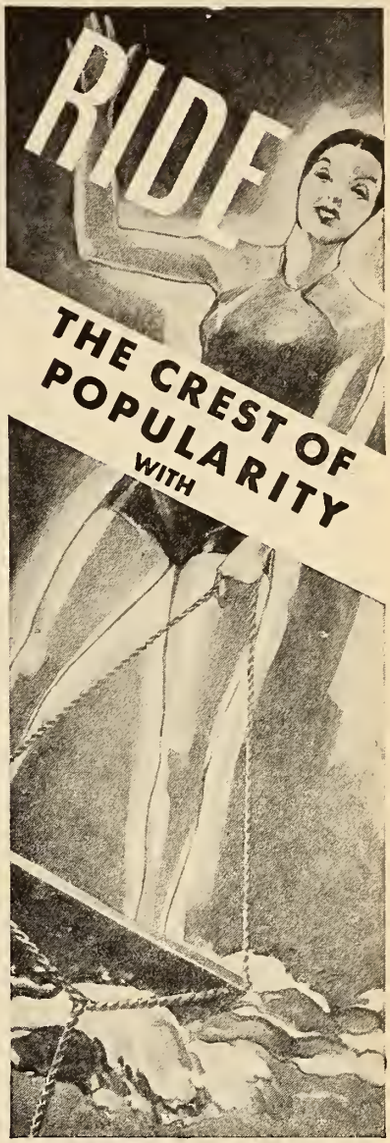
"Exhibition of motion picture films is, of course, subject to regulation in the interest of the public welfare, providing such regulation is not arbitrary and does not have some relation to the public health, safety and morals. This act does not seek to regulate exhibition, but arbitrarily prohibits the making of a contract within this state, whereby the seller, lessor or vendor makes such contract upon condition that the films must be exhibited or shown at certain times.

"In 1927 a similar bill was before the then Attorney General and he held as follows:

" 'The motion picture business is not so affected with the public interest as to justify legislation, as proposed, designed to regulate the making of contracts between producers or distributors and exhibitors.' "

Tracks Temporarily Checked

Boston, April 7.—The Supreme Court here has granted an injunction preventing the State Racing Commission from issuing licenses for the operation of horse tracks in the state. A court hearing of the matter has been set for Tuesday morning.



Variety Club Chatter

Cincinnati

Cincinnati, April 7.—Sam Gallanty, district manager Columbia, and a member of the Washington tent, was in town last week conferring with Allan Moritz, chief barker of Cincinnati No. 3, and local Columbia manager.

Mike Spanagel has returned from an extended selling trip through the sticks.

Max Stahl, who recently came here as United Artists manager, is the latest recruit into resident membership.

Des Moines

Des Moines, April 7. — Committees have been chosen for the newly organized Variety Club by President W. E. Banford.

G. Ralph Branton heads the temporary house committee; Harry Hiersteiner of the Family is chairman of the permanent house committee; Stanley Mayer, Fox manager, is chairman of the membership committee, and Stanley Brown, district manager for Tri-States, is head of the entertainment committee.

Kansas City

Kansas City, April 7.—According to present plans, the club will be ensconced in its new quarters in Country Club Plaza April 13. Housewarming is scheduled for two days later.

Chief Barker George S. Baker and other new officers are to be honored at a banquet in a few weeks.

A representative detachment of local barkers went to St. Louis for "Kansas City Day" at which the tent at the other end of the state was host. The delegation included Finton. Jones, Arthur Cole, Dick Biechele, Earl Jameson, Sam Abend, C. A. Schultz, William Wagner and Harold Lux.

Subjects of mutual interest were discussed, and a tentative decision was reached to hold a joint meeting some time in the future at a point midway between the two cities, either Jefferson City or Columbia.

With 55 winning games safely tucked away, it appears that Gus Kubitzki's Fox Film pinsmen will capture this year's bowling league tournament—again.

RCA VICTOR
PHOTOPHONE
THAT GIVES GREATEST SOUND SATISFACTION AND OFFERS YOU:

- A Sound Box-Office Attraction
- Complete Ownership
- A Self-Liquidating Investment
- RCA Super-Service

PHOTOPHONE DIVISION
RCA Manufacturing Co., Inc.
Camden, N. J.
A Radio Corporation of America Subsidiary



Short Subjects

"The Call of the Savage"

(*Universal*)

The background of this serial is the African jungle at the present time, and although the first three reels are packed with thrills that should prove interesting to audiences, most of the situations are a bit too far fetched. Fights between various animals have been clipped from several familiar jungle features and an observing audience will pick many a flaw in the film.

The story has Noah Beery, Jr., a wild boy in the jungle, living with a chimpanzee. Beery had grown up with the animals after his mother had been killed while with his father, a doctor, was in the jungle searching for a paralysis serum. Tragedy overtook the family just as success reached the father, who wrote half his successful formula on a parchment and half on a silver wrist band which he put on his son. It is the silver band that is the reason for all the trouble that besets Beery through the medium of two confederates of his father seeking to recover it.

Besides Beery the cast includes Dorothy Short, H. L. Woods, Bryant Washburn, Walter Miller and Fredric MacKaye.

Louis Friedlander's direction, up until the end of chapter three, keeps the action moving right along. The photography by William Fryer and William Sickner is good.

Adults may not appreciate this serial, but children will probably rave over it.

Production Code Seals No. 658, No. 659, No. 690. Running time, 20 minutes per chapter. "G."

"A Nose for News"

(*Educational*)

Joe Cook is featured as a newspaper reporter and his comedy antics are better and funnier than in the other numbers of this series.

Assigned to police headquarters to interview a gangster, Cook finds himself mistaken for the crook. He escapes from jail several times, only to be returned. This gives him the opportunity for his usual gags and remarks. The second reel winds up after a funny court scene with the gangster being captured and Cook freed.

Recommended. Reviewed without production code seal. Running time, 18 mins. "G."

"Pardon My Grip"

(*Columbia*)

Featuring such well known wrestlers as Jim Londos, Ray Steele, Everett Marshall and Man Mountain Dean, this short will appeal chiefly to men and sport fans. It may be a little too rough for women, since it is a series of scenes from wrestling bouts. Production Code Seal, No. 0318. Running time, 10 mins. "G."

Warners to Dine Jolson

Warners will stage a dinner party at the Casino de Paree April 16 in honor of Al Jolson. It will be the eighth anniversary of the signing of Jolson's first contract with the company, the one which resulted in "The Jazz Singer"—and sound. The festivities will be broadcast and a newsreel record made.

Well known stage, screen and radio personalities will attend.

Looking 'Em Over

"Stone of Silver Creek"

(*Universal*)

Western fans should go for this. Buck Jones is his usual virile self, but there is plenty of action tied together by a good story. Director Nick Grinde made full use of these elements to present an entertaining picture. Photography by Ted McCord is satisfactory.

The yarn has Jones, disappointed in love in the east, attaining a position of prominence in the western town of Silver Creek as the owner of a gambling hall and saloon. Jones gets a half interest in a mine owned by Murdock McQuarrie when he saves the latter from crooked gamblers. Marion Shilling, McQuarrie's daughter, tries to reform Jones by taking him to church where he strikes up a friendship with the minister, Niles Welch. The gamblers from whom Jones saved McQuarrie return and rob his safe and Welch is wounded trying to stop them. Jones then chases and captures them. In the meantime, the girl he lost in the east comes to work for him and Jones and she are re-united. Thus all ends well.

Others in the cast are Noel Francis, who turns in a good performance, Grady Sutton, Harry Semels and last, but not least, Silver, the horse.

In small towns and neighborhoods and where westerns are liked, this picture should have no trouble. Production Code Seal, No. 668. Running time, 60 minutes. "G."

Charnow Wins Case After Seven Months

(*Continued from page* 1)

in the hands of a committee for several months. Charnow has claimed that because of the North Bergen and Union City protection, he has had to wait from 60 to 90 days for pictures after they have been shown on Broadway.

Want Protection Shifts

PHILADELPHIA, April 7.—Shifts in protection where first runs reduce admissions is to be demanded by the M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware. There have been a number of such cuts recently in this territory and the unit is to seek help from Campi.

It was also decided that Code amendments are needed and a committee was named to formulate a program on these.

Weekly payments on shorts were opposed and the unit again went on record against the proposed Pennsylvania 10 per cent ticket tax.

After some debate a letter was sent to Columbia expressing opposition to alleged circularizing of Doylestown, Pa., because J. A. Wodock, operator of the Strand and the only exhibitor there, refuses to play Columbia pictures.

Sports Program Set At M. P. Club Forum

The M. P. Club's luncheon forum tomorrow will offer an All Sports program, headed by Jimmy Johnson, general manager of Madison Square Garden, bolstered by an array of sport writers and champions in many fields of sports.

Included in the guest list are "Hype" Igoe, sports editor of the *Evening Journal;* Bennie Leonard, former lightweight champion; Paul Gallico of the *News*; Bennie Friedman, professional football star and former University of Michigan All-American quarterback; Marcus Griffin of the *Enquirer;* Ned Brown, sports writer; Harry Hershfield; Jack Doyle, heavyweight champion of Ireland and amateur vocalist; Bob "Believe-It-Or-Not" Ripley; Bugs Baer; Gene Sanger, squash champion, and Alfred Letournier, six-day race champion.

The luncheon is scheduled to begin at 12:45 P. M. sharp, and the program will be broadcast over stations WHN, WMCA and WIP, Philadelphia.

N. E. Allied Unit to Meet

BOSTON, April 7.—Independent Exhibitors of Massachusetts, Inc., New England Allied unit, will meet April 9, to discuss potential legislation detrimental to the industry. Representation at the convention in Atlanta will be among matters to be given attention.

"Mississippi" Hits a Record On the Coast

LOS ANGELES, April 7.—In the face of warmer weather which didn't do most theatres any good the Paramount broke a record at $23,000 on "Mississippi." This is $5,000 over normal.

Total first run business was $79,325. Average is $91,200.

Estimated takings for the week ending April 3:

"FOLIES BERGERE" (U.A.)
CHINESE — (2,500), 30c-55c, 6 days. **Gross:** $8,875. (Average, $12,500)

"CHAPAYEV" (Amkino)
FILMARTE — (800), 40c-50c, 7 days. **Gross:** $2,750. (Average, $2,750)

"SCARLET PIMPERNEL" (U. A.)
4 STAR—(900), 40c-55c, 6 days. 2nd week. **Gross:** $5,500. (Average, $3,250)

"TRAVELING SALESLADY" (F. N.)
HILLSTREET—(2,700), 25c-65c, 6 days. **Gross:** $7,600. (Average, $8,000)

"FOLIES BERGERE" (U.A.)
LOEW'S STATE—(2,500), 30c-55c, 6 days. **Gross:** $7,300. (Average, $14,000)

"MISSISSIPPI" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: F. & M. revue, Etta Moten, Rube Wolf and his orchestra, Popeye and Olive Oyl. **Gross:** $23,000. (Average, $18,000)

"CAR 99" (Para.)
"$10 RAISE" (Fox)
UNITED ARTISTS—(2,100), 25c55c, 6 days. **Gross:** $3,200. (Average, $3,500)

"TRAVELING SALESLADY" (F. N.)
WARNER BROS. (Hollywood) — (3,000), 25c-65c, 6 days. **Gross:** $8,600. (Average, $14,000)

"ROBERTA" (Radio)
WARNER BROS.—(Downtown)—(3,400), 25c-40c, 6 days. **Gross:** $9,600. (Average, $12,000)

"BROKEN MELODY" (Olympic)
"MYSTERY MAN" (Monogram)
PANTAGES — (5,000), 25c-40c, 7 days. **Gross:** $2,900. (Average, $3,200)



Little Boy: *Mommy, what's a Werewolf?*
Mama: *Your papa says it's a swell title!*

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 83 NEW YORK, TUESDAY, APRIL 9, 1935 TEN CENTS

Loew's Seen Developing National Radio Network

Kent Assures Booking Ban On Fitzgerald

I.E.P.A. Wisconsin Move Gets Prompt Reply

MILWAUKEE, April 8.—As the result of a protest to Sidney R. Kent by the I. E. P. A. against buying and booking combination of H. J. Fitzgerald, general manager of the Wisconsin Amusement Enterprises, Inc., Fox subsidiary, members have been advised that Fox does not intend to permit its theatre department to book product for a booking fee.

It is charged by the independent association that Wisconsin Amusement is interested financially in only about six theatres in Wisconsin, but is doing booking on a percentage or flat fee basis for some 30 other houses.

This situation, as well as other problems, including the present four per cent tax on gross receipts now before

(*Continued on page 6*)

Ohio Playdate Bill Is Unsigned Law

COLUMBUS, April 8.—The Waldvogel law banning designated playdates is headed for a court test. After the Attorney General had ruled that it was unconstitutional, Gov. Martin L. Davey, on Saturday, allowed it to become a law without his signature. It becomes effective July 5.

Governor Davey gave as his reason for not signing or disapproving the measure the fact that he wanted to

(*Continued on page 8*)

Theatre Liability Rates Are Shifted

A change of premium computation for theatre liability insurance made known yesterday by the National Bureau of Casualty & Surety Underwriters makes the number of admissions at the individual theatre the basis

(*Continued on page 6*)

Drive on Duals Is Off Indefinitely

Harry Brandt's move to eliminate duals and increase admissions locally yesterday met a temporary setback when the I.T.O.A. head called off

(*Continued on page 6*)

Code Exodus Threatened; Want Changes

By BERTRAM F. LINZ

WASHINGTON, April 8.—Threatening abandonment of the Blue Eagle unless present conditions are remedied, representatives of independent exhibitors today demanded of the Senate Finance Committee modification of either the Industrial Recovery Act or changes in the code to provide for more equal representation on Code Authority and its subordinate boards.

Submitting voluminous exhibits for the record, Abram F. Myers, general counsel for Allied, and Melvin Albert, appearing for Harry Brandt of the I.T.O.A., charged that the code as now written neither remedies the conditions which existed prior to its adoption nor affords independent exhibitors a fair chance before the various boards.

In the presence of Compliance Director Sol A. Rosenblatt, Deputy

(*Continued on page 4*)

Code Cost Change Will Be Taken Up

By CLARENCE LINZ

WASHINGTON, April 8.—Possibilities of securing an exemption from the recent NRA order prohibiting assessments on a flat or bracket basis will be discussed with Washington officials within the next day or two by John C. Flinn, Campi secretary.

Flinn will bring to Washington data to show that the present setup comprises the best method of basing

(*Continued on page 4*)

Californians Want L. A. Schedule Now

KANSAS CITY, April 8.—En route to New York by plane to resist the granting of a rehearing to F. W. C. on the Los Angeles clearance schedule, Ben Berenstein, representing Southern California independents, insisted here today that there could be

(*Continued on page 4*)

ADOLPH OCHS

RIPE with the fullness of his years, highly esteemed by his fellows and a wide public, Mr. Adolph Ochs, publisher of The New York Times, *has passed on at the end of a career of extraordinary distinction. His death brings feelings of regret, made the more poignant by the demise of his close associate, Mr. Louis Wiley, only a few days earlier. A generation of a great newspaper is going.*

Mr. Ochs attained success in the building of The Times *and his other newspapers by policies of sincerity and adherence to the causes of the common good, with a calm, unrelenting persistence that will long stand as exemplary in the fevered world of journalism.*

Many institutions, both here and abroad, conferred honors upon Mr. Ochs. He conferred honors upon the profession and industry of publication which he served with rare ability from the days of his newsboy beginning. His memory will survive among the foremost of the great names of American journalism.

—MARTIN QUIGLEY

Take Amalgamated Out of Inactivity

A revival of the Amalgamated Vaudeville Agency, an M. E. Comerford enterprise, was started yesterday with Ed Fay, prominent New England exhibitor, appointed the new head of the agency.

Amalgamated will start immediately with the booking of the Comerford houses at Scranton, Wilkes-Barre, Binghamton and Rome and the Fay houses at Providence. Others may be added later. Services of the

(*Continued on page 6*)

Three in New England Added, More on Way Shortly Now

Station W1XBS, Waterbury; Station WPRO, Providence, and Station WMEX, Boston, tied in with Loew's, Inc., on Sunday as a three-way step in what is looming as the development of the third nationwide chain of broadcasting stations. Three or four more deals are in various stages of negotiation with the probability a strong one that their annexation will be clinched in a week or 10 days.

The New England outlets are the remnants of the Amalgamated Broadcasting Corp., fostered and fathered some months ago by Ed Wynn, who later withdrew from the enterprise.

The move gives Loew's four stations to date, the nerve center of the budding network being Station WHN atop of Loew's State Building in New York. At the same time, there has been formed, but not yet incorporated, the WHN Artists' Bureau in which the William Morris Agency and Loew's are equal partners. This en-

(*Continued on page 2*)

Fabian Says Bid on Fox Met Is Not Set

Numerous details remain to be set before a competitive bid for Fox Metropolitan Playhouses is made by Si Fabian and associated interests, Fabian said yesterday, expressing doubt as to whether a definite bid could be put before the court by next Monday, the date set for hearing of the Joseph M. Schenck-Fox Theatres reorganization plan.

Fabian said it has not even been determined yet whether the bid, if made, would constitute a plan of reorganization for Fox Met or an outright purchase. Likewise still in doubt are the operating plans which would be in-

(*Continued on page 8*)

Koplar to Head New St. Louis Circuit

ST. LOUIS, April 8.—Harry Koplar, pioneer exhibitor here and one of the original franchise holders of First National, has resigned from the F. & M. unit which has been operating the Ambassador, St. Louis, Missouri,

(*Continued on page 8*)

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Pascal Named Head Of Writers' Guild

HOLLYWOOD, April 8.—The Screen Writers' Guild has elected Ernest Pascal president. Pascal succeeds Ralph Block. Nunnally Johnson is vice president; John Grey, treasurer, and Robert N. Lee, secretary.

Elected to the executive board were William Conselman, Frances Goodrich, Doris Malloy, Frances Faragoh, William S. McNutt, Benjamin Markson, Harlan Thompson, Salton I. Miller, Wells Root, E. E. Paramore, Jr., and Joel Sayre.

Kent on the Mend

HOLLYWOOD, April 8.—Sidney R. Kent, who has been confined to the Beverly-Wilshire with a bad cold, is well on his way to complete recovery again.

MITCHELL MAY, Jr. COMPANY
INC.
SPECIALISTS IN FILM and THEATRE INSURANCE
75 Maiden Lane New York
510 W. 6th St. Los Angeles Cal.

Purely Personal

ARTHUR HORNBLOW, Paramount associate producer, leaves Hollywood en route to England on April 21. He is scheduled to sail from here May 1 to get RUDYARD KIPLING'S approval of the screen play of "The Light That Failed."

•

HUGH WILLIAMS, who has been before many cameras in Hollywood, is a member of the cast of "Flowers of the Desert," the new KATHERINE CORNELL show which opened at the Martin Beck last night.

•

ELISABETH BERGNER'S play, "Escape Me Never," closes in a few days after which MISS B. leaves for Italy and that villa, which, legend says, she owns but has never seen.

Quip of the Day

Ali Gaga says:
"That the only monopoly which exists in the film industry is the one that Columbia has on the Academy awards."

FRED ALLEN has turned down an offer to appear in "The Big Broadcast." He wants to star in a picture by himself or not at all. So far it's the latter.

•

BONNIE BUSCH of the British American Cinema Studios is in town looking over the story mart and negotiating for current stage offerings.

•

MIRIAM HOPKINS packs and goes west sometime this week. That makes her vacation here shorter than planned. Or, at least, announced.

•

BUSTER SHAVER and OLIVE and GEORGE, the two midgets who were in "The Mighty Barnum," open at the Roxy this week.

•

J. H. DAVIE has just produced his second featurette. Her name is Diana Morris. Sound is "by two lung power," papa puts it.

•

CHARLES GLETT, of Audio Prod. will leave shortly on a transcontinental jaunt that will wind up at the San Diego Fair.

•

SAM H. HARRIS fooled 'em. He reached New York ahead of schedule, but stage producers are like that sometimes.

•

NICHOLAS M. SCHENCK is a director of 109 corporations, according to the 1935 edition of "The Directory of Directors."

•

MAY ROBSON, now at work on "The Age of Indiscretion," has been resigned by M-G-M.

•

GRANVILLE BATES is off to Hollywood for a role in "Mutiny on the Bounty."

•

SAM ECKMAN, London head of M-G-M, gets in today on the *Ile de France.*

•

ROBERT YOUNG, on vacation here, leaves today for the coast.

•

ROBERT WOLFF, local Radio branch manager, has gone to Miami for a rest.

•

Y. FRANK FREEMAN returned yesterday from a southern business trip.

LOUIS STAHL, manager of Skouras' Palace, Bergenfield, N. J., was recently voted the most popular manager of the circuit in Jersey. As a testimonial, all Skouras houses across the Hudson are holding a two-weeks' drive in his honor. The drive winds up April 14.

•

HENRY RANDEL and HARRY BRANDT will be pitted against JACK ALICOATE and JACK SHAPIRO in another whirlwind pool (exhibition) at the M. P. Club next Saturday. Winners of the first contest held last Saturday were RANDEL and BRANDT.

•

JOHN D. CLARK, PAUL J. GREENHALGH and GEORGE ENGEL will appear before the Admissions Committee of the Motion Picture Club Friday.

•

CHARLES MACDONALD, WILLIAM ENGLAND and ROY BYRON, all of RKO, sail tomorrow on the *Queen of Bermuda* for a week's vacation.

•

SIG WITTMAN is due back from Albany today. He has been making a tour of a number of Universal exchanges in the east.

•

LILLIE MAYER is back from a motor jaunt to Charleston, S. C., where she did much to improve her work in water colors.

•

MARY ROGERS, whose pappy is WILL, will play summer theatres at Skowhegan, Me., this year.

•

L. W. CONROW, eastern sales executive for Erpi, has joined the ranks of jubilant fathers.

•

CONSTANCE BENNETT will be a guest artist on AL JOLSON'S radio hour next Saturday.

•

ORRY KELLY, Warner costume stylist, is vacationing here. He is at the Lombardy.

•

CHARLES KOERNER, RKO division manager in Boston, is in town for a few days.

•

NICHOLAS M. LUDINGTON, due yesterday from Hollywood, has not yet arrived.

•

Compliance Director SOL A. ROSENBLATT was in town over the weekend.

•

EDDIE CARRIER, M-G-M exploiteer, got back from Texas yesterday.

•

LOU IRWIN is the latest recruit to join the M. P. Club.

•

. . . *Bridgeport, Conn.*

TED HOLT, manager of the Globe, gets his recreation through an airplane ride every Sunday afternoon.

•

ALBERT HAMILTON, manager of the Empress, South Norwalk, back after visiting neighboring parts.

•

HARRY SHAW, Loew's New England executive, in for opening of "Platinum Blondes" at the Globe.

•

DEAN HUNT now doing a daily film column on the *Stamford Advocate.*

Loew's Seen Developing U. S. Network

(*Continued from page* 1)

terprise, while it is not designed to confine radio talent bookings to the Morris office, will foster and develop acts for the ether outlets, boost studio talent over the air and be instrumental in placing popular radio turns in Loew theatres.

While executives of the circuit will not concede that there is afoot any fixed and definite plan to extend a network from coast to coast, such an idea is known to be in their minds. The latter day development of WHN which is actually a combination of three outlets, the others being originally WPAP and WRNY, now permits broadcasting on a 17 or 19-hour day without recourse any longer to the use of electrical transcriptions.

IEPA Hits Chicago Moves

PHILADELPHIA, April 8.—The Independent Exhibitors' Protective Ass'n in its current bulletin predicts dire results for M-G-M should Loew's go ahead with its program to invade Chicago.

Asserting that M-G-M "may make an exhibitors' *cause celebre* of this Chicago situation," the bulletin continues:

"We warn the Loew executives that if they build theatres in opposition to the independents who cannot use their films because the terms are unreasonable, they may witness and be the victims of an uprising that will leave a far more lasting impression on them than was left on the Paramount of 1921."

The reference to Paramount has to do with this company's alleged efforts 15 years ago to force exhibitors to accept its terms on product on threat of setting up competitor theatres.

Gordon Is Expanding

BEAUMONT, Tex., April 8.—Sol E. Gordon of the Jefferson Amusement Co. has purchased the Dixie in Bryan; Rialto in Jacksonville, Austin in Seguin and Stone Fort in Nacogdoches from Inca Theatres, Inc., headed by Claude Ezell and W. G. Underwood. This presages the end of Inca's activity on its own.

Ampa Slate Ready

Official announcement of the new Ampa slate will be made tomorrow by Mel Heymann, secretary. The regular nominating committee is understood to be set on a selection for the candidacy for the presidency. The opposition committee has presented its list of candidates.

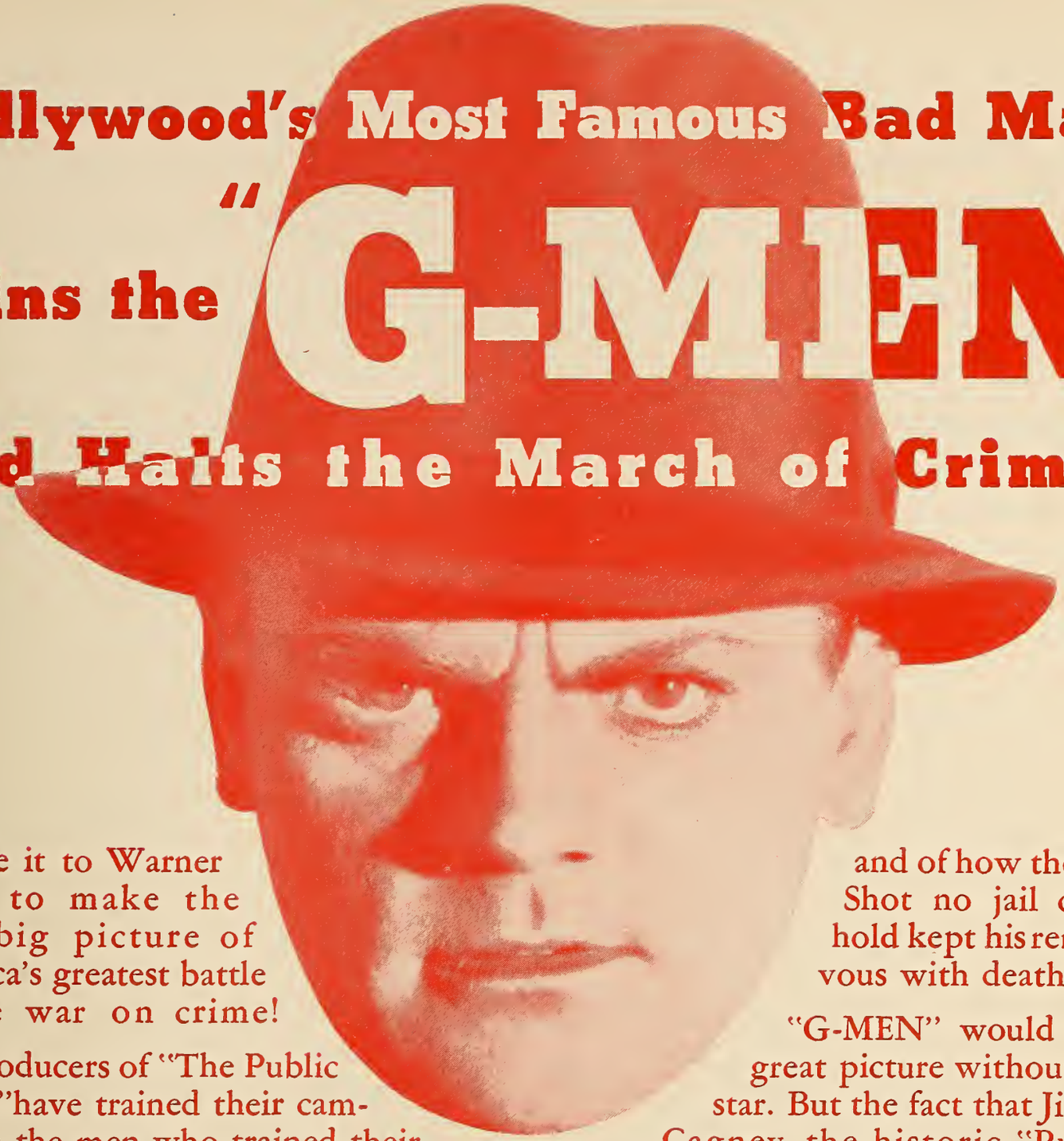
AFA Extending Offer

The American Federation of Actors is extending its special membership offer, which expired March 31, to May 6.

Hays Calls Producers

HOLLYWOOD, April 8.—Following several postponements, Will H. Hays has called the annual meeting of the Producers Ass'n for Thursday.

Hollywood's Most Famous Bad Man Joins the "G-MEN" and Halts the March of Crime!



Leave it to Warner Bros. to make the first big picture of America's greatest battle in the war on crime!

The producers of "The Public Enemy" have trained their cameras on the men who trained their guns on the craftiest killers of this day and age.

They've brought the G-MEN, mighty man-hunters of the Department of Justice, out of the shadows of secrecy into the brilliant glare of the picture screen.

Yesterday's screaming headlines are a feeble whisper compared to the sensational revelations in this shot-by-shot dramatization of gangland's Waterloo.

It's all here!...every graphic detail of how the deadly trap was set—and sprung—on the Mad Dog of the Mobs, and of how the Big Shot no jail could hold kept his rendezvous with death!

"G-MEN" would be a great picture without *any* star. But the fact that Jimmy Cagney, the historic "Public Enemy" of 1931, now plays the lead in this epic of the end of gangdom, makes its appeal infallible.

As usual, Warner Bros.' "G-MEN" will be the first picture of its type to reach the screen.

You will be the first in your city to show an authentic story of Uncle Sam's sensational secret agents if, and only if, you show "G-MEN".

So 'phone for a date today before the cream is taken off this rich box-office theme.

A First National Picture with James Cagney, Ann Dvorak, Margaret Lindsay, Robert Armstrong. Directed by William Keighley

Withdrawal From Code Threatened

(Continued from page 1)

Administrator William P. Farnsworth and other NRA officials, Myers outlined the negotiation of the code, declaring that the committee "should be eager to ferret out the iniquities" of the document.

Asserting that the "Big Eight" completely dominated the negotiation of the agreement, Myers answered an inquiry by Senator King, Democrat of Utah, as to who actually wrote the code by saying: "I do not think Rosenblatt drafted it, because I do not think he had the grasp of the industry problems, or, perhaps, the subtlety to draft a code like this." He intimated that he thought that Nathan Burkan exercised considerable influence in its writing.

Continuing his discussion of the negotiations, Myers told the committee Allied had been treated as "outcasts" and had never been invited to sign the code before it was sent to the President.

Sees Protection Nullified

The executive order which accompanied the code, he said, held the promise of protection which his group sought, but this was nullified by an "interpretation" charged to have been secured by the "Big Eight," which virtually emasculates the order.

As a result of the Code Authority setup, he continued, there is a fixed division of seven to three on all matters which arise between sellers and buyers and between the different classes of theatres.

Myers read to the committee a letter from Nathan Yamins of Fall River, Mass., in which it was charged the producer-distributor members of Code Authority were permitted to name the members of the local boards who were to represent them without any interference from exhibitors, but the latter were permitted to name the exhibitor members, all of whom were approved only after investigation and approval by the distributor members.

Yamins charged evasion of the code by the insertion of provisions in contracts and alleged that Code Authority had refused to send protests on this matter to the legal division of the NRA for an opinion.

It was charged that, when a matter comes up in which a member may be disqualified to sit because his company has an interest, interpretation of the code provision to define "sitting" as voting makes it possible for such member to enter into the argument which precedes the decision, Yamins continued.

Holds Independents Slighted

"My conclusion after one year's service on Code Authority," he said, "is that the independent receives little or no consideration when his interests conflict with those of the affiliated members."

The present code, he concluded, is unfair to small exhibitor interests and is being administered against the interests of independents and in favor of the interests of producer-distributors.

Although Rosenblatt two months ago recommended that Code Authority study and submit recommendations for revision, nothing has been done, he asserted, and when the matter is brought up by the executive secretary it is immediately tabled.

The independents have several times recommended to the National Industrial Recovery Board that the code be reopened and have received only "the most evasive" replies, Myers charged.

Discussing with Senator Barkley, Democrat of Kentucky, the assents to the code by exhibitors, the witness pointed out that many operators had signed up, not because they approved the code, but because in no other manner could they secure the right of appeal or other privileges which it held forth.

Barkley, who had apparently been given information on the code, asserted that there were 10,143 theatres in operation Feb. 1, of which 9,169 had voluntarily consented to the code, 6,500 of them being independent operators.

"You do not contend that these evils did not exist prior to the code?" Barkley asked.

"What the code did," Myers replied, "was to take each of these practices and, without materially remedying them, incorporate them in the code."

"Are you advocating discontinuance of the NRA?" Barkley asked.

Asks Better Board Setup

"No," said Myers. "On the contrary, I am complaining only of the motion picture code in its present setup. The exhibitors are threatening to withdraw from all cooperation until there is a better balance of the boards."

Asked by the Senator as to the operation of the local boards, Myers declared that "so far as I know, no exhibitor has received any adequate assistance through that method."

Barkley pressed the witness for an expression which would show that the provision covering forcing had been successful, but Myers refused to admit that the exhibitors had received any national benefit.

He read into the record the resolutions adopted at the New Orleans meeting last December, and also referred to a telegram sent to the committee following the Minneapolis meeting last week incorporating the resolution demanding revision of the code.

"From your experience as a member of the Federal Trade Commission and an assistant attorney general," Barkley asked, "do you believe that the Federal Trade Commission or the Department of Justice or any other department that has to go through long drawn-out litigation in order to decide cases between two people can be effective in eliminating unfair practices by which large groups of business industries have sought to injure their competitors?"

"No," responded Myers. "On the contrary, I think that with fair codes and proper safeguards for the public, undoubtedly it can be better done by a code system."

Offers New Code Provision

As a means of remedying the situation, Myers suggested that there be included in any legislation drafted by the committee for continuation of the Industrial Recovery Act, a provision that "all codes which authorize the code authority or other board or agency created thereunder to hear and determine controversies between concerns engaged in different branches of the industry affected shall, as a condition of their validity, provide that such code authority or other board or instrumentality shall be composed of an equal number of bona fide representatives of each branch of the industry embraced in such code and shall also provide for a representative, or representatives, of the Government with power to cast a deciding vote in case of a tie; provided that any concern embraced in any such code which is engaged in the manufacture or production of any commodities or products, or in making the initial sales or leases thereof and is also engaged, directly or indirectly, through holding companies, stock ownership, interlocking directorates or otherwise, in the buying or exhibiting of such commodities or products, may be represented on any such code authority or other board or agency only in its capacity as a manufacturer, producer, or original seller, or lessor thereof."

"Unless the code is amended the exhibitors of New York will haul down their Blue Eagles," the committee was told by Melvin Albert of Weisman, Quinn, Allan and Spett, attorneys for the I.T.O.A. He declared that his association has refused to comply with an order of the Regional Labor Board to reinstate certain employes and has sought to have the board take the matter into the courts, which it has not done, because, he charged, "they know the code could not stand investigation."

Says ITOA Distrusts Boards

Members of the I.T.O.A., he continued, refuse to take cases before the local board because they know they will not get justice, but are continuing to take them to the courts, as they did before the code.

Referring to the Darrow report, Albert declared the review board "found that Rosenblatt was biased and prejudiced" in favor of producer-distributor elements in the industry as against exhibitor, "yet, despite the report of that committee, Rosenblatt is still the head of the motion picture code and no further investigation of any kind has been made to determine that finding of fact by the Darrow group."

New York independents have not signed the code, but have defied it and the Regional Labor Board, he said. Albert referred to the provision in the code permitting the appearance in controversial cases of anyone at interest, under which, he said, an attorney for producers-distributors sat in all cases, and that attorney's opinion is usually asked by some member of the board so that, indirectly, the witness charged, he influences the decision.

"Producers-distributors," he said, "were the first to consent to the code. The exhibitors knew nothing about it. The code was rammed down their throats. We feel that we need a code, but the independents will not approve the code they now have."

Before the hearings conclude, it is anticipated Rosenblatt will seek an opportunity to appear before the committee to refute charges made by Myers and Albert.

"U" Cancellation Case Up

First complaint against Universal for refusing 10 per cent cancellations came up on appeal yesterday before a Campi committee composed of Walter Vincent, chairman; Harry Buxbaum and Henry Sussman. Protestant in the case was the Lincoln, Cincinnati.

Other appeals were: Samuel A. Tannenbaum, Palace, Atlantic City, against the Lyric, same city, for holding up release dates. Tannenbaum appeared, but the respondent didn't. Philip Semelroth, Riverdale, Dayton, against William Chesbrough, Salem, same city, on premature advertising and reduced admission; Nordland, Cincinnati, against the Paramount, Peoples Corner, M-G-M, Fox, Columbia, Paramount, Warners, U. A., Universal and RKO on clearance and zoning.

Californians Want L. A. Schedule Now

(Continued from page 1)

no further delay on putting the schedule into effect.

With Harry Vinnicoff, who is accompanying him, Berenstein will oppose the F. W. C. application before Campi on Thursday. He insists that the Los Angeles schedule is nationally important because it is holding up other clearance schedules in key cities.

"We want the schedule installed," he said, "because, having been approved by an impartial governmental body, it will become a precedent for future clearance structures, even after the NRA is discontinued, and will serve as a basis for future litigation in case the independents have to go to court to establish clearance and zoning in the absence of the NRA."

Berenstein expressed confidence that Campi would accede to the independents' demand for immediate application of the schedule as it was approved by Campi and was to have gone into effect March 31.

"Campi gave us a pretty fair setup," he declared, "but it is opposed by F. W. C., which wants to buy protection over independents."

Both men will return to the coast Friday night.

Code Cost Change Will Be Taken Up

(Continued from page 1)

assessments that can be developed. He will probably urge the inclusion in the producer distributor schedule of the payment of one fourth of one per cent of the gross as an alternative for the sliding scale originally adopted, which, it is felt, may meet the approval of the Administration. The exemption will be sought for the exhibitor schedule, which, it is pointed out, as now written offers protection against the double taxation of integrated companies.

New Conn. Clearance Move

NEW HAVEN, April 8.—Retaliating against the New Canaan and Stamford complaints seeking to increase their clearance, the Darien, Darien, through Judge Mark W. Norman of Cummings & Lockwood, its counsel, has filed a counter complaint which also names as respondents the Empress and Palace, Norwalk.

Norwalk, Stamford and New Canaan take clearance over Darien, and it is claimed that when Norwalk and Stamford first runs book too far apart, Darien is delayed as much as 60 days. To remedy this situation, a maximum of 30 days after Norwalk or Stamford is demanded.

All four complaints have been scheduled for hearing by the clearance and zoning board on Tuesday.

Cameramen's

INSPIRATION

CAMERAMEN long ago decided that Eastman Super Sensitive "Pan" is fit company on any flight of genius. And results vindicate their judgment. For four years in succession the great bulk of the really inspired motion pictures have been photographed on this superlative film. Eastman Kodak Company, Rochester, N.Y. (J. L. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *Super Sensitive*

Panchromatic Negative

Kent Assures Booking Ban On Fitzgerald

(*Continued from page* 1)

the state legislature, will be aired at a statewide independent exhibitors' meeting to be held April 12 at the Hotel Plankinton in Milwaukee.

The board of directors of the association has also authorized Abram F. Myers, general counsel for Allied, to represent association members on hearings on the Pettengill bill. It has also agreed to support him in his testimony given at a hearing of the Senate Finance Committee, on the NRA.

The association informed Kent that unless something were done to curb the Fitzgerald buying-booking combine, it would use "increasing and relentless efforts to persuade independent exhibitors to refuse to buy Fox product next season."

Drive on Duals Is Off Indefinitely

(*Continued from page* 1)

a session scheduled for today at the Astor.

Leading independent and circuit heads were notified by mail last week to attend the session, but yesterday telephone calls to all of the exhibitors slated to appear informed them that the conclave had been postponed indefinitely. Another date is expected to be set later.

Regular meetings of the I.T.O.A. membership will be held bi-monthly. The next session is slated for April 17. However, the Wednesday morning board of directors' sessions will be continued. The film situation will be the topic for tomorrow's session.

Duals Cause End of Para.'s Two-Reelers

Double featuring has virtually eliminated the market for two-reel short subjects, Lou Diamond, Paramount shorts head, said yesterday in making known Paramount's plans to produce only single reel shorts next season.

Diamond predicted that the "raucous flub-dub and aimless slapstick" of lengthier subjects would be replaced next season by "smartly made single reel subjects."

Delay Chicago Dual Suits

CHICAGO, April 8.—The suits of James Roder of the Astor and Jack Rubin of the Public, seeking injunctions to prevent the enforcement of minimum admission and anti-double feature clauses in distribution contracts, were continued today to April 19.

W. Va. Holdup Nets $700

MORGANTOWN, W. Va., April 8.—A holdup man got away with $700 today after trussing up the cashier at the Metropolitan here.

Jessel Has Appendicitis

COLUMBUS, April 8.—George Jessel was rushing by plane to New York tonight for treatment for appendicitis.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Bride of Frankenstein"

(*Universal*)

HOLLYWOOD, April 8.—Skilfully constructed, cunningly produced and bringing out new horror angles to give audiences fresh creeps, this is a smart and worthy successor to "Frankenstein" from the viewpoints of the box-office and production.

If anything, the camera work, lighting effects, music and direction are better than the original, blending dread fear and morbid curiosity for more intensified thrills.

Starting where its predecessor left off, the shrewd story building by John Balderston and William Hurlbut achieves a human note in giving the monster, Karloff, childlike emotions in the scenes with a violin playing hermit, O. P. Heggie, and ascribing primitive romantic inclinations as he meets his strange bride, Elsa Lanchester, who is created by devilish scientists Ernest Thesiger and Colin Clive.

Besides picturing Karloff as a fiend satisfying those who like murder chillers, the imaginative element of man creating man by scientific means has appeal to highbrows.

Karloff is startling in his makeup with the characterization weird and scary. Una O'Connor, as a frightened maid, gives a great performance. Ernest Thesiger is a rare portrait of a hellish character. Colin Clive, Miss Lanchester, Heggie, Dwight Frye and others support well. James Whale's first class direction is attuned to the hair-raising mood. John Mescal's photography, Charles Hall's sets and Franz Waxman's music rate bouquets.

Junior Laemmle's first independent effort aimed at the box-office hits the target.

No production code seal. Running time, 90 minutes. "A."

Looking 'Em Over

"In Spite of Danger"

(*Columbia*)

Neighborhood houses should find this film nicely suited to their needs. With Wallace Ford and Marian Marsh playing the chief roles, "In Spite of Danger" offers a fast-moving narrative packed with action and excitement. It is well acted, too, not only by Ford and Miss Marsh, but also by Arthur Hohl, Charley Grapewin, Charles B. Middleton and a youngster named Jay Walter Ward.

To be sure, the villainy is hardly subtle and some of Ford's escapes from death smack somewhat of the miraculous; still the film has enough good points to overlook these faults.

Ford is a racing driver forced to give up his risky business as result of an accident on the track. He goes to convalesce on a farm owned by Grapewin, who operates a trucking business in competition with Hohl. Ford becomes a partner in Grapewin's business; but with Hohl determined to put the Ford-Grapewin venture on the rocks, there is a tough road ahead for the duo.

Hohl tries every trick in the screen villain's bag and he holds the upper hand until shortly before the end, when he dies a victim of his own villainy. The film is filled with scenes of speeding trucks that ought to stir the youngsters in particular.

Worked into the story is a romance between Ford and Miss Marsh, Grapewin's daughter. Lambert Hillyer directed.

Production Code Seal No. 637. Running time, 55 minutes. "G."

"Strauss' Great Waltz"

(*Tom Arnold Prod.*)

Here is a film that will charm music lovers because of the immortal compositions of the two Strausses, father and son, but except for this there is little else in the way of entertainment. American audiences will probably fail to appreciate what little humor is presented and the character portrayals are weak, except on the part of Jessie Matthews and Edmund Gwenn.

Tired of the jeers of his father at his lack of musical ability, young Schani Strauss (Esmond Knight), at the behest of his sweetheart (Miss Matthews), leaves music to join her father in his confectionery business. An accidental encounter with a countess (Fay Compton) revives

(*Continued on page* 8)

Theatre Liability Rates Are Shifted

(*Continued from page* 1)

for the premium charged, rather than the seating capacity of the house, as heretofore.

Thus, the old rate of 40 cents per seat per year for $5,000 and $10,000 of liability insurance on theatres in the metropolitan area now becomes 11 cents per 100 admissions. On theatres outside the metropolitan area and in most territories throughout the country the old rate for standard limits was 12 cents per seat per year. Under the new plan, the rate for these theatres is six cents per 100 admissions for the same limits.

It is pointed out by Herbert R. Ebenstein of Stebbins, Leterman & Gates, Inc., insurance brokers, that liability insurance premiums for theatres in the metropolitan area can remain the same as before only if average daily admissions for a year equal the seating capacity of the house. By exceeding it the new rates can be higher, but otherwise they will be lower than the former premiums.

For theatres outside the metropolitan area, the new plan is regarded as likely to result in substantial increases in liability insurance costs. For these theatres, if average daily admissions for a year exceed 30 per cent of the seating capacity, a higher premium than formerly will result, but if they are less than 30 per cent of the seating capacity the premium will be lower.

The new plan provides for a reduction for liability limits in excess of $5,000 and $10,000. Theatres will continue to be subject to credits on application wherever warranted by "loss experience."

G. B. to Sell 13 Here Next Season—Balcon

HOLLYWOOD, April 8.—Michael Balcon said today his company will sell 13 pictures in America next season. The Gaumont British executive, who leaves Friday for New York, from where he sails a week later for England on the *Berengaria*, has signed many deals for American players to appear in these pictures.

Gaumont British has completed arrangements with M-G-M for the services of the latter's contract players as they become available.

Madge Evans has been signed for G.B.'s forthcoming, "The Tunnel." She will play the feminine lead, while Richard Dix, signed last week, will have a prominent role opposite Conrad Veidt, who stars.

Maureen O'Sullivan and C. Aubrey Smith will play in "Soldiers Three" by Rudyard Kipling. Geoffrey Barkas is now in India shooting exteriors.

Boris Karloff and Peter Lorre have also been signed.

Take Amalgamated Out of Inactivity

(*Continued from page* 1)

Dow Agency, which has been booking some of the Comerford houses during Amalgamated's recent period of inactivity, will be discontinued.

Fay, who has headquarters in Providence, will transfer most of his activities here. His production assistant will be Harry Puck, formerly with the Shuberts.

"Pimpernel" Pittsburgh's Top 2d Week

PITTSBURGH, April 8.—Lent seems to be hitting hard this year, with grosses dropping from week to week. The only exception last week was the showing of "The Scarlet Pimpernel," which collected a nice $5,500 in its second week after an opening figure of close to $9,000. The Stanley, too, fared well with "Mississippi," getting around $9,000, which is $1,000 above par.

Elsewhere, however, things were pretty dull, the houses with stage shows particularly falling down. The Penn, with "West Point of the Air" and Dave Appolon's revue, took it on the chin at $17,000, while the Alvin, with "The Mystery of Edwin Drood" and the Dorsey Brothers orchestra with Bob Crosby, had nothing to crow over at $9,500. Things weren't so good at the Warner, either, where "The Whole Town's Talking" and "Evensong" were a disappointment at $4,400.

Total first run grosses were $45,400. Average is $46,500.

Estimated takings for the week ending April 4:

"MYSTERY OF EDWIN DROOD" (Univ.)
ALVIN—(2,000), 25c-40c, 6 days. Stage: Dorsey Brothers orchestra with Bob Crosby. **Gross:** $9,500. (Average, $10,000)

"THE SCARLET PIMPERNEL" (U. A.)
FULTON—(1,750), 15c-40c, 6 days, 2nd week. **Gross:** $5,500. (Average, $4,500)

"WEST POINT OF THE AIR" (M-G-M)
PENN—(3,300), 25c-40c, 6 days. Stage: Dave Appolon's revue. **Gross:** $17,000. (Average, $19,000)

"MISSISSIPPI" (Para.)
STANLEY—(3,600), 25c-40c, 6 days. **Gross:** $9,000. (Average, $8,000)

"WHOLE TOWN'S TALKING" (Col.)
"EVENSONG" (Gaumont British)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $4,400. (Average, 5,000)

"Ruggles" $11,000 Lead in Montreal

MONTREAL, April 8.—"Ruggles of Red Gap" stood up well in the Capitol at $11,000, which was quite a bit above par.

"Gold Diggers of 1935" started off well as the second attraction at the Palace since this house reopened and wound up with $10,000 for the seven days.

Total business was $39,500. Average is $40,500.

Estimated takings for the week ending April 6:

"RUGGLES OF RED GAP" (Para.)
"RUMBA" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $11,000. (Average, $9,500)

"STORMY WATERS" (M-G-M)
IMPERIAL—(1,914), 25c-30c-40c, 7 days. Stage: World Cruise musical show. **Gross:** $3,000. (Average, $3,500)

"DEVIL DOGS OF THE AIR" (Warners)
"BABBITT" (Warners)
LOEW'S—(3,115), 30c-34c-40c-50c-60c, 7 days. **Gross:** $8,500. (Average, $10,500)

"GOLD DIGGERS OF 1935" (Warners)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $10,000. (Average, $11,000)

"LET'S LIVE TONIGHT" (Col.)
"BEST MAN WINS" (Col.)
PRINCESS—(2,272), 30c-35c-50c-65c, 7 days. **Gross:** $7,000. (Average, $6,000)

Gensler in Para. Post

HOLLYWOOD, April 8.—Lewis E. Gensler has been made an associate producer at Paramount.

"Adopt" a Boy

Omaha, April 8.—Columbia exchange has unofficially adopted a four-year-old boy. The kid, whose home is in a hovel across the alley from Columbia, wandered in hungry and ragged.

The entire office and backroom force swung into action. Within an hour, the lad had new clothes, a bath and food. His father is in jail and his mother only recently gave birth to another baby. So the boy has become a part of the Columbia organization, the backroom girls seeing that he is kept clean and sharing their lunches with him.

Salesmen take him out for rides week-ends.

Short Subjects

"Impressions of Seville"

(Gen'l. Foreign Sales Corp.)

A run-of-the-mill travelogue, but one entirely devoid of off-screen dialogue or any comment. Rudolph Perak has composed a special musical accompaniment that tries to fit the subject being shown and, in some places, he succeeds. Scenes of Seville that are repeated in some instances are shown and they range from busy streets and parks down to quiet, secluded gardens. For sheer architectural beauty this subject is recommended, but it has little entertainment value. Reviewed without production code seal. Running time, 10 mins. "G."

"Remember the Alamo"

(Vitaphone)

The third of the "See America First" series being produced by E. W. Newman and falls slightly below the standard set by the previous two.

The reel opens with shots and explanatory remarks about West Point and Annapolis and then shifts to Texas, where it covers various historical missions and buildings, winding up with views of the Alamo.

Reviewed without production code seal. Running time, 18 mins. "G."

"Desert Harmonies"

(Universal)

This is one of the better Mentone productions chiefly because of the singing of Robert Halliday and Evelyn Herbert.

As is usual in these productions, the story is such that a group of night club or vaudeville entertainers are worked into the film. They perform in a hotel in Algiers.

Besides Miss Herbert and Halliday, Moran & Casper, Phillip Ryder, the Four Black Jacks, Gracella & Theodore and the 12 Mentonettes are in the picture.

Entertaining. Production Code Seal, No. 0362. Running time, 20 mins. "G."

"Ibbetson" for Cooper

HOLLYWOOD, April 8.—Paramount has definitely set "Peter Ibbetson" as Gary Cooper's next. Sidney Howard is doing the screen play, and Henry Hathaway will direct. Production will start late this month.

First of Pathe News Broadcasts Goes Out

The first of a series of bi-weekly radio programs under the title "Pathe News of the Air" went out last night over a network of five stations from WOR.

The initial presentation included interviews with speed champions, heavyweight contenders and pilots of old and new transport systems, among others. The total effect was distinctly that of a newsreel showing. Some phases of it proved to be reminiscent of "The March of Time."

Para. Properties May Offer Revamping Plan

LOS ANGELES, April 8.—Paramount Properties, Inc., owners of the Paramount theatre and studio properties, today was authorized to submit a plan of reorganization to bondholders and creditors under Section 77-B of the new bankruptcy act at a hearing before Federal Judge Charles G. Briggle.

Dinner for Al Somerbee

BOSTON, April 8.—A dinner in celebration of Al Somerbee's elevation to the presidency of the G. B. Lothrop Co. after 35 years' continuous service with the organization was given at the Copley-Plaza Hotel tonight. The affair was sponsored by Allied Theatres of Mass., M.P.T.O.A. affiliate, of which Somerbee is a member.

Joseph Brennan, executive secretary of Allied, was in direct charge of arrangements. Louis M. Boas and Stanley Sumner acted as treasurer and secretary, respectively.

Revivals Prove Hit In Providence Spot

PROVIDENCE, April 8. — Showmen here are watching an experiment at the Fine Arts, formerly the Modern, a burlesque house. Departing from its usual policy of booking so-called arty films, the management recently booked "It Happened One Night," "One Night of Love" and "Three Little Pigs." Capacity audiences resulted and the bill was held over.

The unusual feature of the booking is that all of these pictures have played the neighborhood houses at 25 cents top and less while the Fine Arts collected 35 cents. Three shows were given daily and it is likely that the management will look around for more of these sixth-run double features.

Higgins Seeks Court Aid

SCRANTON, April 8.—Permission to continue operation despite heavy liabilities and claims is asked in a debtor's petition filed by Higgins Enterprise, Shamokin, exhibitor, in U. S. District Court here.

The petitioner claimed assets of less than $10,000. Liabilities are $665,000, which are made up of a $400,000 bond issue, a mortgage of $242,300 and about $23,000 in claims and taxes. The petition declared the best interests of the creditors could be preserved by continuing in business. It was claimed the concern is operating at a profit and will eventually meet its obligations. The court deferred action.

Re-Sign Trixie Friganza

HOLLYWOOD, April 8.—Trixie Friganza, old time vaudeville actress, has been signed to a term contract by Paramount.



Ella: ***What's a Werewolf, Betty?***

Betty: ***I dunno, but I'm sure gonna see the picture to find out!***

Ohio Playdate Bill Is Unsigned Law

(Continued from page 1)

test its validity despite the Attorney General's opinion.

P. J. Wood, business manager of the Independent Theatre Owners of Ohio, said his organization planned no immediate action.

"We believe the law is O. K.," he said, "until the courts hold adversely. We can present many facts which, we believe, will justify our position. Despite the Attorney General's opinion, we want the courts to iron the matter out."

Governor Davey late today issued a statement in which he said: "I allowed the Waldvogel bill to become law without my signature to hasten its day in court."

The governor added: "There has been widespread public opinion favoring the control of pictures of sex and gangster types. The purpose of the act being good and the attorney general's opinion on its constitutionality being adverse, I decided to let the bill become law without my signature."

Any attempt to enforce the law is expected to precipitate a strenuous legal battle in view of Attorney General John W. Bricker's ruling Saturday which held the measure unconstitutional.

Press Jersey Dog Bill

TRENTON, April 8.—A fight on dog racing legislation is expected in the Assembly tonight when Assemblyman Vorsanger will try to force his parimutuel betting bill from committee. The measure is another attempt to legalize dog race betting, although the Court of Chancery ruled last summer that such gambling was unconstitutional.

Despite the court ruling, word was received at the capital today that Atlantic City officials will attempt dog racing again this summer in the municipal auditorium. A certified check for $25,000 has been deposited with city officials to guarantee payment of rent. Shore exhibitors, whose business suffered last year from competition of the dog track, were informed that Attorney General David T. Wilentz will prosecute any one attempting to operate dog tracks in violation of the court ruling.

California Tax Bill Up

SACRAMENTO, April 8.—When the Assembly battle over income taxes begins its second week here today, Assemblyman Meehan, Oakland, will inject a bill calling for a state sweepstake lottery similar to the Irish Sweepstakes. It is estimated such a lottery would raise $50,000,000 annually.

The Chatter income tax bill, calling for one-third the Federal rate for state income, faces its test this week in the House with the author confident the necessary 41 votes can be mustered. The more conservative Senate is expected to cut the rate, however.

Florida Gets Tax Bills

TALLAHASSEE, Fla., April 8.—Two bills have been introduced into the state legislature here that call for industry taxes. The first, proposed by Senator Smith of Lake City calls for an annual license fee of $50 on all houses grossing less than $10,000 annually. From $10,000 to $25,000 the fee would jump to $1,000, and any amount over $25,000 would require a license costing $5,000.

The second bill, introduced by Senator Bass of Live Oak calls for a 10 per cent tax on admissions.

Looking 'Em Over

"Strauss' Great Waltz"

(Continued from page 6)

his hopes of achieving fame and her encouragement results in his composing "The Blue Danube." A break with his sweetheart occurs when he conducts his father's orchestra, the countess arranging that old Strauss (Gwenn) be delayed that Schani may have his opportunity. Gwenn is enraged at the trick but accepts the inevitable when his son is a success. The young lovers patch up their differences and all ends well.

The direction of Louis Levy places stress on the music and neglects the story and characters. Photography and sound are fair.

Where English pictures are liked this might do well if particular stress is placed on the musical angle by exhibitors. No production code seal. Running time, 72 minutes. "G."

Goldwyn Threatens Removal to England

HOLLYWOOO, April 8.—Upon his return here over the weekend from a stay in New York and a short trip to England, Samuel Goldwyn said if the state of California decides to continue its program of unjust and excessive taxation of the film industry he would move to England and continue production in that country. On his arrival in New York after his trip abroad, Goldwyn told MOTION PICTURE DAILY he was considering a move to England.

"I am not going into any other state in this country," he said, "although many have made us offers. I am going to England where they want, respect and appreciate the film producer. Great Britain knows what it means to have at its disposal world wide exploitation that can be obtained through the medium of films and the government is now trying to pass laws to help producers inasmuch as it means the spreading the name and fame of England everywhere in the world."

"When I came to Los Angeles 22 years ago," Goldwyn added, "the Chamber of Commerce asked me to place on all screen titles the phrase 'made in Hollywood, California,' and I did as asked. I know some feel the studios are bluffing, but they are wrong. I would not like to leave California where I have millions invested, yet if conditions are forced on us, what choice is left? Although I do feel the industry should bear a just burden of taxation, as all industries should, yet we're being forced to the wall by ill-advised individuals whose slogan is 'Soak the Film Industry'."

Fabian Says Bid on Fox Met Is Not Set

(Continued from page 1)

cluded in the bid. These might retain Skouras and Randforce as operators or install Fabian as operator.

Fabian made emphatic denial that Warners are associated or interested in any way in the contemplated bid. His principal financial associate is said to be the Bankers Bond & Mortgage Co., with possibly Albert M. Greenfield of Philadelphia participating on an investment basis only. The bid, to receive consideration from the Fox Met bondholders' committee, would have to better the 75 cents on the $1 offer made by the Schenck-Fox Theatres' plan.

Koplar to Head New St. Louis Circuit

(Continued from page 1)

Grand Central and Fox here for the past 18 months. He intends to develop a circuit of suburban and subsequent run houses, the field in which he started before joining with the Skouras brothers a number of years ago.

Koplar, in association with a number of local financiers, has organized St. Louis Suburban Theatres. His brother, Sam Koplar, builder and managing director of the Park Plaza Hotel, is associated with him in the new company.

The first of his new circuit will be a new house to be erected in the West End and North Grand district. The second, he says, will be at the corner of Natural Bridge and Grand Ave. A third will be on the South Side around Gravois, and a fourth will be in the Maplewood center. He expects to have them ready in 90 days. Other spots will be acquired, according to his plan.

Wall Street

Small Gains on Big Board

	High	Low	Close	Net Change
Columbia vtc	40⅞	40⅞	40⅞	— ⅜
Consolidated	4⅝	4½	4⅝	+ ⅛
Cons. pfd (1v)	17½	17⅜	17½	+ ⅛
Eastman	124¾	124⅛	124¾	— ⅛
Eastman, pfd	153	153	153	— ½
Fox "A"	9½	9¼	9¼	.....
Loew's	36⅝	36⅜	36⅜	.....
Loew's, pfd	108⅞	108⅜	108⅜	— ⅛
Paramount	2⅝	2½	2⅝	.....
Pathe "A"	11½	11½	11½	+ ⅜
RKO	1⅝	1½	1⅝	.....
Warner	3	2⅞	3	± ⅛
Warner, pfd	18½	18	18	+ ⅜

Technicolor Continues Curb Gain

	High	Low	Close	Net Change
Technicolor	21¼	20¼	21	+ ¾
Trans-Lux (.10 K)	2⅛	2⅛	2⅛	— ⅛

Most Rise on Bond Market

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	7¾	7½	7¾	+ ¾
Keith B. F. 6s '46	70⅛	70⅛	70⅛	+ ⅛
Loew's 6s '41 ww deb rights	105	105	105	.....
Paramount B'way 5½s '51	50¼	50¼	50¼	+ ⅜
Paramount F. L. 6s '47	74⅞	74⅜	74½	+ ¼
Paramount Publix 5½s '50	76	75½	76	+ ¾
Warner Bros. 6s '39 wd	52¼	51¾	51¾	+ ¼

(*K and v*) *Paid this year.*

(Quotations as at close of April 8)



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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Erpi to Reach Decision Soon On Servicing

Will Finish Experiments Upon General Work

Erpi's experiments in connection with the servicing of all phases of theatre engineering are expected to be concluded within the next 60 days, at which time a final decision will be made on Erpi's entrance into the extended servicing field on a permanent basis, it was stated yesterday.

The experiments in general theatre engineering servicing have been going on for several months in a number of theatres throughout the country on a non-commercial basis. Results to date have indicated the possibility of savings to theatre owners ranging from $300 to $3,000 per house annually, in all types of theatres, an Erpi official reported.

It was again stated that if a decision is made to make the extended

(*Continued on page 7*)

Burr-Maynard Case Dropped by Campi

Holding that Charles C. Burr had failed to post a necessary bond in time for exercising an option on Ken Maynard's services, a special Campi committee unanimously dismissed the complaint of Burr against Larry Darmour, Majestic, Maynard and the Small-Landau Agency.

Declaring that the Dallas grievance board erred in finding a violation of

(*Continued on page 7*)

Capra to Head Unit At Columbia Studio

Plans are under consideration for the development of a separate production division at the Columbia studio to be headed by Frank Capra, the "ace" director on that lot.

The development, it is understood, is aimed to give Capra heavier rating in the studio setup on account of his record of box-office successes, topped

(*Continued on page 10*)

U. S.-France Agree On Tax Reductions

WASHINGTON, April 9.—Ratification of a convention under which France will discontinue the double taxation now imposed on American

(*Continued on page 2*)

Major Circuits Agree to Give NVA 10% of May 20 Receipts

The major circuits—Fox, Loew's, Paramount, RKO and Warners—have agreed to donate 10 per cent of their May 20th receipts to the N. V. A. fund. At the same time, it has been decided to abandon the long-standing plan of "passing the hat" around in theatres.

Other plans are embryonic, but the acknowledged attitude is to raise sufficient funds to keep the N. V. A. sanitarium at Saranac well financed in order to assure its continued operation.

A. P. Waxman of Gaumont British is acting as honorary chairman of the advisory committee this year. He has appointed Ben Serkowich publicity director of the campaign.

Ohio Senate Blocks Move On Tax Bills

COLUMBUS, April 9.—To prevent passage of additional tax bills, and curb other legislative measures now pending, including a recommendation of Gov. Martin L. Davey for a two-year moratorium on the principal of bonds of political subdivisions, the Senate has adjourned, leaving only the House to function. The adjournment was accomplished by the upper chamber declaring a "five minute recess," after failure of House members to heed the Senate's pleas for adjournment.

Paul M. Yoder, majority floor leader, said that the Senate would return only when the House adopts

(*Continued on page 10*)

N. E. Allied Pledges Pettengill Bill Aid

BOSTON, April 9.—Allied Theatres of New England voted unanimously today in support of the Pettengill anti-block booking bill and for an

(*Continued on page 10*)

Rate Collapse Warning Given By Berinstein

Unless Campi immediately puts the Los Angeles clearance and zoning schedule into effect there will be a crash in theatre prices, Ben Berinstein stated yesterday on his arrival from the coast. He was accompanied by Harry Vinnicoff and both will represent the I. T. O. of Southern California tomorrow when Fox West Coast's application for a rehearing on the coast schedule comes before Code Authority.

Berinstein and Vinnicoff left the coast Sunday by plane, but were grounded in Columbus and made the rest of the trip by train.

"Admissions on the coast have

(*Continued on page 7*)

Arliss Set for Two On Gaumont's List

HOLLYWOOD, April 9.—Among 13 pictures which Gaumont British will sell to the American market next year will be two starring George Arliss,

(*Continued on page 2*)

Verbal Bouquets Hurled At M. P. Club Sport Forum

By J. M. JERAULD

Verbal bouquets in the sporting world are wrapped around bricks so that recipients can take them when tossed, or exercise footwork. The idea spread to the film contingent at the M. P. Club forum yesterday.

Charles C. Pettijohn started the bombardment by introducing himself as one of the only two real Americans present. The other one was Chief Little Wolf of the Navajos. Pettijohn didn't say whether he was a Winnebago or a Leni Lenape, but he was emphatic on the point that he and the Navajo wrestler were the only two "off color" citizens present.

It was sports day for the forum.

(*Continued on page 16*)

U. A. Theatre Expansion in England Seen

Expected to Work With Odeon-County Merger

London, April 9. — John Maxwell has taken over the three London de luxe houses operated by H. A. Yapp. They are in Wandsworth, Putney and Kensington.

This is regarded as merely a prelude to other big theatre deals by Maxwell and other major operators in the British exhibition field.

By BRUCE ALLAN

LONDON, April 9.—United Artists Theatre Circuit, Inc., by authoritative report, will enter British exhibition on a wholesale scale by association with an amalgamation of Odeon Theatres, Ltd., and County Cinemas, Ltd., which today number approximately 70 houses and expect to have 100 by the end of 1935.

Viewed in some quarters here as a definite move to develop a third nation wide chain in competition with Gaumont British and Associated British Cinemas, Ltd., the impression in several well informed directions is that the step is more directly aimed at the former than the latter, which is John Maxwell's company.

Heard also is comment that M-G-M may tie in, the basis for the impression no doubt linking up with the close relationship between Joseph M. Schenck of United Artists and Nicholas M. Schenck of Loew's and

(*Continued on page 10*)

Britain's Building Gains, Says Eckman

"Approximately 50 new theatres have been built in Great Britain during the past year," Sam Eckman, in charge of M-G-M's activities in England, stated yesterday upon his arrival on the *Ile de France* for his annual three-week vacation here.

(*Continued on page 10*)

Subpoenas Demanded In Patents Inquiry

WASHINGTON, April 9.—Declaring that a number of witnesses invited to testify before the House Patents Committee have refused to appear, Representative Sirovich of New York has

(*Continued on page 2*)

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Doctor Reports New Gain for Comerford

WASHINGTON, April 9.—M. E. Comerford, who has been in the Emergency Hospital here since late in February, continues to show improvement, according to Dr. Walter A. Bloedorn, attending physician.

The continued improvement makes his condition very hopeful, the doctor states, although it may be several weeks before Comerford may be discharged from the hospital.

Subpoenas Demanded In Patents Inquiry

(*Continued from page* 1)

asked of the House permission to subpœna such persons.

Some weeks ago the congressman began an investigation of patent pools and practices in various industries, including films. The probe has slowed down considerably, due to the unwillingness of witnesses to appear, he said today, although it was not intimated that these reluctant witnesses were film men. Upon securing permission to compel attendance, the investigation will resume.

Goetz Going to England

HOLLYWOOD, April 9.—A further interchange of talent is slated between 20th Century and Alexander Korda of London Films for next season with the announcement of the departure next Sunday of Vice-President William Goetz and his wife for Manhattan and Europe for conferences with Korda.

Insiders' Outlook

By RED KANN

ANENT the position, struck in this space a handful of days ago, having to do with celluloid reproduction of recognized works as the author wrote them or not at all, the Memphis mail brings this from M. A. Lightman, an exhibitor with a thinking cap usually found perched on his head where it belongs:

"The best thing you said (he points at us) in the article was: 'Fidelity is an attribute which Hollywood, it is this opinion, is expected to observe.' I think it is an obligation of the industry that Hollywood be authentic in reproducing stories of well-known authors and writers. In the first place, it is good, sound business to do so. People, who are familiar with a book or the work of some well-known author, are attracted to the screen version very often on account of that knowledge. Naturally those who go to the theatre, expecting to see a true adaptation, are sorely disappointed and thoroughly disgusted when they see a distorted or untrue version on the screen. If there is any value at all to the name why destroy it? In other words, some people go to the theatre on account of the story and they expect to see it in its true form. Others stay away on account of the story. I do think, however, that it is permissable to make slight changes in instances where the author is so bold as to take liberties that the screen could not afford to take."

▼

More from the same communication:

"There is another exception and that is why I said I agree with you *almost* entirely. Sometimes a story does offer a very good idea, but is not adaptable for use on the screen. I don't think it is entirely amiss for writers in Hollywood to change the name of such a story provided all that they take from it is an idea and rewrite a different story. As a matter of fact, in such instance the name should be changed. Sometimes an occasional title chosen by an author is impossible in pictures and a better title might be chosen. That should be permissible, particularly if the press book and advertising carry the line 'adapted from'."

▼

Comment, some guarded and some loose, about Consolidated and Herb Yates, Monogram and Ray Johnston, Majestic and Herman Gluckmann, Liberty and M. H. Hoffman may find itself in the limbo of the forgotten any day now. True, a deal has been cooking. It's taken many forms because many interests are involved. The latest turn may easily prove to be no turn at all, for prospects of a deal, any kind of a deal, are slipping into the mist. . . .

METRO is not kidding when it fanfares its policy of refusing to deal with booking combines. Letters signed by Felix Feist have gone to every exhibitor in Texas and ditto in Wisconsin where Sidney Kent has just stepped on an idea along above lines fostered by Harold Fitzgerald of Wisconsin Amusement Enterprises, an outgrowth of the old Fox Midwesco outfit. "If you want Metro, deal directly with Metro representatives, for nobody else is authorized to sell you," is the gist of Feist's communication. Metro's stand on the issue, the relative merits of which have no place in this space at this moment, must rate commendation. Where fellow distributors have proceeded under yes and no policies, apparently varying with the city that raises the issue, Metro has remained adamant, frequently at a sacrifice . . .

▼

Was there something complaining in his voice when Merlin Aylesworth told the Ampa the other day:

"Every suggestion I have offered to RKO and NBC has been turned down, but I may yet get a chance to have one of my recommendations adopted."

Or was he merely plaintive? . . .

Arliss Set for Two On Gaumont's List

(*Continued from page* 1)

one of which will be the life of Samuel Pepys. The life of Cecil Rhodes will also be filmed and a deal is under way now to star Walter Huston as Rhodes.

The other films are "Soldiers Three," "Secret Agent," by Somerset Maugham; "Clairvoyant," "Alias Bulldog Drummond," "King Solomon's Mines," "Car of My Dreams," "39 Steps," starring Robert Donat and Madeleine Carroll; "King of the Damned," "Gay Masquerade," "The Tunnel" and "Brown on the Resolution."

Michael Balcon, production head, has also closed a deal with M-G-M for the loan of its contract players when available and it is expected that Maureen O'Sullivan will be the first player to work for Gaumont British under the new agreement. She will probably be Dinah in Kipling's "Soldiers Three," which will go into work shortly.

Delay RKO-M.&S. Case

Arbitration hearings of the RKO-Meyer & Schneider breach of lease charges involving film playing policies at the Hollywood and Apollo, scheduled to be resumed yesterday, were postponed to tomorrow. Indications are that a further postponement will be taken tomorrow due to conflicting engagements of attorneys involved.

U. S.-France Agree On Tax Reductions

(*Continued from page* 1)

concerns having branch offices in that country was announced today by the State Department. The agreement will become effective Jan. 1 next.

At present, in addition to the various taxes imposed upon the income and dividends of French subsidiaries of American companies, an additional tax is assessed against the parent corporation in this country, based upon the dividends which they have declared, on the theory that a portion of the earnings and profits were derived from French sources. Under the convention France will no longer collect this tax if the American subsidiaries located in France comply with certain procedural conditions.

In the case of American firms operating through an unincorporated French branch, the dividend tax will be eliminated if a corresponding tax is paid upon three-quarters of the profits derived in France by the branch.

Somerbee Made Colonel

BOSTON, April 9.—Al Somerbee became a Kentucky colonel at a dinner given at the Copley-Plaza last night in celebration of his ascendency to the presidency of the G. B. Lothrop Co. He received his full regalia at the hands of Governor Curley of Massachusetts. Six hundred persons witnessed the ceremony. Somerbee was presented a coffee set valued at $600.

Martini in Circuit Deal

DALLAS, April 9.—A. Martini has closed a partnership deal with the Interstate Circuit in which his three houses, the Martini, Key and Dixie, become units in the states' most powerful theatre chain.

Wall Street

Most Gain Slightly on Big Board

	High	Low	Close	Net Change
Columbia vtc	42½	42	42½	+1⅝
Consolidated	5⅜	5⅛	5¼	+ ⅝
Cons. pfd (1v)	18⅝	17½	18⅝	+1⅛
Eastman	125⅛	124¾	125⅛	+ ⅜
Fox "A"	9¾	8⅞	9¾	+ ½
Loew's	38¼	36½	38	+1⅝
Loew's, pfd.	108	108	108	— ⅜
Paramount	2¾	2⅝	2¾	+ ⅛
Pathe	⅝	⅝	⅝	.....
Pathe "A"	12¼	11⅝	12	+ ½
RKO	1⅝	1½	1⅝	.....
Universal pfd.	39½	39½	39½	.....
Warner	3¼	3	3¼	+ ¼
Warner, pfd.	20	18	20	+2

Curb Issues Gain

	High	Low	Close	Net Change
Technicolor	21½	21	21½	+ ½
Trans Lux (.10 K)	2¼	2¼	2¼	+ ⅛

Bond Market Steady

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	7⅝	7¼	7⅝	— ⅛
Keith B. F. 6s '46	72	70½	72	+ 1⅞
Loew's 6s '41 ww deb rights	105	104½	105	.....
Paramount B'way 5½s '51	50	50	50	.....
Paramount F. L. 6s '47	75	74½	75	+ ½
Paramount Publix 5½s '50	76½	76	76½	+ ½
Pathe 7s '37 ww	103¼	103¼	103¼	.....
Warner Bros. 6s '39 wd	53½	51⅞	53	+1¼

(*K and v*) *Paid this year.*

(Quotations as at close of April 9)

Rate Collapse Warning Given By Berinstein

(*Continued from page* 1)

risen 40 per cent in the last six months," Berinstein declared. "The 15-20 cent average has been boosted to 25-40 cents," he averred.

"This is due to the hopes held by exhibitors that they will be able to clear pictures away from F. W. C. If they are successful in doing this they will increase scales higher yet.

"The coast schedule had already been adopted by Campi and we had approved it. I don't see why Fox West Coast should hold it up. If the plan is not made operative, there will be a price crash that will resound as far as New York and all the good work done in boosting prices will be of no avail. The former levels will be put into force again.

"There is no good reason why the schedule should be held up," Berinstein declared. "F. W. C. has raised a lot of technicalities. That's all."

With his arrival yesterday, the coast exhibitor was drafted as a member of an appeal committee by John C. Flinn. He is against hearing a case unanimously decided by a local board on appeal. He stated: "When a local board makes a unanimous decision there should be no appeal. There is no one better to judge these cases than the men on the ground.

"Here I am from southern California. I am sitting on two cases, one concerning Virginia and another Pennsylvania.

"What do I know about these territories?

"They should get men to sit on these cases who know the territory," he concluded.

Burr-Maynard Case Dropped by Campi

(*Continued from page* 1)

the code in the four complaints filed by Ruben Frels against Jefferson Amusement Co. and J. C. Long, Code Authority reversed the lower verdict and dismissed all actions against the respondents. Frels and Long came to New York to try the case on appeal. Long retained Louis Nizer as counsel. Frels presented his own arguments.

A request for clearance for Publix Great States theatres in Peoria, Decatur, Quincy and Springfield, Ill., first run houses, was turned down by Campi.

In 16 instances Campi sustained local boards handing down decisions against respondents employing various forms of bank nights under Article V-E, Part 3, Section 1. The bank night complaint by V. E. Hamm, Gem, Muskogee, Okla., against the Ritz, Broadway and Yale, same city, was dismissed because the issue was brought before the Dallas grievance board instead of the Oklahoma City branch.

Campi upheld Loew's College, New Haven, in the clearance complaint filed by J. B. Fishman's Dixwell. The College, a second run, by negotiation reduced the regular clearance of 60 days downtown first runs to 30 days, which Code Authority held is not improper. No opinion was expressed on any part of the proposed schedule for the city of New Haven.

Reade Tosses Verbal Bomb

Walter Reade didn't mince words yesterday when brought before the local grievance board for distribution of "service" passes at the Astor on complaint by Howard S. Cullman, trustee for the Roxy. Cullman was in Florida and Irving Lesser appeared in his stead.

"You shouldn't entertain complaints from a bankrupt, receivership-operated theatre," Reade declaimed. "They have no standing here. The Roxy is unfair competition. It pays no taxes nor interest and is operated under a political court order.

"It is the most unfair outfit in the business," he said. "We have 39 theatres and we have never filed a complaint. Cullman is just a notoriety seeker.

"The committee will probably order me to cease and desist, but we did so five weeks ago."

Leo Justin, Reade's partner explained that the passes were issued on a "reissue" and that it had been the fault of a new manager.

Lesser, in rebuttal, stated that the Roxy is living up to the code in every respect. He added that Cullman was a good citizen and conforms to all the regulations provided in the code and that there was no personal issue involved.

Five premature advertising complaints by Consolidated Amusements against the Astor, Liberty and Harris were decided in favor of the complainant.

Delay New Bedford Case

BOSTON, April 9.—Hearing on the complaint brought before the grievance board by Oze Tessier of New Bedford against E. M. Loew has been postponed again. The case has dragged on for months.

Another premium complaint, this one brought against Jerome P. Jerome's Park, Woonsocket, R. I., seems to have been settled outside the code rooms. The Park has closed.

End Omaha Two-for-Ones

OMAHA, April 9.—The grievance board has ordered Morrie Segal, manager of the Magic, downtown second run, to stop two-for-one admissions. Ralph Goldberg, complainant, told the board that if it would allow him the same privilege, namely, "ladies free when accompanied by men," he would withdraw the complaint. The board refused, so Goldberg, who manages the Town, rewrote his complaint against Segal and the latter changed his policy after the board gave him orders.

Throttle Pushing

By H. E. N.

ATLANTA, GA.

Miles A. Metzger, secretary and treasurer of the Lucas and Jenkins circuit, is fast becoming a real "Georgia cracker"; he eats grits every morning for breakfast. Metzger sends his regards to all his old associates in the Publix office in New York.

Bob Wilby of the Wilby-Kincey circuit, predicts that block booking is certain to be abolished by legislation in the very near future. Jimmie Harrison, the Wilby booker, has been with this organization since he wore long pants.

Harry Ballance, Fox district manager, whom we first met in L. A. dashing out of Paramount's office one noon in 1920, received his first lesson in air acrobatics then when a Ford ran over him, carrying him 100 feet before he made a pancake landing. Harry is now a licensed transport pilot and uses his "Condor" to ferry approved contracts from the different Fox offices in his territory.

W. H. Kimberly, president of Visugraphic Film, announces a new process for animating background on all announcement trailers. This organization has a trailer service and is also agent for the Holmes projectors in Georgia and Florida.

Joe Jack and C. E. Adair, owners of the Liberty Film Lines, Dallas, were visiting along Film Row last week. These boys were looking over the Georgia and Florida territory with a view of starting a film trucking service here, the prospects not being very bright.

Bernie Shapiro, Triangle Poster and Printing Co. manager, is in from Philadelphia and New York. Jake Shapiro dropped in from the Middle West for a conference with Bernie.

Amity Exchange and Jack Barrett will move into larger quarters at 109 Walton St. this week.

CHARLOTTE, N. C.

No wonder the Fox office was in the money—referring to the S. R. Kent drive—with that dynamic salesman, George Ebersole, covering the Carolinas. Georgia school marms do help!

The Jesters Club is negotiating for a new clubroom to occupy on May 1. The proposed site will be over a leading downtown restaurant adjacent to Film Row. Present club officers are Jack Kirby, Paramount, president; Walter Griffith, vice-president; Ralph Jackson, Carolina Delivery, treasurer; W. P. White, National Theatre Supply, secretary.

Sam Craver, who has been ill for a few weeks, is back at his desk planning a bigger and better circuit. His Paris theatre, Greenville, S. C., which is being practically rebuilt at a cost of $50,000, will open May 15 under managership of H. V. Wynne.

"Heck" Everett, Jack London, Cy Dillon, sales staff of the Bromberg exchange, bought pajamas and other things for their trip to Hollywood. The boys left April 6 for Atlanta where they joined the Bromberg "special" which picked up the New Orleans contingent at Birmingham, going west by way of Kansas City where they are hooking on to the Sante Fe and Fred Harvey eats. The local exchange will move into larger quarters May 1, occupying space in the old Film Building, which is being remodeled.

Jack F. Kirby, local Paramount manager, has left on his annual vacation to New York, Philadelphia and Madison, N. J. His oldest son Jack, is with him.

Erpi to Reach Decision Soon On Servicing

(*Continued from page* 1)

servicing a permanent adjunct of Erpi's activities, no merchandising of parts or equipment other than that having to do with sound reproduction, is contemplated. Contrary to reports, it was stated that operators' locals not only have made no official protest to the contemplated servicing by Erpi engineers but, in situations where the current experiments are being conducted, have regarded the new service as an aid to operators and favored its continuance, it was said.

Numerous Erpi sound equipment service agreements are expiring currently and are being renewed, with the new agreement which offers an optional number of service calls annually. Expiration of the contracts is the result of the supplemental agreements made by Erpi with exhibitors over the past two years. Under these agreements, usually made for a two-year period, the exhibitor has been granted the right to negotiate a new contract if fully paid up on charges at the expiration of the supplemental agreement.

Wider Choice Offered

The new contracts offer either 12, 17 or 26 service calls per year, with correspondingly reduced charges for the lesser number of calls. The old contracts were for 26 calls exclusively, except for the special 52-call contracts made with large de luxe houses, which are still being offered. The new contracts are being made for one, two and three-year periods.

With the simultaneous expiration of a large number of service contracts in the Detroit area recently, Erpi was faced with competitive servicing bids made to the local theatres by Allied of Michigan, the Allied States exhibitors' unit headed by H. M. Richey, and the Detroit operators' local. New contracts were closed recently, however, between Erpi and the Paramount-Trendle theatres and the Butterfield circuit. Paramount theatre operating partners nationally are also in the process of closing new servicing agreements with Erpi. Since the first of the year the only large theatre group not to renew has been Warners, which developed its own service department.

Kuykendall to Build

COLUMBUS, MISS., April 9.—Ed Kuykendall, owner of the Princess, will soon start his second theatre. Work is under way on another house. When the two are completed Columbus will have three. Kuykendall said the old Princess would be completely remodeled, the work to start at once.

"AS POWERFUL A STORY AS THE MOTION PICTURE HAS EVER PRESENTED!"

SAYS SHOWMAN'S TRADE REVIEW
OF DARRYL ZANUCK'S TRIUMPH

20TH CENTURY PICTURE

Released thru UNITED ARTISTS



JOSEPH M. SCHENCK *presents*

CARDINAL RICHELIEU

starring

GEORGE ARLISS

with

MAUREEN O'SULLIVAN

EDWARD ARNOLD · FRANCIS LISTER

DOUGLASS DUMBRILLE · CESAR ROMERO

Directed by Rowland V. Lee

Ohio Senate Blocks Move On Tax Bills

(Continued from page 1)

a sine die resolution in advance of the day fixed for final adjournment. This, he said, would serve as a definite safeguard against enactment of legislation which might upset the present taxation system.

The income tax bill, proposing rates more drastic in the lower classifications than those of the Federal government, has been recommended for passage by the House Taxation Committee, but no vote has been taken.

Attack Tax on Grosses

HARTFORD, April 9.—An attack on a recommendation of the Fairchild special tax commission which would impose a five per cent tax on the gross receipts of amusement enterprises was led today at a hearing before the finance committee of the Connecticut legislature by Ed Levy, secretary of the T. O. A. of Connecticut, and Jake Fishman, president. There were no spokesmen at the hearing who favored the proposal.

Levy contended that the tax, if imposed, would discriminate against the poor man whose only entertainment is the moderately-priced picture theatre. He described the proposal as a violation of the principle of sound taxation and declared that the theatre industry is already greatly overtaxed.

That the public would regard the tax as a nuisance and retaliate by remaining away from theatres was the contention of Arthur Lockwood, operator of the Middlesex, Palace and Capitol at Middletown.

"There are 150 theatres in Connecticut," he said. "Most of them are in little towns and open only a few nights a week. Many of these would be forced to close because the public would not pay a nuisance tax and the theatre owners would be unable to absorb the tax."

L. A. Shaeffer, operator of the Crown, Hartford, told the committee that 17 per cent of a theatre's revenue already goes to city, state and Federal taxes. Others who spoke against the proposal included Joseph Shulman of the Rivoli, Hartford, who stated that while the tax might raise $400,000 for the state it would decrease theatre grosses by $600,000. More than 100 theatre owners and managers appeared in opposition to the measure and were augmented by I. A. T. S. E. members and representatives of numerous other amusement enterprises in the state.

California Tax Hits Bumps

SACRAMENTO, April 9.—The greatest stumbling block in the state administration's efforts to balance its $256,000,000 budget was thrown in its way today in the course of an income tax debate in the Assembly.

A new development in the tax and budget muddle is the prediction by Administration leaders in the Assembly that the Chatters bill carrying a third of the Federal rate on incomes will pass by a majority of five votes.

Anti-administration leaders are still claiming enough votes to substitute a Democratic tax measure carrying higher rates intended to produce $45,000,000, as against the Administration's $28,000,000.

Compromisers are frowning on both groups, attempting to muster enough votes to make the income rates produce $35,000,000 biennially.

Lieutenants of Governor Merriam said that bills to raise the bank corporation franchise tax rates and place a new tax on real estate transactions will be brought to a roll call as soon as the income tax has been settled.

Assemblyman Latham's substitute for Merriam's budget plan with a gross transactions tax measure favored by western film representatives came before the Committee on Revenue Taxation late today. A fight over it is believed certain.

The Legislature is well along in the week without passing a single bill to help out the state's budget muddle and without an important revenue bill passed in either house.

Still Weigh Minn. Playdates

MINNEAPOLIS, April 9.—Al Steffes reports that the playdate bill is still in committee and that the film footage tax probably will be licked in the conference committee. The House is sticking to a 10 per cent admission tax. Daylight saving has been reported out unanimously by a committee of both houses.

Signs Tennessee Sunday Bill

NASHVILLE, April 9.—The ban on Sunday films has been partially lifted by the signing of a local option bill by Gov. Hill McAllister. Communities can now decide the problem by popular vote.

Neptune Obliges

Boston, April 9.—M-G-M's chartered fishing boat put out from here today to get storm scenes for "Mutiny on the Bounty," after the production company had tried unsuccessfully for weeks to get the shots on the Pacific coast.

Obligingly, the stiff nor-easter which has been blowing for the past two days churned up a terrific sea for the M-G-M camera crew.

N. E. Allied Pledges Pettengill Bill Aid

(Continued from page 1)

investigation of the film code by a Senate committee. Nathan Yamins, Code Authority member, presided. The next meeting of the organization was tentatively set for May 14, at which time plans for participation at national Allied's Atlanta convention, May 21 to 23, will be discussed.

Present indications are that about 25 Allied members from here will attend the Atlanta gathering.

Labor Law Charge Filed

OKLAHOMA CITY, April 9.—Charges of violating state child labor laws in employment at the Circle of Keith Wayne Schultz, six-year-old vaudeville performer who was killed Saturday in a traffic accident, have been filed against Regal Theatres.

The complaint was made before a justice of the peace by Mrs. Zelda Harrell, deputy labor commissioner.

Britain's Building Gains, Says Eckman

(Continued from page 1)

"There are now about 4,500 theatres in Great Britain," he added.

M-G-M has one theatre in England and, as far as Eckman knows, no others are planned, he said. He referred all questions on production plans by the company abroad to Arthur Loew, foreign chief.

Theatre business in Britain is the same as it is here, Eckman declared. "Good pictures do the business and bad ones don't." He was accompanied by Sidney Wright of Wright & Webb, attornevs for the company in England, who is here on his first visit. Wright plans to spend a week in New York, he said. Wright is also a director of M-G-M, Ltd.

Margaret Sullavan and her husband, William Wyler, were expected to arrive on the same boat, but apparently cancelled reservations at the last minute.

Sybil Jason, six-year-old actress, came over on the French liner and today will meet Harry M. Warner. Irving Asher, production head of the Teddington studios in England, sent her over for tests and she is expected to be signed up by the company and leave for Hollywood within the next few days.

Mayer Shaping Plans

HOLLYWOOD, April 9.—Louis B. Mayer is expected to make an announcement on M-G-M's production plans in England before the week is out. It is understood he has been corresponding with Arthur Loew, head of the company's foreign department, in regard to making pictures abroad and will be ready to make a definite announcement within the next few days.

Capra to Head Unit At Columbia Studio

(Continued from page 1)

by "It Happened One Night," which is the current holder of the Academy award.

The plan, as conceived, would set up Capra as virtually a producer on his own with an organization at the studio concentrating its activities on Capra productions solely. Additional personnel, prospects for which are now being interviewed, is to be arranged for.

The director has had a long string of notable productions to his credit. He is the man who made "The Bitter Tea of General Yen" and "Lady for a Day" in 1933 and "It Happened One Night" and "Broadway Bill" in 1934. It is understood "It Happened One Night" is Columbia's heaviest grosser to date.

Columbia executives in New York last night stated "not a whisper" had come through from Hollywood along the above lines.

Closes Booking Deal

DALLAS, April 9.—W. M. Shields, operator of the new Liberty in Athens, opened a few months ago, has completed a deal with Texas Consolidated Theatres, Inc., a subsidiary of Interstate Circuit.

Shields will continue operation of the theatre, with the Consolidated offices in Dallas handling his buying.

U. A. Theatre Expansion in England Seen

(Continued from page 1)

M-G-M. Joseph M., incidentally, is expected to leave New York for London on April 20 in connection with Odeon-County Cinemas amalgamation. U. A. headquarters here are reticent, going only so far as to intimate that Schenck's impending visit may concern this latest, but extremely important, move on the domestic exhibition checkerboard.

Oscar Deutsch controls Odeon and Charles J. Donada, County Cinemas. Reginald Bromhead is to join the board of the combined companies and a large public stock issue is in the offing. A big figure in the deal is J. Amery Parkes, lawyer representing Donada's financial backers and previously associated with the Bromheads. It is generally believed along Wardour St. that the Halifax Building Society's millions are behind Deutsch.

In the light of this theatre alliance, the recent flotation of the Scophony, Ltd., a private company capitalized at £140,000 is viewed as significant. It was organized by O. T. Falk & Co., a financial house, to take over the old Scophony Co., and its television device. S. Sagall, managing director, as well as Deutsch and Arthur Levey, who were directors in the old corporation, join the new board, of which the chairman is Sir Maurice Bonham Carter, director of Falk & Co. The deputy chairman is W. S. Verrells, who is chairman of E. K. Cole, a large radio concern.

Scophony plans televisors in competion with Baird and E. M. I. and claims to have an optical system which reduces standard-width film one hundredth of its present length in the same screening time. This also opens the door to conjecture if the plan is not designed to be in opposition to Gaumont British's activities in the field of television.

No Comment Available

Arthur W. Kelly, vice-president in charge of foreign distribution for United Artists, stated last night the London cable seemed to him like activities concerning United Artists Theatre Circuit. He, therefore, referred inquiries to Harry D. Buckley, who could not be reached at his office.

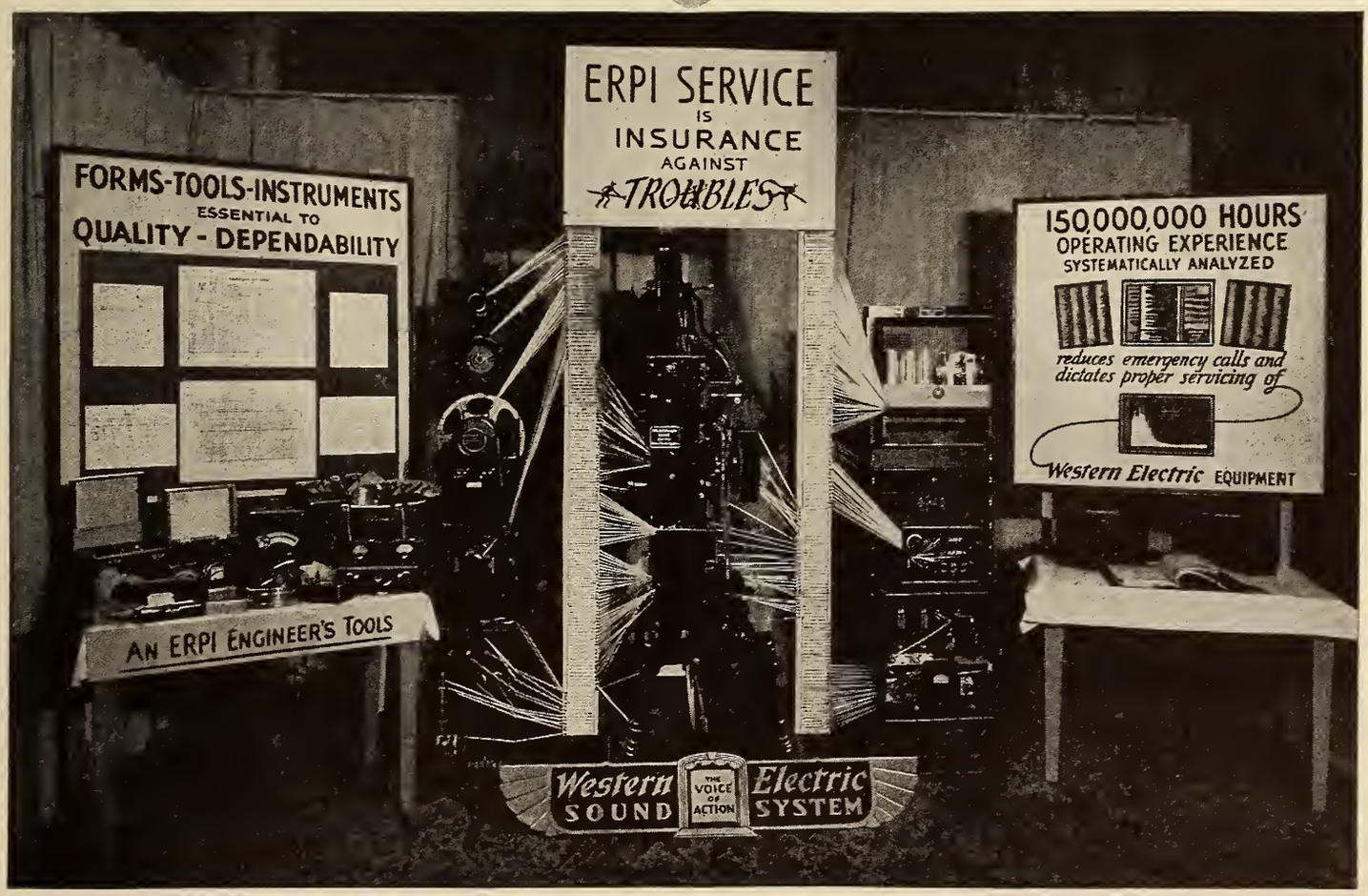
Arthur M. Loew, vice-president of M-G-M and in charge of that company's foreign film sales, likewise could not be reached for comment on the angle tying in M-G-M.

Stallings on Coast

HOLLYWOOD, April 9.—Laurence Stallings has arrived by plane to rejoin his old collaborator, Maxwell Anderson, and William Slavens McNutt on the screen play of Paramount's "So Red the Rose." The picture will feature Fred Stone, Margaret Sullavan and Pauline Lord.

Stallings has an arrangement with Fox Movietone News whereby he can obtain leaves of absence to engage in writing, it was stated yesterday. He will resume his editorial duties with the reel in about four weeks.

The ERPI exhibit at the recent M.P.T.O.A. convention at New Orleans



Electrical Research Products Inc.

250 West 57th Street, New York, N. Y.

Northern Electric in Canada





And so it came to pass that Universal gave unto the Monster a bride—
"The Bride of Frankenstein"!

A Carl Laemmle, Jr., Production

Jersey Allied Takes Up Several Reports

Various committee reports were discussed by Allied of New Jersey yesterday at the Lincoln. Sidney Samuelson, president, was chairman.

A report on the local film situation will be made next Tuesday when the unit holds a session at the Douglas Hotel, Newark. Next Monday the eastern regional conclave will be held at the DeWitt Clinton Hotel in Albany. About five members from New Jersey will attend.

The Harry Huffman code decision in Denver, legislative matters dealing with dog racing in New Jersey, the Pettengill Bill, non-theatricals, shortage of prints, the hearing in Washington Monday by the Senate Finance Committee, the Atlanta convention, and resolutions adopted at the Allied of Northwest meet in Minneapolis were other topics discussed. The Chicago invasion by Loew was not stressed, but came up as one of the Minneapolis resolutions.

After the session, Samuelson said: "We made no motions, we passed no resolutions and we made no errors."

Loses in Tax Appeal

WASHINGTON, April 9.—Expenditures incurred in connection with the organization of the Motion Pictures Capital Corp. and increase of its capital stock and fees paid to list the additional shares on the New York Stock Exchange were today held by the U. S. Board of Tax Appeals not to be deductible as losses sustained in the year of merger with another corporation.

The board also held that legal fees and expenditures incurred by the corporation in connection with its merger with the Investors' Equity Co., Inc., were not deductible as ordinary and necessary business expenses.

Bromberg Party in K. C.

KANSAS CITY, April 9.—Arthur C. Bromberg, head of Bromberg Attractions of Atlanta, arrived here today with his sales force comprising 10 men. The party is en route to Los Angeles. Bromberg is giving the trip to his salesmen as a reward for exceeding their quota on a recent sales drive. Among the members of the party are branch managers John Mangum of Atlanta, Carl Floyd of Tampa, Leo Seicshnaydre of New Orleans and H. Everett of Charlotte.

Dismiss Asther's Case

HOLLYWOOD, April 9.—Nils Asther's contract case against Universal has been dismissed by the Academy Conciliations Committee because of the settlement reached between the actor and the studio. Under the terms of the settlement Asther will do one picture for Universal.

Gross Joins Sol Lesser

HOLLYWOOD, April 9. — Edward Gross, former chief compliance director of the NRA Dress Code and also with Paramount, has been appointed business manager for Sol Lesser to succeed Frank Melford, who resigned last week.

Holmes to Work in Italy

PARIS, April 9.—Phillips Holmes says he plans to make pictures in Italy, with the aid of a government subsidiary.

Purely Personal

L. M. COCHRAN, operator, and C. W. CURTIS, manager of the New Ponton, Lynchburg, Va., were here yesterday defending the reduced admission complaint filed by R. D. BRADSHAW of the Crewe, Crewe, Va. BRADSHAW was also on hand.

•

FRANCES WILSON, SAM FRANK and MURRAY SPECTOR, Universal home office amateur talent, walked off wit first honors in an amateur theatrical contest sponsored by the Asiatic Petroleum Co. in Radio City.

•

WILLIAM FADIMAN, eastern story editor for SAMUEL GOLDWYN, has left the Harbor Sanitarium and is recuperating at home from his recent appendicitis operation. He hopes to return to the office this week.

•

HARRY BUXBAUM is having a hard time trying to explain that deep-colored tan he inherited in Miami. It makes a swell contrast with his silvery-gray hair.

Quip of the Day

Si Seadler, Leo's playmate, has an idea. He's for changing the name of Metro-Goldwyn-Mayer to Metro-Goldilocks-Mayer.

Thinks it would have more sex appeal.

H. G. KNOX, Erpi vice-president, and H. B. SANTEE, head of Erpi's commercial engineering department, returned yesterday from a three weeks' coast trip.

•

GEORGE RAFT has finished work on his latest picture and is due to arrive here for a short vacation. He plans to fly east, but the weather is holding him up.

•

PHILIP MOELLER is again in the ranks of the Theatre Guild, having just returned from the coast where he directed "KITTY" HEPBURN in "Break of Hearts."

•

AL HAMPTON, Fox West Coast attorney, is due from the coast today to attend the Campi hearing tomorrow on the Los Angeles schedule.

•

MAURRY COHEN of Invincible is still in the Mt. Vernon Hospital recovering from the effects of an operation for appendicitis.

•

BEN BERINSTEIN hopes to return to the coast Friday, but ED KUYKENDALL may induce him to stay over a couple of days.

•

EDWARD SCHNITZER, local Columbia branch manager, is down again. The inclement weather isn't helping him any.

•

MAX GORDON leaves the M-G-M studio for Times Square in a couple of weeks. They say he's going to Europe.

•

LIONEL HOUSER of the *World-Telegram* staff has been added to the Columbia scripters and is at work on an original.

•

AL ALTMAN, braving the winds up Broadway yesterday, but still with his eyes open for talent for M-G-M.

PAT ROONEY and MARION BENT celebrate their 32nd wedding anniversary today. MISS BENT will return to the stage for the last performance at the Capitol tonight, where PAT and PAT 3RD are now appearing.

•

BENJAMIN KALMENSON, assistant to HARRY KALMINE, Warner circuit zone manager in Pittsburgh, was in town yesterday to attend the code case involving the Warner Colonial, Sharon, Pa.

•

PETER M. PEGADIOTES, owner of the Colonial and Capitol, Farrell, Pa., was in town yesterday on a code case.

•

NAT KARSON, caricaturist and artist, will do the sets for "Oh, Professor." It's an impending play.

•

WILLIAM GEDERIS of Ideal Seating Co., Grand Rapids, is in town. He'll leave the end of the week.

•

ANN SOTHERN will leave Hollywood for a vacation here as soon as she completes "Hooray For Love."

•

MAJOR I. E. LAMBERT of RKO is due back from a New England trip today.

•

S. L. PILKINTON, formerly with the Dallas branch of Gaumont British, has resigned.

•

WILLIAM SLAVENS MCNUTT'S "Leander Clicks" has been acquired by Radio.

•

LUPE VELEZ arrived in town yesterday. She's at the Warwick.

•

MARY BOLAND is on her way here from the coast. She's vacation-bent.

•

. . . Buffalo

ALFRED D. CONN, attorney, whose acting experience has been confined to JANE KEELER'S amateur Studio Theatre Players, has signed a six months' contract with Warners and leaves April 18 for Burbank. He will keep his Buffalo office open meantime, just in case.

•

RUSSELL OFFHAUS, young character actor with the same amateur group, has turned critic on Station WEBR.

•

A five-ply pingpong table has been installed in the former screening room at the Paramount exchange. KEN ROBINSON believes the exercise will do the boys good.

•

The *Buffalo Times* is running a series of semi-biographical feature stories on former Buffalonians who have made good in Hollywood. RUSSELL HARDIE was the first.

•

AL NATHAN of the Universal home office has been here doing more missionary work.

•

Buffalo film writers continued to confuse HUGH HERBERT, the actor, with F. HUGH HERBERT, the writer, right up to the eve of his personal appearance in Shea's Buffalo.

•

GEORGE H. MACKENNA, house manager of the Lafayette, says attendance in his house for the first three months of 1935 is 15 per cent ahead of 1934.

•

. . . Houston

The Carrie Nation act put on by the Texas Rangers with GOVERNOR J. ALLRED as m. c. has dimmed the lights of the night spots but made things rosier for the picture shows; very welcome aid during Lent.

•

FRANCIS DEERING, new manager for Loew's, is apartment hunting; the missus is due from St. Louis.

•

VINTON SHOLL, one time Publix and Interstate manager in Houston and Dallas and more recently of Phoenix, is in Houston; giving up theatre work, says he.

•

FRANK STARZ, who handles district publicity for Interstate, spent a couple of days here accompanied by ANN FORD, representing "Mary of Scotland."

•

Fans still disappointed because ROBERT YOUNG and wife didn't step over from San Antonio, where he made personal appearance at the premiere of "West Point of the Air" and still talking about CLARK GABLE'S visit to his "home town" for his stepdaughter's wedding.

State $100,000 Was For "Defense" Fund

CHICAGO, April 9.—In the suit for an accounting of $400,000 of operators' union funds alleged to have been misapplied during the Tom Maloy regime there are a number of specific charges.

One of these is that Thomas J. Reynolds, president, withdrew $100,000 of the local's funds on July 1, 1931, "for the pretended and unlawful purpose of a so-called defense fund for himself and others who were under indictment in criminal court." Except for an entry showing a return of $12,500, the sum is unaccounted for, the bill charges.

Harlan Holmden's action is expected to wind up a complete renovation of the local union's affairs. Previously a group of operators who had rebelled against Maloy had sought a similar accounting. Their actions were temporarily halted when Fred Oser, leader of the group, was shot to death in union headquarters by Ralph O'Hara, a union organizer. O'Hara was acquitted on a self-defense plea.

It is rumored that the rebel operators who had been unable to secure employment under the Maloy domination may soon find themselves behind the projectors once more. Holmden's house cleaning is expected to include dismissal of a number of "permit" operators, who, it has been charged in the past, were placed in theatres with the understanding that they would "kick back" 10 per cent of their weekly pay to the union.

"Worlds" Does $19,000

"Private Worlds" ended its second week at the Paramount last night with an approximate $19,000, or $9,000 less than the first week. Second week of "Ruggles of Red Gap" at the Rialto was good for $12,000. Arthur Mayer is pulling the picture tomorrow night, after 16 days. The house will be closed May 15. The new Rialto, which will replace the present structure, will be opened Oct. 15 or thereabouts.

Jefferson Amusement Company, Inc.

General Offices: Jefferson Theatre Building
Beaumont, Texas



SOL. E. GORDON
CHAIRMAN OF BOARD

Mr. Red Kann,
Motion Picture Daily,
1790 Broadway,
New York, N. Y.

Dear Red:

Your publication, the "Motion Picture Daily," is certainly a dandy.

My observation has led me to the deliberate conclusion that it prints the news red hot off the griddle, accurately and concisely, without fear or favor; being neither biased nor prejudiced, for or against any particular political clan or class; investigating thoroughly, all news items before publication in order to be sure they are accurate in truth and in fact.

There has been such an inclination during the chaotic days of the industry to print "anything" so long as it is a story, that it gives me great pleasure to state to you that I consider your daily publication the best daily on the market today.

Very sincerely yours,

Sol E. Gordon

seg-vh

BOOKED BY SHOWMEN
AS AN ALL YEAR-ROUND
BOX OFFICE ATTRACTION

Short Subjects

"Birobidjan"
(*Amkino*)

The Soviets are using this Soyuzkino production as a means of letting the world know what they are doing for their Jewish population. As may be expected, they lose no opportunity to tell that Communism has been a blessing to the Jews of Russia. They make sure to point out that 'twas never thus under the czars.

The film is a record of life in the Jewish province of Birobidjan, which enjoys complete autonomy. It is but mildly entertaining, although in Jewish communities it may find a warm welcome. The production is most interesting in those scenes showing the struggle of the Jews to reclaim the wilderness and hew out a new life for themselves.

The film has been provided with subtitles in English and Yiddish.

No production code seal. Running time, 35 mins. "G."

"Old Age Pension"
(*Universal*)

Henry Armetta fans will be disappointed in the comedy their favorite hands out in this short. All of his old tricks are there, but despite the assistance of Arthur Lake his clowning appears to fall flat.

The film is built around a dream that Armetta has about losing all his money and living, as a result, on a government old age pension. His family torment him through two reels of film and he finally wakes to find he is still financially secure and the head of a happy family.

Only slightly entertaining. Production Code Seal, No. 653. Running time, 21 mins. "G."

"Pop Goes the Easel"
(*Columbia*)

The Three Stooges run riot again, this time in an art school. Their antics are still funny, but not as ribtickling as some of their previous efforts.

Chased by a cop for stealing three brooms, the boys hide in an art school and disguise themselves in smocks, pretending they are students. Their antics with paint and brushes are typical of them. Their usual manhandling of each other is also present. The film winds up in a fight with everyone hurling clay at each other.

Recommended. Production Code Seal, No. 648. Running time, 20 mins. "G."

"The Mormon Trail"
(*Vitaphone*)

This, the fourth of the "See America First" series being produced by E. M. Newman, is entertaining and very interesting from an historical point of view.

The reel opens with views of the early homes and final resting places of Abraham Lincoln and Ulysses S. Grant and then shifts to the Mormon Trail. Salt Lake City and all the monuments to Mormon history are pictured, with off-screen dialogue to explain the significance of each historical relic.

Recommended. Production Code Seal, No. 327. Running time, 10 mins. "G."

Verbal Bouquets Hurled At M. P. Club Sport Forum

(*Continued from page* 1)

Pettijohn was pinch-hitting for Jack Alicoate. He presented Chief Louis Nizer as the champion of champion toastmasters.

Hype Igoe was the only speaker who was not the target of a verbal bombshell. Nizer described him as a "noted writer and brilliant cartoonist," and Harry Hershfield agreed with this later, but most of what Igoe had to say was lost behind the microphones.

Benny Friedman, presented as "one of the greatest quarterbacks of all time," told a story about a young Jewish newspaper man who couldn't understand why he was satisfied with a sweater bearing a large "M" as the reward for a season's football work at Michigan. Immediately afterwards Nizer made Friedman scowl by remarking that "even movie men couldn't understand the rewards that some football players get nowadays."

James Braddock, heavyweight contender, and Alfred Letournier, six-day bicycle race champion, were introduced, but Nizer's remarks about "bicycling," while they amused the audience, didn't cause Letournier to crack a smile.

Marcus Griffin of the *Enquirer* interviewed Chief Little Wolf on the subject of wrestling. After the chief had admitted that he could beat all comers, "Chief" Hershfield remarked: "When a man falls in love with himself it's the beginning of a lifelong romance." He said he had once met a wrestler who didn't mind the wrestling, but found the "rehearsals were hell."

Six Days to Get Nowhere

Then he looked at Letournier and remarked: "This is the only country in the world that would stand a six-day race three times a year. They ride around and around for six days and at the end of the sixth they are in the same place."

The verbal bouquets were flying around.

Hershfield was serious, however, in talking about Igoe. He described him as really one of the "great writers and great cartoonists of the day."

"He has done a lot in these hard days to keep up the morale of the people," declared Hershfield. "Thirty years ago I was a cartoonist on the *Chicago Daily News* and the *San Francisco Chronicle*, and I know."

Benny Leonard spoke briefly. He was followed by James J. Johnson, matchmaker for Madison Square Garden.

He was in rare form. Some of the present day champions are a "disgrace to boxing," he said. "They won't fight. If Braddock could meet Baer," he said, "maybe we would have a heavyweight champion who would do more fighting and less talking."

"This boxing game is getting to be a nondescript affair," he went on. "It's something like your game. We try to work up a great show and sometimes we are ashamed of it."

He recalled the time when George Klein was promoting "Quo Vadis." "He wanted me to put my money in films," Johnson continued. "If I had, maybe I'd be down at Miami bathing in the sun right now instead of up here sleeping with one eye open to see that they don't take away from me what little I've got."

To the Rescue!

Cincinnati, April 9.—A special preview of "My Heart Is Calling" will be staged at the Mayfair, April 20, with all seats reserved at $2. Proceeds will be donated to the Cincinnati Symphony Orchestra. The program will include a return showing of "The Constant Nymph."

This is the orchestra that had Rubinoff as a leader for a one-night benefit show, and some of the members walked out because of the "undignified ballyhoo" which preceded the concert — also because they didn't feel they "could do justice" to the program.

Cincy Lyric Cuts Scale

CINCINNATI, April 9.—Prices at the RKO Lyric have been reduced to 25 cents for any seat until 1 P. M., with a 30-cent matinee rate. Evening scale is 30 and 40 cents for balcony and lower floor, all prices including three per cent state tax. Former scale was 35 cents for matinee and 42 cents evenings.

Mrs. Looran Reports 96% of Films Clean

HOLLYWOOD, April 9.—Speaking at a luncheon given for her at the M-G-M studio today by Louis B. Mayer, Mrs. James F. Looran, film chairman of the International Federation of Catholic Alumnae, declared that because of the improved tone of pictures since July of last year her organization was able to endorse 96 per cent of the product of major producers. She said the alumnae body had come to the realization that the function of the screen is to entertain only.

Bishop J. J. Cantwell praised the new trend in film entertainment as indicating that America possesses conscience.

Will Hays said the cooperation of producers had made the improved quality of films possible, pointing out if good pictures are not supported bad ones will come back again.

The clean film agitation has benefited the industry, Mayer asserted. The production of entertainment without offense was seen by him as the solution of one of the industry's biggest problems. He expressed the wish that more members of the clergy and welfare bodies work with producers on this score.

The clergy, welfare workers and players made up most of the gathering.

Nicholas Schenck Coming

HOLLYWOOD, April 9.—Nicholas M. Schenck left on the Chief for New York tonight. A passenger on the same train is Myron Selznick, who said it is purely a business trip.



Tony: ***Hey, Joe, whatsa dees Werewolf?***

Joe: ***Everybody wantsa see one, but nobody wantsa be one!***

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 85 NEW YORK, THURSDAY, APRIL 11, 1935 TEN CENTS

Parent Group Aims Include Federal Rule

M. P. Herald Quotes Its Printed Prospectus

In spite of denials by Mrs. B. F. Langworthy of the National Congress of Parents and Teachers that the organization is backing the Pettengill anti-block booking bill as an entering wedge for Federal control of the industry and a means of fostering non-theatrical competition, *Motion Picture Herald* will state today that the objectives of the organization include these projects.

In its current issue, out today, the *Herald* quotes from the organization's printed prospectus of its objectives to show that these are included in its program.

Mrs. Langworthy called the reports "utterly ridiculous" and said any such

(*Continued on page 4*)

New London House Is Expected Soon

By BRUCE ALLAN

LONDON, March 28.—Sold at auction on a 99 years' lease at £11,000 a year, the site at present occupied by the Geological Museum in Piccadilly is expected to be taken over by amusement interests, with the probability

(*Continued on page 4*)

Gallup Tops Ticket For Ampa's Election

Bruce Gallup heads the ticket to be submitted by the Ampa nominating committee at the closed annual meeting at the M. P. Club today.

The rest of the ticket follows: Vice-president, Charles Leonard; secretary, Alexander Gottlieb; treasurer, Martin Starr; board of governors,

(*Continued on page 4*)

Very Unusual

Kansas City, April 10.—While the guest of Harris P. Wolfberg, M-G-M district manager here, Nelson Eddy read a newspaper rave in which the writer said he was "born with a magnificent baritone voice."

The comment of the "Naughty Marietta" star was that as far as he can recollect he was a soprano at birth.

California's Footage Tax Meets Defeat

Committee Opposes It After Hard Battle

SACRAMENTO, April 10.—A film tax of a half cent a foot intended to raise $20,000,000 biennially has been killed in the Revenue Taxation Committee after a bitter battle.

The tide turned against the bill after C. J. S. Williamson of the Los Angeles Chamber of Commerce had warned the committee that imposition of unjust taxation would cause the industry to leave California and do irreparable damage to the state.

"There has long been exerted eastern pressure for the film industry to move closer to New York, New Jersey or Pennsylvania," Williamson told the committee. "If you pass this

(*Continued on page 4*)

Brandt's Audubon Appeal Withdrawn

Harry Brandt, operator of the Audubon, has withdrawn his appeal from a decision by the local grievance board ordering him to cease and desist from handing out "pay envelopes" to children on Saturday matinees.

The complaint was brought by Loew's Rio with Eugene Picker representing the circuit and walking off with the verdict. The appeal was set for April 15, but Brandt, through

(*Continued on page 6*)

Loew's Closes for Five Chicago Sites

Loew's has closed for five sites in Chicago where new theatres will be erected in line with the circuit's invasion plans.

This leaves seven more which have been authorized and deals for which are expected to be consummated any day. Various details are being investigated before these commitments are signed.

Robert Lynch, Philadelphia branch manager, is in the Windy City working on the Loew theatre developments.

Old Saenger Affairs To Be Cleared Soon

NEW ORLEANS, April 10.—Final wind-up of the Saenger Theatres reorganization is expected within the next 10 days or two weeks as a result of the consent to the dissolution of the

(*Continued on page 4*)

Schenck Silent

When asked yesterday to comment on a London dispatch to *Motion Picture Daily* to the effect that United Artists Theatre Circuit, Ltd., was contemplating an expansion of exhibition activities in Great Britain in conjunction with a merger of Odeon Theatres, Ltd., and County Cinemas, Ltd., Joseph M. Schenck said he had "nothing to say at this time."

He arrived from the coast yesterday.

The proposal, according to the London dispatch, is designed to take in 100 theatres by the end of 1935. M-G-M was also mentioned. Arthur M. Loew said yesterday he had neither read the story nor heard of it. He, therefore, refused to comment.

Chicago Board Of Alternates Is Challenged

CHICAGO, April 10.—The case of Publix Great States theatres against E. E. Alger Amusement Co. before the local grievance board on the matter of cutting off Alger's film service was continued until next Tuesday. An impasse was reached when Alger's attorneys, Rosenberg, Toomin & Stein, objected to alternate members serving on the board and amplified this objection with the declaration that industry code boards generally did not conform to the NRA.

Rosenberg, Toomin & Stein are also attorneys for Charles Roder of the Astor and Jack Rubin, Public, in the current case of these exhibitors in U. S. District Court charging conspiracy on the part of local distributors, circuits and exhibitors.

Taking the stand that their client could not get an impartial hearing

(*Continued on page 6*)

L. A. Clearance Up Before Campi Today

Hearing on an application by Fox West Coast for reopening the Los Angeles clearance and zoning schedule will be protested today by Ben Berinstein and Harry Vinnicoff, representing the I.T.O. of Southern California. The session opens at 10:30 with J. Robert Rubin presiding. The coast plan will be the only matter on

(*Continued on page 6*)

Peace's Dove Seen Soaring Over K-A-O

RKO-Meehan Balance on Board Is Continued

The lines of demarcation within the board of Keith-Albee-Orpheum Corp., principal RKO theatre subsidiary, which have existed for several years past and have brought the faction representing the large M. J. Meehan stock interest into sharp conflict with RKO interests over theatre financial policy on a number of occasions, were reported to have been wiped out yesterday with the election of the new board of K-A-O at the annual stockholders' meeting.

A balance of representation between RKO and Meehan was effected a year ago with the entrance of Herbert B. Swope into K-A-O. The provisional truce thus effected was so successful in quieting opposing factions on the board, it was said, that yesterday's meeting was influenced to make the armistice a permanent peace. The meeting reelected 12 of the 13

(*Continued on page 6*)

K.C. Groups Agree On Dual Bill Plan

KANSAS CITY, April 10.—Details of the five-man "releasing board" to select films which may be dualed in Kansas City have been agreed to by exhibitors and whether it will go into effect now hinges on acceptance by distributors. Branch managers are contacting their

(*Continued on page 8*)

Report Roxy Behind New Delaware Group

WILMINGTON, April 10.—A group of persons said to include S. L. ("Roxy") Rothafel, Alfred V. duPont and Charles Topkis, the latter

(*Continued on page 8*)

20 Yarns Set

Hollywood, April 10.—Giving visible indication of its full intention to continue on its own, Universal has lined up 20 vehicles for 1935-36.

James R. Grainger has been playing a significant part in the selection. He left here for New York this evening to prepare for the convention in Chicago the end of May.

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MAURICE KANN
Editor

JAMES A. CRON
Advertising Manager

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SMPE to Hear Sponable

E. I. Sponable will address the S. M. P. E. at the next meeting of the Atlantic Coast section, which will be held in the Little Theatre at the Fox home office next Wednesday evening at 8 o'clock. His subject will be "Progress in the Development of Sound Recording and Reproducing Equipment."

Goldstein Is Advanced

Irving Goldstein, manager of the Strand, Perth Amboy, N. J., has been named city manager of Walter Reade's four houses in the town. M. H. Jacks will be manager of the Strand, Red Bank, when Reade reopens the house April 20. "Gold Diggers of 1935" will be the opening attraction.

Sets Coast Gaumont Deal

LOS ANGELES, April 10.—Paul de Outo, local sales manager for Gaumont British, has closed a deal with Warners for showing eight features in the Warner houses in this territory.

Zanuck Coming East

HOLLYWOOD, April 10.—Darryl Zanuck is preparing for a trip east to be on hand for the openings of "Cardinal Richelieu" and "Les Miserables." He flies east Monday.

Plan Educational Drive

Fox and Educational will hold a joint booking drive on short subjects next month. It's called the "20th Birthday Party" and starts May 3 and winds up June 6.

Purely Personal

WILLARD MCKAY, CHARLES PAINE, NED DEPINET, ARTHUR SCHWARTZ, MERLIN H. AYLESWORTH, LESLIE THOMPSON, CRESSON SMITH, HRRMAN ROBBINS were among those who indulged in the gastronomical delights at "21" yesterday. Also N. L. NATHANSON and his wife.

•

A. K. MILLS, assistant to RALPH ROLAN of March of Time, Inc., left by plane early this week on a tour of North Carolina, South Carolina, Alabama and Louisiana.

•

MERLE OBERON arrives in town today from the coast for a short vacation before returning to work in "The Dark Angel" for SAMUEL GOLDWYN.

Quip of the Day

With apologies to Louis Sobol, we reprint a gag from his column in The New York Evening Journal.

Three men, an Irishman, a Scotchman and a Hebrew entered into a partnership for the purchase of a slightly used theatre. On inspection, the theatre seats were found to be in need of repair.

"Let's cover them with plaid," the Scot offered.

"No, they would look better in green plush," argued the Irelander.

"Me, if you are asking," said the Hebrew, "I would prefer we cover them with people."

GEORGE W. WEEKS, Gaumont British sales manager, has left for Chicago, Detroit, Cleveland and Pittsburgh. He will return in a week.

•

GWEN HELLER of Warners home office advertising and publicity department was married yesterday in Seattle to HOWARD LANG.

•

PERCY H. JOHNSTON, member of the new Paramount board, will not be back in town from his coast visit until the first of next week.

•

MORT BLUMENSTOCK, in charge of advertising and publicity for Warner theatres, left last night for Albany on a short business trip.

•

Y. FRANK FREEMAN, J. D. CLARK, AUSTIN C. KEOUGH and SAM ECKMAN put in one of those rare appearances at the M. P. Club yesterday.

•

ADOLPH ZUKOR has been confined to his home for the past few days with a minor ailment.

•

SAM ECKMAN leaves for St. Louis today to join his wife, who is visiting a sick member of the family.

•

RUBINOFF on Broadway yesterday and all smiles. Somebody was pouring something into his ear.

•

ALBERT WARNER, GRADWELL SEARS and A. W. SMITH plan to fly to the coast today, weather permitting.

•

JULES LEVY is in a tussle with la grippe.

NICHOLAS LUDINGTON, president of First Division Prod., is due in town today by plane. If he gets in, the board of directors' meeting, scheduled about two weeks ago, will get under way this morning. LUDINGTON has been ill and could not stand an air ride.

•

PHILIP MOELLER, who recently completed direction of "Break of Hearts," has arrived in town to direct the Theatre Guild's last production for the current season. Early in June he will return to the Radio studios for his next assignment.

•

JOHN W. HICKS, Jr., GEORGE WELTNER and T. X. JONES, all associated with Paramount International, sailed yesterday on the *Washington.* They will return in time for the annual sales convention at the Waldorf on May 23.

•

BEN PIAZZA goes back to the Paramount studio today after lining up talent for "The Big Broadcast." He may return later with plans for looking over the European market.

•

D. T. LANE, film attorney and former secretary of the Salt Lake City Film Board of Trade, heads west today after a visit of several days here.

•

CHARLES KOERNER, RKO division manager in Boston, headed for beantown yesterday after a one-day visit at the home office.

•

JOHN BENAS of the Rosenblatt-Welt circuit made a report on the local film situation at a meeting of the I.T.O.A. board of directors yesterday.

•

WALTER EBERHARDT heads into New England again next week. All for the cause of Wide Range.

•

JACK GOLDEN, divisional head in Rochester for RKO, was in and out yesterday.

•

BARNEY GLAZER left for the coast by plane the other day.

•

. . . Cleveland

ABE KRAMER, official of Associated Theatres circuit, and MRS KRAMER have returned from a Mediterranean trip.

•

P. L. TOUMEY, Princess, Wauseon, is losing his appendix.

•

LOUIS KAUFMAN of the Warner home office is around for a few days.

•

FRED WILSON, hailing from Detroit, is now headquartering here as field superintendent of the Warner checking department.

•

RUFUS YOUNG, a Perrysburg, Ohio, exhibitor by night, operates an automobile sales agency by day.

•

MARTIN SMITH of Toledo journeyed to town to attend the first local clearance and zoning board meeting of the year.

•

JACK O'CONNELL, Ohio Theatre, Toledo, frustrated a "stop service" order of the grievance board by a last minute signing of a compliance order.

•

HARRY YOUNG, Universal salesman, back on the job after a four weeks' absence due to an automobile accident which did him plenty of damage.

•

DAN STEARNS, Willoby Theatre, Willoughby, has been re-elected president of the board of trade there.

•

. . . Kansas City

ELMER RHODEN and LEO MCCARTHY of Fox Midwest inaugurating the season at Lake of the Ozarks, lolling on RHODEN'S cruiser.

•

JOHN MCMANUS and LAWRENCE THOMPSON of Loew's Midland and CLAUD MORRIS, M-G-M, staged a miniature airplane contest for "West Point of the Air."

•

JEAN BALDWIN, MAX ROTH'S secretary at Columbia, is mascot for JACK PIERCE'S Universal Pictures studio basketball team.

•

LESTER MARTIN of Des Moines, former Allied tycoon, in town on business with C. A. SCHULTZ of Commonwealth Theatres.

•

L. J. MCCARTHY had his Fox Midwest managers in tow for a district confab at the Variety Club.

No Registration for Pathe's New Issues

The new Pathe securities, issuance of which was authorized with the recent approval of the company's plan of financial reorganization, need not be registered with the Securities and Exchange Commission, due to the fact that the Pathe financial reorganization does not come within the meaning of the Federal Securities Act, it was learned yesterday.

The fact that registration is not required is regarded in Pathe as simplifying and hastening the final steps of the reorganization. The actual transfer of assets of the old company to the new Pathe company, originally scheduled to become effective as of March 30, has not taken place yet due to the fact that preparation of the company's balance sheet has not been completed. This and several other minor phases of the reorganization are expected to delay formal election of directors and officers of the new company for several months, it was stated yesterday.

To Build at Great Neck

A 700-seat de luxe house is to be built at Great Neck for an unnamed client of D. Seymour Wolfson, Manhattan attorney. A plot has been leased from Pomander Square, Inc., on Middleneck Road, opposite the entrance to Great Neck Estates and adjacent to Kensington. The house will be ready for use about Oct. 1, according to the plans.

Reade Holds Two Films

Walter Reade is holding "It Happened One Night" and "The Man Who Knew Too Much" a fourth week at the Astor and Mayfair, respectively. The Columbia film for the third week garnered around $4,800 and the Gaumont British picture tallied in the neighborhood of $6,400.

ADVERTISEMENT ADVERTISEMENT

'G-Men' Gathering Here to Rub Out Last of Mobsters

Scores of "G Men," the famed secret agents of the Department of Justice, are converging on Memphis for America's greatest battle in the war on crime.



James Cagney

Thursday is the date set for Uncle Sam's final show-down with the marauding mobsters who have terrorized the country for the past five years.

The heroes of the greatest manhunt in history have at last bottled up the notorious Central Station killers, the Big Shot no jail could hold, and many others.

Leading the Federal men is none other than Jimmy Cagney, once celebrated as Public Enemy No. 1, now enlisted on the side of the law.

This epic encounter will take place at the Warner Theatre on the stroke of nine Thursday morning, in the first picture of its kind to reach the screen — "G Men."

Filmed by Warner Bros., famous as producers of "The Public Enemy," first of a long cycle of gangster films, "G Men" launches another era in screen melodrama by showing for the first time on the screen the heroic courage and amazing secret methods of the famous federal agents who have halted the march of crime.

The grippingly sensational story, based on famous headline cases, reveals many details of the "G MEN'S" remarkable operations never known before.

The success of "G MEN" is sweeping the country. It is a picture all Memphis will be talking about. Don't forget the date — Thursday morning at the Warner!

California's Footage Tax Meets Defeat

(*Continued from page* 1)

bill you are helping the east to accomplish its aim."

Williamson said the industry could move, acquire large property holdings, form a city of 30,000 or 40,000 overnight and through the means of deals make enough to pay for the costs of moving.

Assemblyman Voigt, a proponent of the bill, who has M-G-M, Roach and RKO in his district, assailed Louis B. Mayer as a tax shirker and said he thought threats to move the industry out of the state were a bluff. He added that if these studios did move, they would be replaced by others.

"We can get along without Mayer. I hope he will move out of California," he said.

Assemblyman Morgan, also a proponent of the bill, who has the Fox studio in his district, said that if the industry can pay Irving Thalberg $900,000 a year and "some putty faced girl $8,000 a week, it can afford to pay the tax."

The 30-hour week and the income tax bill came up before the House today.

Minnesota Levy Opposed

ST. PAUL, April 10.—A strong Farmer-Labor minority in the Minnesota Legislature is battling to keep the 10 per cent amusement tax out of the new omnibus tax bill.

Efforts to get a committee to kill this part of the bill last week resulted in substitution of a footage levy, but this action was reversed before the final report.

Special features of the bill are a sales tax, check tax and amusement tax, by means of which the sponsors hope to lighten the load on real property.

Exhibitors are now centering their efforts on a movement to persuade Gov. Floyd B. Olson to take a hand. He leads the Farmer-Laborites and may be expected either to demand that the sales, check and amusement taxes be eliminated, as his cohorts propose, on a threat of veto.

Al Steffes is confident that the amusement tax will not be included.

Florida Tax Held Certain

TALLAHASSEE, Fla., April 10—As a result of a favorable report by the joint Judiciary Committee of the Legislature it is regarded as certain that a 10 per cent amusement tax will be enacted. This joint committee is working under a new legislative procedure adopted this year.

The tax is sought by schools as a substitute for a general sales tax proposal.

Nebraska Tax Killed

LINCOLN, Neb., April 10.—The two per cent sales tax measure in the Legislature here, designed to smack, along with gross proceeds on commodity sales, all tickets sold to places of amusement, went down in debate and by a vote of 58 to 25 here today. This action kills out the one of three anti-theatre bills before the session with the best chance of passing.

The bill carried the tag saying money so raised would be used to reimburse school deficits in the state, and this was expected to aid its passage. A 10 per cent rental tax had previously been killed and now only the two-men-in-a-booth and circuit tax measures remain.

General opinion here is that the passage of these two measures is unlikely.

Withdraw Conn. Dog Bill

HARTFORD, April 10.—Film men who went to the State Legislature to protest a bill which would permit dog racing in Connecticut today were not required to show their strength. It was announced at the outset of the hearing that the bill had been withdrawn.

The theatre men, however, who have organized themselves to fight several measures this week, are mapping a program to oppose a censorship bill, which comes up annually before the legislature, and two measures involving activities in the projection room. One would make certain safety devices compulsory and the other calls for an extra man in a booth.

All three bills are scheduled to be heard this week.

Affects Non-Theatre Shows

SPOKANE, April 10.—A licensing ordinance aimed at non-theatrical competition has been presented to the city council by theatre managers. It is proposed to impose a flat $25 fee on each non-theatre showing.

Hit Bay State Dog Racing

BOSTON, April 10.—The Massachusetts Senate has hit dog racing by reducing the appropriation for the State Racing Commission and specifying that the money shall be used only for administering the horse racing law.

Gallup Tops Ticket For Ampa's Election

(*Continued from page* 1)

Paul Benjamin, William Ferguson, Vincent Trotta, Gordon White and Marvin Kirsch; trustee for three years, David Davidson; auditing committee, Al Sherman, chairman; Ralph Lund and Rodney Bush; national counsellor to the U. S. Chamber of Commerce, Rutgers Neilson.

The nominating committee included Edward Finney, Edward McNamee, Ben Atwell, David Davidson, Jack Harrower, Charles Leonard and Tom Hamlin.

"Black Fury" Standout

By 4 P.M. yesterday, the Strand ticket machines had registered and passed their 7,310th admission. At the rate "Black Fury" was zooming along, Warner executives anticipated a $7,000 opening day, including an extra show early this morning. Prices are 25 cents to 1 P.M.; 55 cents from 1 to 6 P.M. and 85 cents in the evening until 11:30 when the midnight show goes in and the price drops back to 55 cents.

The "shock and horror" note struck upon by S. Charles Einfeld as the keynote of his New York newspaper campaign, as well as censor opposition publicity, were held responsible for keen advance interest in the picture.

Wall Street

Small Losses on Big Board

	High	Low	Close	Net Change
Columbia vtc	43¾	42½	43	+ ½
Consolidated	5⅝	5⅛	5⅛	— ⅛
Cons. pfd (1v)	18⅛	18	18	— ⅝
Eastman	125¾	124¼	124¼	— ⅞
Eastman pfd	154¾	154¼	154¼	+1¼
Fox Film "A"	10	9¾	9¾	.....
Loew's, Inc.	38⅜	37½	37⅝	— ⅜
Loew's, Inc., pfd.	108	108	108	.....
M-G-M, pfd	27⅝	27⅝	27⅝	.....
Paramount	3⅛	2¾	2⅞	+ ⅛
Pathe "A"	12	12	12	.....
RKO	1⅝	1⅝	1⅝	.....
Warner Bros.	3¼	3⅛	3⅛	— ⅛
Warner Bros. pfd	20	19½	19½	— ½

Curb Off Slightly

	High	Low	Close	Net Change
Technicolor	21½	20¼	20½	—1
Trans Lux (.10 K)	2¼	2¼	2¼	.....

Paramount F. L. Bonds Gain 2½

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	9⅛	7½	9⅛	+1½
Keith B. F. 6s '46	73	72¼	72⅝	+ ⅝
Loew's 6s '41 ww deb rights	105	104½	104½	— ½
Paramount B'way 5½s '51	50	50	50	.....
Paramount F. L. 6s '47	77½	76	77½	+2½
Paramount Publix 5½s '50	79	77	78¼	+1¾
Pathe 7s '37 ww	103¼	103¼	103¼	.....
Warner Bros. 6s '39 wd	53¾	53⅜	53¾	+ ¾

(*K and v*) *Paid this year.*

(Quotations as at close of April 10)

New London House Is Expected Soon

(*Continued from page* 1)

that it will carry a big theatre and skating rink.

A few steps from Piccadilly Circus, the site offers scope for a building equaling if not dwarfing the adjacent London Pavilion, Plaza, Carlton and Capitol. No reliable information is available as to the film groups believed to be interested.

* * *

Provincial Cinematograph Theatres, Ltd., premier British circuit controlled by Gaumont British, made £842,508 ($2,400,000), an increase of £23,018 (about $110,000) over last year.

Carry forward is £122,834 against £121,280, and the total for distribution £603,280, from which £91,000 goes to depreciation reserve and £65,000 to general reserve, bringing the total of latter to £530,000.

The dividend recommendation is 15 per cent.

New Gaumont de luxe houses at Derby, Chelsea and Yeovil are declared to have contributed to the satisfactory result and good profits are expected from the Gaumont Palace, Worcester, to open in October.

* * *

P.D.C., Ltd., has been revived as a rental organization and will handle Chesterfield, Invincible and Majestic product here, a total of 30 pictures a year, on top of which it will make eight British features in the 1935-36 season, using the Triumph studios at Hammersmith built by Reginald Smith, managing director of P.D.C.

* * *

Francis Meynell, well known British author, has been appointed director of public relations for United Artists.

Parent Group Aims Include Federal Rule

(*Continued from page* 1)

plan would be a violation of the organization's by-laws. In reply the *Herald* prints sections of the "procedures" of the organization which include the following:

"(1) To stimulate the establishment of a national film institute in the Office of Education, the United States Department of the Interior, which will assemble and disseminate information concerning educational, cultural and recreational films, and other visual aids to education suitable for children and youth. It will also encourage the production of instructional, cultural and entertainment films for education and recreation.

"(2) To encourage the production, distribution and exhibition of classified films for education and for recreation of children and youth.

"(3) To assist in establishing national, state and local film libraries and other visual aids to education.

"(4) To suggest teacher-training in the selection and the use of materials and equipment for visual education and recreation.

"(5) To seek cooperation in the development of the National Motion Picture Plan of the National Congress of Parents and Teachers.

"(D) The organization of regular film circuits in schools, churches and community auditoriums for classified motion picture entertainment programs graded to the ages and environment of children and youth.

"(1) To organize amateur motion picture clubs under competent leadership to produce, exchange and exhibit motion pictures of local interest and to encourage the amateur clubs to conduct regular juvenile theatre programs for grade school children."

Old Saenger Affairs To Be Cleared Soon

(*Continued from page* 1)

old Saenger company given today by Saenger stockholders, Saenger Realty Co. and the Hippodrome Theatre Co. Norman L. Carter was appointed liquidator and the affairs of the company will be wound up outside of court.

Ethan D. Alyea, of counsel for the Paramount Publix trustees, remains here to oversee the final steps in the reorganization.

Emigration of attorneys attached to the staff of the Paramount Publix trustees in the home office continued yesterday with S. S. Isseks, Rupert Warren and George T. Washington quitting the Paramount Bldg. for the Root, Clark, Buckner & Ballantine offices downtown.

Isseks conducted much of the interrogation of Paramount executives in the early stages of the company's bankruptcy and handled numerous important claim settlements and litigation for the trustees. Warren and Washington were his assistants. About one-third of the bankruptcy legal staff which occupied most of the eighth and ninth floors at the home office has now left.

A CHALLENGE *from a* SHORT SUBJECT!



"THE LOST CHICK" will fight it out with any feature for the top applause of the show! This M-G-M Happy Harmony Cartoon in Color has an unbeaten record! Name your date (*Easter's a perfect time*) and let "THE LOST CHICK" do the rest!

One of the melody series known as HAPPY HARMONIES. *Bringing fame to its producers* HARMAN-ISING *and joy to* M-G-M

Chicago Board Of Alternates Is Challenged

(*Continued from page* 1)

under the present setup of the code board, the meeting threatened to develop legal situations obviously beyond the scope of the sitting board. Impartial member, Judge Harry Porter, saved what might have been an interminable session with a closed meeting of principals and their attorneys.

At the conclusion of the huddle M. M. Rubens of Great State Theatres asked for a continuance.

Nate Wolfe, independent exhibitor member sitting as chairman, then attempted to draw from Alger's counsel an expression as to a board personnel which would be agreeable. He was told that no board would be acceptable —unless it was one composed entirely of exhibitors.

Rubens then asked that a written opinion be obtained from Campi sources on the matter of board personnel. In the meantime counsel for Alger indicated willingness to appear before the regular board at the next meeting. At that time they indicated they will face one of two courses—either accepting disregard of their objections to the board setup or pursuing the case in other channels.

Omaha Passes Start Row

OMAHA, April 10.—A. H. Blank's Paramount will face the grievance board Friday on charges of free admissions. The complainants are four neighborhood managers. The Paramount, located somewhat west of the regular business district, has joined in with adjacent merchants in an attempt to create a business district of their own. Merchants have tied in with Paramount newspaper ads on a reciprocal basis.

Last week Manager George Bickford distributed free tickets to all the merchants personally and their employees as a goodwill gesture. The neighborhood managers filed charges immediately. They are: August Hermann and Irving Gossick, managers of the Muse; Epstein Theatres, Inc., operator of the Circle; L. B. Grobeck, manager of the Mueller, and G. A. Ruth, manager of the Military.

Object to N. H. Board

NEW HAVEN, April 10.—Clearance disputes involving Stamford first runs and Darien, New Canaan and Norwalk have been postponed as a result of objections to the makeup of the clearance and zoning board brought by James E. Casey, Playhouse, New Canaan.

Casey contended the board included three subsequent run members. He objected particularly to Joseph A. Davis, alternate, from Southington.

L. A. Clearance Up Before Campi Today

(*Continued from page* 1)

the calendar and another meeting may be called for tomorrow to discuss other business.

Al Hansen, city manager for F.W.C., arrived from the coast by plane yesterday to assist W. T. Powers and E. L. Alperson in presenting arguments for delaying the schedule.

Telegrams Reach Flinn

LOS ANGELES, April 10.—Telegrams were sent today by a number of I.T.O. of Southern California members to John C. Flinn protesting any delay in making the local schedule operative. The general tone of the wires was that Campi should put the plan into effect, and if any changes are in order they should be made out here and not in New York.

Among those sending the missives were H. W. Chotiner, president of the unit; Jules Woolf, Lincoln; Max Sinkler, Empire; H. Lewis, Los Feliz; Irving Carlin, Alvarado; M. A. Kurstin, Boulevard; Earl Johnson, Knoll; Edward L. Thompson, Metro, all in Los Angeles; Roland Levinson, Oriental, Hollywood; A. W. Wardman, Whittier, Whittier; James Edwards, Monterey Park, Alhambra.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The People's Enemy"

(*Select-Radio*)

HOLLYWOOD, April 10.—This weak gangster melodrama is at best of only double-bill calibre. The story deals with the triumph of the Federals over Public Enemy No. 1. Strong exploitation along these lines may aid the film in some spots.

Preston Foster is the people's enemy who, after evading the law on numerous occasions due to the efforts of Lawyer Melvyn Douglas, is sent up the river on an income tax evasion charge. Douglas follows Foster's instructions and tries to financially aid Lila Lee and the young daughter of Foster's family when a romance starts.

Douglas fails in a parole plea due to the work of a crooked politician (Herbert Rawlinson) and Foster breaks jail to put Douglas on the spot, believing the tips supplied by his brother (William Collier, Jr.). Rawlinson and Foster die at the climax, with Douglas carrying on Foster's romantic obligations with Miss Lee.

Shirley Grey does well in the role of Douglas' secretary. Crane Wilbur directed. Edward Dean Sullivan and Gordon Kahn did the original screen play.

Production Code Seal No. 599. Running time, 68 minutes. "G."

Looking 'Em Over

"Circle of Death"

(*Syndicate Pictures*)

Indians attacking wagon trains, performing their ceremonial dances and on the warpath are revived in this western in a manner that audiences in neighborhood houses will get a kick out of this picture. Besides the redskins there is a plausible and well presented story.

Frank Glendon's direction keeps things moving right along. The photography of James Diamond is fair.

The story has Monte Montana adopted by a tribe of Indians when a small baby after his parents had been massacred. He grows up and believes himself to be a member of the tribe. Returning to an old hunting ground preferred by the aged chief, Montana meets the daughter of the rancher who owns the property and with the aid of his fellow tribesmen aids her father in saving his cattle from a conniving gambler. Love blossoms between the girl and Montana and the finale has the two lovers in each other's arms when it is revealed that he is really a white man.

Children should get particular enjoyment out of this film and there is enough action to satisfy adults. Others in the cast are Tom Glendon, Yakima Canutt and Princess Ahteenah.

Reviewed without production code seal. Running time, 60 minutes. "G."

"Four Hours to Kill," now at the Paramount, was reviewed by wire from Hollywood on March 30.

"Black Fury," yesterday morning's opener at the Strand, was reviewed from Hollywood by wire on March 26.

"Star of Midnight," opening this morning at the Radio City Music Hall, was reviewed by wire on March 26 *from Hollywood.*

"Princess O'Hara," which will open at the Rialto tonight, was reviewed by wire from Hollywood on March 18

"Vanessa," which opens at the Capitol Friday morning, was reviewed on Feb. 15 *from Hollywood*

"My Heart Is Calling," to be previewed tonight at the Roxy, was reviewed from London on Jan. 21.

Peace's Dove Seen Soaring Over K-A-O

(*Continued from page* 1)

K-A-O directors and was described as a "bloodless affair," regarded in some quarters as a rarity in K-A-O stockholders' meetings. The thirteenth director elected was Monroe Goldwater, law partner of Edward F. Flynn, whom he replaces on the board without change in the representation.

Directors reelected were Swope, chairman of the board; David Sarnoff, M. H. Aylesworth, L. E. Thompson, W. G. Van Schmus, Paul M. Mazur, Frank B. Altschul, Meehan, Donald K. David, Jay E. Eddy, Malcolm Kingsburg and Peter J. Maloney.

Ostensibly, Sarnoff, Aylesworth, Van Schmus and Mazur are RKO representatives; Meehan, Maloney, Goldwater and Kingsburg, Meehan representatives; Altschul, David and Eddy, neutrals, while Swope is chairman of the board and Thompson, president. These are the divisions, however, which, it was said, were wiped out by yesterday's election, with everybody voting for everyone else, regardless of past alliances, to achieve a "perfect unanimity" of the board.

The board will meet in about two weeks to elect officers, with no important changes in the present line-up expected.

The meeting also approved a profit-sharing plan by which Swope and certain K-A-O officers nominated by him and approved by a non-participating board committee, will divide 10 per cent of the net earnings of K-A-O after a sufficient amount to take care of preferred stock dividends has been set aside. The proposal is similar to that given Swope as an inducement to come into K-A-O a year ago and is understood to have been extended to include other officers of the company at his suggestion.

The committee which will pass on Swope's recommendations of those to participate in the plan consists of Sarnoff, Mazur, Maloney, Altschul and Goldwater, who will not, themselves, participate in the dividend.

Brandt's Audubon Appeal Withdrawn

(*Continued from page* 1)

Weisman, Quinn, Allan & Spett, advised the local board and Campi that the practice had been discontinued and the appeal withdrawn.

Representing the legal firm above mentioned, Melvin Albert has filed three reduced admissions complaints for the Empire, Brooklyn, a member of the I.T.O.A. The protests were against the Comet, Bobby and Imperial, and are slated for hearing by the local board next Tuesday.

In Washington on Monday, Albert told the Senate Finance Committee that members of the I.T.O.A. refuse to take cases before the local board because they insist they will not get justice, but are continuing to take them to the courts, as they did before the code.



A few simple words

A long time ago a man named Emerson wrote a life-time success-story in a few simple words . . .

He said . . . *"if a man preach a better sermon; write a better story; invent a better mouse-trap or build a better house than his neighbor, even though he live in a forest, the world will beat a pathway to his door"* . . .

Fifteen years ago the men who conceived the idea behind National Screen Service said *"we'll give them the best exploitation idea ever devised on a complete service basis covering every picture they book"* . . . and today four out of every five exhibitors in the field . . . more than 9,000 in all . . . use

NATIONAL SCREEN SERVICE

Prize Baby of the Industry!

Rogers' Film Hits $23,400, Detroit High

DETROIT, April 10.—Will Rogers piled up a terrific gross at the Fox last week. The $23,400 take passed par by $8,400.

It was the only big business in town. "Vanessa" was $1,200 up on a $21,200 gross at the Michigan and "Mississippi" went over the line $600 on a $10,600 gross at the United Artists, but elsewhere business was pretty dull.

Total first run business was $64,700. Average is $60,000.

Estimated takings for the week ending April 4:

"I'LL LOVE YOU ALWAYS" (Col.)
"RENDEZVOUS AT MIDNIGHT" (Fox)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $2,200. (Average, $5,000)

"LIFE BEGINS AT 40" (Fox)
FOX—(5,100), 15c-55c, 7 days. Stage, 5 acts vaude. **Gross:** $23,400. (Average, $15,000)

"DEVIL DOGS OF THE AIR" (Warners)
"SOCIETY DOCTOR" (M-G-M)
(Second Run)
FISHER—(2,975), 10c-40c, 7 days. **Gross:** $3,100. (Average, $5,000)

"VANESSA" (M-G-M)
MICHIGAN—(4,100), 15c-55c, 7 days. Stage, 5 acts vaude. **Gross:** $21,200. (Average, $20,000)

"McFADDEN'S FLATS" (Para.)
"MYSTERY OF EDWIN DROOD" (Univ.)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $4,200. (Average, $5,000)

"MISSISSIPPI" (Para.)
UNITED ARTISTS—(2,070), 15c-55c, 7 days. **Gross:** $10,600. (Average, $10,000)

Nebraska Town Again Beats Sunday Shows

BEATRICE, Neb., April 10.—Sunday shows lost in the city election here yesterday by a small margin of 161 votes and the town remains the last spot in the state of any size to have a ban on Sabbath shows. This was the seventh time the issue had been brought to vote. The population of the town is over 10,000.

Mercy Circuit Meets

PASCO, Wash., April 10.—Managers of the Mercy circuit met at the Liberty to discuss policies for the coming season.

Among those present were Frederick Mercy, Sr., head of the group; Frederick Mercy, Jr., Arch Bartholet, S. G. Turner, H. A. Gillespie, Arch MacArthur, Jack Wright, Carl Jones, Don Cisger and Milt Wright.

Darmour Gets G. B. Task

HOLLYWOOD, April 10.—Michael Balcon of Gaumont British has appointed Larry Darmour special Hollywood representative to continue the company's talent negotiations. The job will not interfere with Darmour's own production plans.

Loeffler in New Fox Post

HOLLYWOOD, April 10.—Louis R. Loeffler today resigned as an associate producer for Fox and will become head of the cutting department at Movietone City.

Colman as Sidney Carton

HOLLYWOOD, April 10.—Ronald Colman was signed today to play Sidney Carton in M-G-M's "Tale of Two Cities." He may do a dual role.

G. B. Plans 16

Gaumont British is rounding out plans for the distribution in this market of 16 features for the 1935-36 season.

This matches the company's current schedule.

K.C. Groups Agree On Dual Bill Plan

(*Continued from page* 1)

general sales managers to determine if they should participate in the plan, which is said to be similar to Chicago's. All branch managers seem to favor the plan, according to the I.T.O.

With J. F. Rigney and E. Rolsky representing the independents on the board, Elmer Rhoden, Fox Midwest division head, has named Martin Finkelstein, district booker, as the circuit's member. Arthur Cole, executive of the Paramount exchange, has accepted nomination as the impartial man. The fifth member is to consist of the exchange representative whose features are up for selection.

The board will meet according to the setting of release dates, probably once a week or twice a month. Features picked for duals will be played 28 days behind the singles spot for that particular admission. The plan is for subsequent runs only and the board does not include a first run representative in its personnel because, according to independents' spokesmen, after the first runs have completed a run it is immaterial to them whether features are dualed or singled.

Prosecutor at K. C. Moves on Bank Night

KANSAS CITY, April 10. — The county prosecuting attorney will hold a hearing Thursday at which Rube Finkelstein, operator of the suburban Belmont, and R. W. McEwan, bank night distributor, will be requested to prove that bank night is not a lottery. Failure to show to the satisfaction of the official that the stunt does not violate the Missouri lottery laws may result in charges.

The latest development follows resumption of bank night in Kansas City and filing of a complaint with the prosecuting attorney by an exhibitor.

In recent decisions the attorney general of the state has ruled the stunt is a lottery and cannot be interpreted any other way, despite the fact no admission is required to participate.

Report Roxy Behind New Delaware Group

(*Continued from page* 1)

two of Wilmington, are reported interested in a contemplated sports and amusement center to be erected here. It has been learned that a group prominent in local pictures here have retained the firm of Massena and du-Pont, local architects, to draw plans for the center, provided a suitable site can be obtained.

When questioned about the proposed Wilmington sports center yesterday, S. L. ("Roxy") Rothafel denied he was connected with the proposition. "The report is untrue," his office said, "and you may say that 'Roxy' has nothing to do with such a venture."

"Roberta" Is Still Up 4th Seattle Week

SEATTLE, April 10.—"Roberta" had all the first run managers wishing they were playing it instead of the Music Box. In its fourth week it was still $300 over a first week average on a take of $4,300.

"Grand Old Girl" proved a good attraction at the Music Hall with a stage show headed by Al Pearce. The take was $7,100, up by $600. "Folies Bergere" took a fair $4,100 at the Blue Mouse.

Total first run business was $36,400. Average is $37,000.

Estimated takings for the week ending April 6:

"FOLIES BERGERE" (U.A.)
BLUE MOUSE—(950), 25c-40c-55c, 8 days. **Gross:** $4,100. (Average, $4,000)

"RUGGLES OF RED GAP" (Para.)
FIFTH AVENUE—(2,500), 25c-40c-55c, 6 days, 2nd week. **Gross:** $6,400. (Average, $7,000)

"THE CRIMSON TRAIL" (Univ.)
"BEHIND THE EVIDENCE" (Col.)
LIBERTY—(1,800), 15c-25c-35c-50c, 7 days. **Gross:** $3,700. (Average, $4,000)

"GRAND OLD GIRL" (Radio)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 4th week. **Gross:** $4,300. (Average, $4,000)

"ROBERTA" (Radio)
MUSIC HALL—(2,275), 25c-40c-55c, 7 days. Stage: Al Pearce & N.B.C. Radio Gang. **Gross:** $7,100. (Average, $6,500)

"A NIGHT AT THE RITZ" (Warners)
ORPHEUM—(2,450), 25c-35c-50c, 7 days. Vaudeville headed by Beverly Hill Billies. **Gross:** $5,600. (Average, $5,500)

"THE IRON DUKE" (Fox)
"CAR 99" (Para.)
PARAMOUNT—(3,050), 25c-35c, 7 days. Vaudeville headed by Fuzzy Knight. **Gross:** $5,200. (Average, $6,000)

"Lady" with "Folies" Wow In Cleveland

CLEVELAND, April 10.—"Transient Lady" and the "Folies Bergere" revue cracked a two-year record at the RKO Palace. The $39,000 take was $24,000 over normal and was within about $1,000 of the mark set by Glenn and Cross two years ago.

Three holdovers were strong. "Life Begins at 40" took $7,100, or $1,000 over average, in its second week at the Hippodrome. "Roberta" was $2,000 up with $5,100 in its fourth downtown week at the Allen. "It Happened One Night," a revival, did the biggest business at the Circle since the opening of the house.

Total first run business, the highest in 18 months, was $70,200. Average is $41,000.

Estimated takings for the week ending April 5:

"ROBERTA" (Radio)
ALLEN—(3,300), 25c-35c, 7 days, 4th week downtown. **Gross:** $5,100. (Average, $3,000)

"LIFE BEGINS AT 40" (Fox)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days, 2nd week. **Gross:** $7,100. (Average, $6,000)

"TRANSIENT LADY" (Univ.)
RKO PALACE—(3,100), 30c-40c-60c, 7 days. Stage: "Folies Bergere." **Gross:** $39,000. (Average, $15,000)

"MISSISSIPPI" (Para.)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $8,900. (Average, $10,000)

"RUMBA" (Para.)
LOEW'S STILLMAN—(1,900), 25c-35c, 7 days. **Gross:** $4,000. (Average, $4,000)

"IT HAPPENED ONE NIGHT" (Col.)
CIRCLE—(1,925), 15c-25c-30c, 7 days. Stage: Four acts vaudeville. **Gross:** $6,100. (Average, $3,000)



Dowager: ***What is this Werewolf picture you're announcing?***

X. Ibitor: ***From all the questions, it looks like it's going to be a box office miracle!***

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 86 NEW YORK, FRIDAY, APRIL 12, 1935 TEN CENTS

Cancellation Increases To Be Fought By Majors

New National Distributor; It's Republic

Springs from Monogram —Johnston Is Head

Formation of Republic Pictures Corp. as an expansion of Monogram Pictures was completed yesterday with contracts either closed, or about to be, with former Monogram affiliated distributors being absorbed by the new company in a national distribution organization to be made up of 33 exchanges.



W. Ray Johnston

W. Ray Johnston, president of Monogram, and Trem Carr, vice-president, will occupy the same posts in the new national

(*Continued on page* 8)

Sell Fox Western Units on April 23

KANSAS CITY, April 11.—The sale of Fox Midland and Fox Rocky Mountain assets was set today for April 23 in bankruptcy court here. It is understood the only bidders will be interests representing National Theatres and no competitive bids will be entered.

The Woolf-Shanberg claim of approximately $500,000, the last of large secured claims to be satisfied, is reported to have been paid in full by agreement. All claims are understood to have been taken care of.

F. & M. to Operate In Three Divisions

Operation of all Fanchon & Marco houses will be divided into three sections, the supervision being split between New York, St. Louis and Los Angeles.

The plan goes into effect in the fall when Harry Arthur will shift his

(*Continued on page* 4)

Farnsworth Confers On Reels' Schedules

Deputy Administrator William P. Farnsworth yesterday met with the heads of the various newsreel companies on the interpretation of the hour schedule for cameramen. Present

(*Continued on page* 8)

FWC's 9-Zone Plan Attacked Before Campi

Moves by Fox West Coast to merge the 28 different zones proposed in the Los Angeles clearance schedule into approximately nine zones and increase the present seven-day protection to 14 days for each five-cent advance in admissions were attacked yesterday by Harry C. Arthur at the Campi hearing on the coast plan.

Arthur declared that the "extension of zones as proposed by Fox West Coast would perpetuate a monopoly and would put independents out of business." He added that "the only chance independent exhibitors have is to play within the zones as constituted."

The issue came up when Al Hanson, Los Angeles city manager for

(*Continued on page* 9)

Court Bars Move to Upset Hub Clearance

BOSTON, April 11.—No matter how many weeks a first run house may hold over a feature, clearance for subsequent runs is to be figured as being after the initial week, a local court has decided in effect. RKO was first refused an injunction to prevent Fox from supplying Publix houses with "The Little Colonel" within 28 days, normal clearance time, after the first week at the Keith Memorial. The matter was taken to court to obtain a definite decision.

Carload of Pennies

Olympia, Wash., April 11.—A carload of pennies has been received by Washington state banks to be used by the public in paying the amusement tax which will go into effect early in May. The state expects to collect some $300,000 in tax on theatre admissions alone.

Need Quality In Supply and Demand: Hays

HOLLYWOOD, April 11.—Speaking before the M. P. Producers' Ass'n at its annual meeting here today, Will Hays emphasized that quality in supply and quality in demand are twin necessities. He stated the purpose of all thoughtful leadership in the industry is to continue the production of a diversified program of entertainment, confident quality can be produced in quantity and public support can be enlisted further.

Hays asserted letters and editorial

(*Continued on page* 9)

Frisco Business Men Hit Industry Taxes

SAN FRANCISCO, April 11.—Directors of the powerful and influential Downtown Ass'n., comprising all the principal commercial establishments, have

(*Continued on page* 4)

Lecture Started Hammons

E. W. Hammons' switch from real estate to films was due to a speech he made before a Red Cross group at Briarcliff 20 years ago. Gordon White says so.

Hammons' talk was about a scenic picture produced by Robert C. Bruce, a friend. He took the film with him, and became interested in it.

That's why Fox has set aside next month for a special sales and booking campaign for Educational in honor of the company's 20th anniversary.

Hammons' original idea, after the Briarcliff talk, was to produce non-theatrical programs of an educational nature for schools and clubs, but it spread out.

Declare Jump Would Be Gift Costing Them Million or Over

No increase in cancellation above the prevailing 10 per cent will be consented to by distributors at this time, it was disclosed by a canvass of sales executives yesterday which revealed an unvarying and emphatically decided distributor attitude on the subject.

Indications are that nothing short of legislation or court orders could bring about an increase in cancellation to 20 per cent, or even 15 per cent, such as is currently being proposed by M.P.T.O.A. Moreover, the present distributor attitude indicates that even an exhibitor effort to re-draft the code cancellation clause to effect a higher cancellation leeway would be spiritedly opposed by distributors.

The conclusion to be drawn from the viewpoint expressed is that the best that exhibitor factions can hope for through negotiations with distributors is an elimination of current sales practices which tend to nullify the full benefits of the 10 per cent cancellation. Anything more liberal would have to be brought about by long

(*Continued on page* 8)

N. J. Houses Sue 27 Firms for Conspiracy

NEWARK, April 11. — The Ledirk Amusement Co., owners of the Palace, East Orange, N. J., and the Strand Theatre Operating Co., operators of the Strand, same town, filed trade conspiracy suits in Federal court here today against 27 film corporations and five individuals. The former is suing for $745,000; the latter, for $315,000. Withholding of product with resultant depreciation in the value of

(*Continued on page* 9)

Three of Tri-Ergon Cases End; More Up

Three of the Tri-Ergon patent suits pending in U. S. District Court here were dismissed yesterday by Federal Judge Henry W. Goddard, and several more are scheduled to come up today. The dismissals are done on stipulations of counsel and are a result of the recent U. S. Supreme Court refusal to rehear the Tri-Ergon case.

The cases so far dismissed were against First Division, Monogram and

(*Continued on page* 4)

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Ludington Grounded; Delay 1st Div. Meet

Because Nicholas M. Ludington was grounded in Albuquerque yesterday on his flight from the coast to New York, the board of directors' meeting of First Division Prod. scheduled for yesterday was again postponed until the president's arrival.

Meanwhile Al Friedlander flew to the coast yesterday after three weeks here waiting for the meeting to take place. Ludington is expected to arrive today.

Warner Group Off To the Coast Today

Albert L. Warner, accompanied by Gradwell Sears and A. W. Smith, departs by train for the Warner studios today to talk over the company's new lineup with Jack Warner. Plans for the sales convention to be held in June will be set at the same time.

"Cucaracha" for Russia

The RKO Export Corp. has sold "La Cucaracha" for exhibition in Russia. Amkino handled the deal for the Soviets. Phil Reisman represented the American company.

Reports "Fury" Record

"Black Fury" was seen on its opening day, Wednesday, by 17,103 persons, a record for a single day at the Strand, it was reported yesterday by Warners.

Insiders' Outlook

By RED KANN

OVER mountain grades and across desert and plains comes word—disquieting word, it unfortunately happens to be—about the status of matters at large on the Paramount lot. There, the new regime under the guidance of Ernst Lubitsch and Henry Herzbrun, with enough to do in the matter of making pictures, finds itself confronted with the problem of morale and how to prevent its dissipation. That is always a heartache of a task. . . .

▼

The background of the current condition appears to embrace the actions, intentional or thoughtless, of two prominent bankers closely identified with the company's reorganization. Percy Johnston, he of the Chemical National Bank and, at least, once on record for a Paramount dominated as well as operated by bankers, is said to have engaged the services of an investigator to report directly to him on the way the studio discharges itself. The investigator, an ex-producer who never cut much ice, presumably landed the job through a devious set of circumstances. His wife happens to be the chum of the wife of a prominent official of the Chemical Bank. The story spins itself in this vein, at any rate. . . .

▼

One of the more outspoken executives on the Paramount lot, so it came to pass, met the investigator while he was about his business of investigating and inquired why the move at all. Instead of responding, the investigator is reported to have remarked:

"People who are on the job have nothing to fear from my findings."

Snapped the outspoken executive:

"But even competent people are made inefficient by investigation, their morale is lowered by useless prying. The studio is interested in making pictures. They don't want to get involved in the politics of the company. They don't want to be made the football for financial opponents." . . .

▼

He said more:

"Studio people know how such investigations stir up strife and encourage knifings. In self-defense, the entire studio becomes charged with a spirit of unrest. How, in that kind of atmosphere, can they produce good pictures and how do they expect the best from creative talent under circumstances such as these?"

Imparting little, the investigating influence, however, had an answer of a sort:

"Our investigation is for information and not for conflict."

▼

"Then it's having the opposite effect," said the executive in rebuttal. "Instead of permitting the new regime to get the most from workers, instead of permitting Lubitsch the opportunity to devote his energy to the making of pictures, it's damaging morale, hampering progress and making certain incompetents conscious of their power and thwarting official plans." That marks finis, currently, to the Johnston phase of this account. . . .

▼

From Palm Springs and parties tendered to many of the Hollywood bigwigs, the second banker, Frank Vanderlip is declared to have "sounded off" in remarks that quickly made their way through the studio's grapevine. Expounding his thoughts on studio personnel, Vanderlip is reported to have named two men, not at present with Paramount, whom he considered the only two in all Hollywood competent to handle the Paramount production job. This good-sized firecracker causes more uneasiness with reactions to Vanderlip's alleged comment hardly printable. . . .

▼

Impartial observers in Hollywood consider talk and actions of both bankers merely as indiscreet. The studio, more delicately attuned perhaps and unnecessarily jittery perhaps, views the incidents in a different light. One spokesman there finds himself reminded of a story. He recalls the early days of the depression and how an executive was dragged over the carpet by his studio chief in the presence of a small local banker for privately discussing the financial condition of that bank. The executive was dressed down severely, was told he was breaking down the confidence of depositors, that he might cause a run, that his comment was thoroughly anti-social.

▼

Today, that same executive is being treated to the reverse spectacle of two bankers treading on the confidence and shaking the morale of an entire studio organization. There is a difference, however, for, in the first instance, the executive was right in his analysis. The bank he had discussed failed and its folding caused havoc among many white collar workers. The Paramount lot, the deliberate or unwitting target of loquacious bankers, is girding its loins to withstand a whispering campaign launched, deliberately or unwittingly, by its own banking affiliates. There is something splendid and courageous in an attitude like that. . . .

Present Contracts In M. & S.-RKO Case

Film contracts made by RKO theatres with Warners were introduced in evidence yesterday with the resumption of arbitration hearings of the breach of lease charges brought against RKO by Meyer & Schneider, lessors of the Hollywood and Apollo. Testimony as to film playing policies at the houses while under Meyer & Schneider operation was given by Benjamin Sherman, former M. & S. operator, and Charles Steiner, formerly in charge of the Hollywood.

M. & S. alleges that RKO has failed to play the same product concurrently in the Hollywood and Apollo that it plays in other RKO neighborhood houses because the two houses compete with Loew's Avenue B and Delancey. M. & S. contends that the alleged failure results in breach of the lease made with it by RKO. The hearings were begun before three arbitrators more than two months ago. They are scheduled to resume again today.

Ramsaye Discusses Stage and Pictures

"Relations between the Stage and Screen" was the subject of a discussion before the Cinema Guild of the Young Men's Hebrew Ass'n delivered by Terry Ramsaye, editor of *Motion Picture Herald* Wednesday night. Ramsaye was introduced by Paul Kalbfuss, president of the guild. The Cinema Guild of the Y.M.H.A. has a membership of several hundred. It holds periodical screenings of pictures of special appeal. Its next program is scheduled for May 15, when "A Nous La Liberte" will be presented. William Kolodney is educational director of the association, and Elias Katz is chairman of the speakers' committee.

Grainger Sets Dates For 6 "U" Features

HOLLYWOOD, April 11.—Before leaving for the east on the Chief last night James R. Grainger, general sales manager for Universal, stated some releases had been delayed by casting difficulties, but he definitely set a number of dates.

"Magnificent Obsession" will be ready in August, he said, with "Showboat" and "Sutter's Gold" following Oct. 1, a second Margaret Sullavan feature Oct. 15. He also confirmed dates on "Hunchback" and "Hangover Murders."

Next season's leader will be "Under Two Flags," he stated.

"Miserables" Out Soon

"Les Miserables" is not to be roadshown, according to Joseph M. Schenck. It will go into the Rivoli April 20, and will be released generally after its run there, he says.

Manheim to Coast

N. L. Manheim, foreign sales manager of Universal, leaves Sunday for Hollywood by air to discuss 1935-36 production plans with Carl Laemmle, Sr.

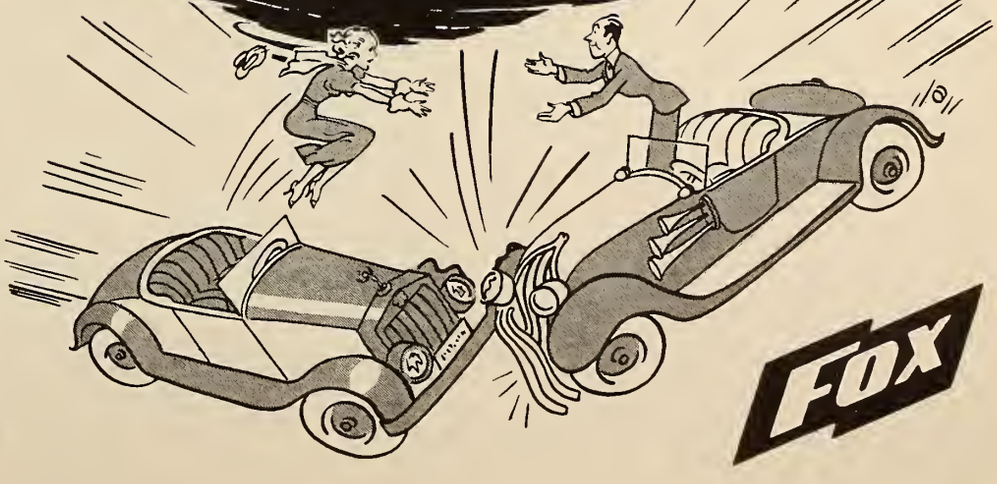
A good time will be had by all!

"Refreshing fun is this show's entertainment and showmanship quality. It is continuously light, gay and airy and, as it tells a catchy comedy romance story, there is never a serious moment. The show is the kind of entertainment in which audiences always find amusement."

—Motion Picture Herald



IT'S A SMALL WORLD



SPENCER TRACY

WENDY BARRIE

RAYMOND WALBURN

Produced by Edward Butcher

Directed by Irving Cummings

From the story "Highway Robbery" by Albert Treynor. Screen play by Sam Hellman and Gladys Lehman

FOX

Frisco Business Men Hit Industry Taxes

(Continued from page 1)

gone on record opposing "discriminatory action by the state legislature that would tend to discourage continuation of any legitimate industry in California."

Action was inspired as a result of threatened adverse film legislation in Sacramento.

"Soak the Rich" Plan Fails

SACRAMENTO, April 11.—The "soak the rich" amendment to the state administration's income tax has been killed in the Assembly by 48 votes to 27. The amendment, sponsored by the Democrats, would have made the rate two to 25 per cent—more severe in some brackets than the Federal tax.

By a vote of 70 to five the Assembly today passed the administration bill calling for a third the Federal rate. Trouble on the bill was forestalled by a resolution presented in the Senate calling for the creation of a joint committee of both houses to mold the present mass of tax legislation into a program to raise $400,000,000 for government purposes and unemployment relief in the biennium.

Sees Nuisance Tax Flood

COLUMBUS, April 11.—Exemption of food and clothing from the sales tax "would result in the greatest mass of nuisance taxes ever levied on any people," declares Carlton S. Dargusch, vice-chairman of the State Tax Commission. This would include reinstatement of the 10 per cent admission tax.

"If the Legislature enacts a proposal now before it to ban food and clothing from the levy, the estimated revenue of $56,000,000 for the year would be cut approximately in half," he said.

What action the Legislature will take is anybody's guess right now.

Maine Bans Open Sunday

AUGUSTA, Me., April 11.—Moves to legalize Sunday shows in this state have died in committee. The Committee on Legal Affairs reported the bill unfavorably. The House refused to consider a substitute bill, 78-58, and the Senate turned it down, 24-6.

Some houses have been giving Sunday "benefit" shows lately.

Colorado Tax Killed

DENVER, April 11.—Adjournment of the Legislature automatically killed a bill calling for a two per cent ticket tax. The two per cent sales tax now in effect exempts tickets. The industry escaped adverse legislation.

Approves Ohio Labor Bill

COLUMBUS, April 11.—The House labor committee yesterday approved a bill to limit the working time of all women and boys under 18 to six days a week. The measure, intended allegedly to supersede the code, would prove costly to exhibitors.

Para. Is Bowling Champ

By winning two games out of three from Consolidated in the final competition of the M. P. Bowling League Paramount has carried off first prize, having won 55 contests out of a total of 63 for a high score of 957. Other team records were: RKO, 46 games won; Fox, 39; Columbia, 30; Consolidated, 29; United Artists, 19; M-G-M, 18; Warners, 16.

Purely Personal

MACK GORDON and HARRY REVEL, who are among the foremost of Hollywood's tunesmiths, will do the same sort of job for "Saratoga Chips," stage musical in which the HOWARD brothers—WILLIE and EUGENE—will appear.

•

HERMAN SHUMLIN is Hollywood-bound to confer with LILLIAN HELLMAN, now on Samuel Goldwyn's payroll, about her next play. You guessed it; SHUMLIN will produce it.

•

FRANK FARLEY, special Paramount home office foreign department representative, is on the high seas bound for Paris after a visit to the home office and coast studio.

Quip of the Day

Will Rogers, acting as master of ceremonies at a recent dinner tendered by the Fox studio to Sol Wurtzel, John Stone and Max Golden, brought up the subject of the studios moving to South Carolina.

"Imagine once we get down there and Mr. Kent goes into conference with Mr. Sheehan. It might go something like this:

" 'How you all like it down hyeah, Winnah?'

" 'Suh, ah'm'a thinkin' eva-things gonnah be quat ohll'raght.'

"And if the studios move to Jersey," Rogers continued, "imagine Garbo going through a love scene (plus mosquitos)."

" 'Ay tank (slap) ay go (slap) home (slap-slap)'."

HENRY MOLLISON, British actor, who came in on the *Ile de France*, leaves for the Universal studios on Monday to work under a long-termer.

•

ELLIOTT MCMANUS gave a dansant for the trade press and members of the Marble Hill younger set Wednesday night.

•

MERLE OBERON, due to arrive from the coast yesterday, canceled her trip at the last moment because of a slight illness.

•

ANITA KURTIN, winner of a screen contract in the metropolitan district in association with M-G-M's traveling studio, leaves Monday for the coast.

•

CHARLES B. GARRETT, RKO Havana representative, is bound for his office there after a series of conferences at the home office.

•

GUS SCHAEFER, general manager for Paramount in Europe, sails on the *Berengaria* April 19 for Paris, his headquarters.

•

FRANK MELFORD, formerly production manager of GEORGE O'BRIEN westerns for SOL LESSER, is en route from the coast by automobile.

•

BOB WOLFF, RKO exchange manager here, is in Florida pursuing the "finny ones."

•

LOUIS HYMAN plans to stay around another week yet before hitting the road.

•

DAVID BERNSTEIN is observing his 30th year with Loew's.

HARRY C. ARTHUR gave a few impersonations yesterday while waiting in the Code Authority ante room. Among his audience were FELIX FEIST, E. M. SAUNDERS, IRVING LESSER, BEN BERINSTEIN, HARRY VINNICOFF, E. L. ALPERSON, BILL POWERS, AL HANSON and I. LEVINSON. And was he a riot—but without success. There were no bookings.

•

SI FABIAN's deal to pool his two upstate New York houses with RKO has not yet been signed. Hence, no definite date when it goes into effect. However, the papers—many of them by the way—are in the lawyers' hands.

•

MILTON WEISS is also an impersonator. Try and get him to try Hitler as he did yesterday at the Ampa meeting.

•

ARTHUR POOLE, Pathe treasurer, is back at the home office after two months in Hollywood looking after Pathe west coast affairs.

•

JIMMY FINLAYSON will arrive from London April 16 en route to Hal Roach's studios. He will fly to the coast following his arrival here.

•

HAL ROACH gets into New York on Monday. He will be accompanied by MRS. ROACH.

•

CHARLES REAGAN of Paramount fell asleep during the hearing yesterday on the Los Angeles schedule.

•

HOWARD S. CULLMAN, vacationing in Florida, is expected back in about a week.

•

S. BARRETT MCCORMICK is due back from the coast Monday.

•

. . . Boston

AL DUFFY is managing PHIL BAKER on a long-term contract. Al's place as publicist for the Shubert theatres in town is being filled by DOROTHY JORDON.

•

ANGELINE MANEY, assistant to Publicist GENE S. FOX at the Metropolitan, is back after an illness.

•

LUCILLE MANN of the suburban Ideal is recuperating from an operation.

•

SONIA BOGNER of Czechoslovakia is visiting her cousin, E. M. LOEW.

•

JACK CURRAN, who handles exploitation for Columbia in New England, had a birthday.

•

MOREY GREEN of Franklin Prod. is laid up with a fractured ankle.

•

. . . Salt Lake City

Manager J. GLEASON of the Studio Theatre is meeting success through distribution of 5,000 hand bills in packages as a tieup with merchants.

•

FRANK B. BENSON, formerly with the Ross Federal Checkers, is now accessory manager for Universal, taking the place of JOHN ROWBERRY, promoted.

•

R. D. THOMPSON is the new manager at the Paramount offices here, hailing from St. Louis and replacing E. G. EPPERSON.

•

HUGH BRALY, district manager for Paramount, is spending 10 days in the Salt Lake office.

•

MRS. A. E. HUDSON of the local Paramount personnel just returned to duties after a five weeks' absence, having undergone an operation.

•

J. T. SHEFFIELD of the Sheffield-Monogram exchanges spent some time here before heading for Seattle.

•

A. H. HUOT, new branch manager for Sheffield-Monogram, due to take up his office duties this week, having covered the Idaho and Montana territory en route.

•

JOS. H. RAYBURN, uninterested member of the grievance board here, headed east for a month's visit.

•

L. W. GRIFFIN will open his Star at Escalante, Utah, this week, having installed sound, remodeled and renamed the house.

F. & M. to Operate In Three Divisions

(Continued from page 1)

headquarters to St. Louis and operate the middle western houses from that city. He will also move his home there. Jack Partington will have charge of New York and the east, while Marco Wolff will have charge of the west.

Fanchon & Marco's theatre setup includes four in New England, five in St. Louis, two in Salt Lake City and 23 on the Pacific coast. As a result of the resignation of Harry Koplar last week, the St. Louis houses are now being jointly supervised by Harry Greenman and Charles Kurtzman.

Three of Tri-Ergon Cases End; More Up

(Continued from page 1)

Cinelab. Those pending are Consolidated Film Industries, Film Laboratories, Inc., Du-Art Film Laboratories, H. E. R. Laboratory and AmerAnglo Corp. A similar action against Malcolm Film Laboratory was dismissed by Judge Goddard on Tuesday.

Col. Signs Chatterton

HOLLYWOOD, April 11.—Ruth Chatterton has been signed by Columbia for two pictures, "Feather in Her Hat" and "A Modern Lady." She reports June 1. The actress is now on her way to New York, from where she will sail for Spain.

Alice Brady in "U" Film

HOLLYWOOD, April 11.—Universal has cast Alice Brady in the role in "Lady Tubbs" for which May Robson had been borrowed. Work on other films has made it impossible for the latter to start in the picture on Monday, when production gets under way.

Popular to Make 'Zorro'

Popular Pictures will produce "The Mark of Zorro," the Alexander Dumas tale, as the first of a series of 18 pictures planned for 1935-36. The company will also distribute.

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3RD

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From Parker Morell's nationally advertised best-seller...the life and times of Diamond Jim Brady!

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1. "THE HUNCHBACK OF NOTRE DAME"
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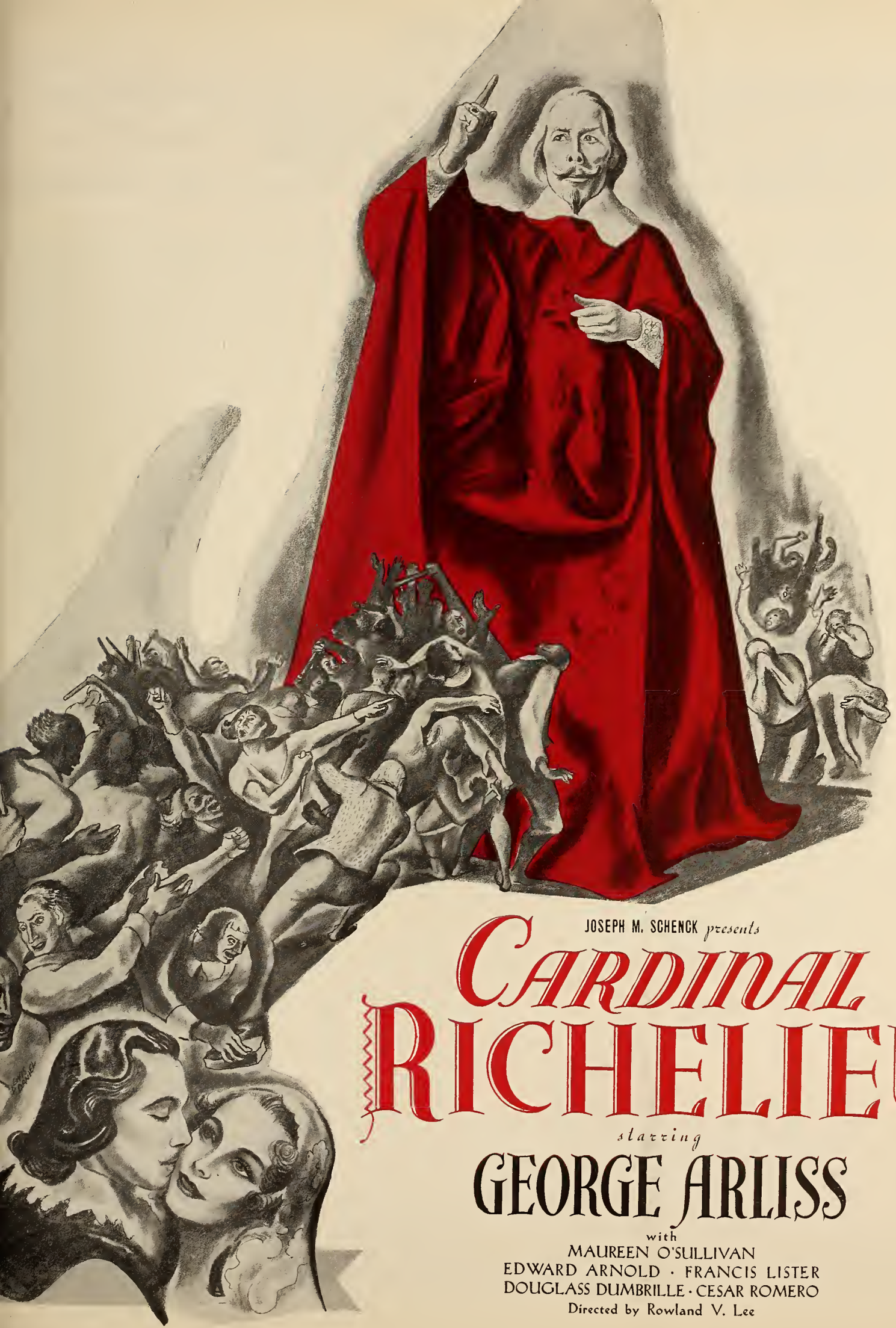
WATCH FOR THE OTHERS

"SENSATIONAL! WILL GET PLENTY OF MONEY"

SAYS HOLLYWOOD REPORTER OF DARRYL ZANUCK'S NEWEST TRIUMPH!

20TH CENTURY PICTURE

Released thru UNITED ARTISTS



JOSEPH M. SCHENCK *presents*

CARDINAL RICHELIEU

starring

GEORGE ARLISS

with

MAUREEN O'SULLIVAN

EDWARD ARNOLD · FRANCIS LISTER

DOUGLASS DUMBRILLE · CESAR ROMERO

Directed by Rowland V. Lee

Cancellation Jump Opposed By All Majors

(Continued from page 1)

drawn out litigation or legislative lobbying, it is indicated by the prevailing distributor attitude.

Sales executives, expressing themselves in emphatic terms, declare that an increase in cancellation would be equivalent "to throwing out the window $1,000,000 to $3,000,000" in production costs for each large company, depending upon the number of pictures on the company's annual schedule, and whether a five per cent or 10 per cent increase in cancellation was granted. Exhibitors, they contend, would use the privilege not to avoid the playing of pictures for moral reasons, but to side-step those of low gross possibilities, whether a picture was capable of returning a profit to the exhibitor or not.

Doubt Would Better Product

Distributors disagree with exhibitor leaders who assert that a higher cancellation privilege would spur producers to better efforts and thus bring about a higher quality of product with resultant increased playing time for the better pictures, higher admissions and higher grosses and rentals. The distributors assert that increased cancellation would be a costly, one-way gift, with no one but the exhibitor standing a chance of being benefited. They repeat that no producer deliberately sets out to make an inferior picture, and the chances that sub-quality product will result are just as great with a high cancellation privilege in force as without it. They hold that exhibitors would not pay more for the product played, that the distributor would not be compensated in any way for the unplayed product and that the playing time for good pictures would not be increased as the good pictures now receive all the playing time they are worth.

In addition, it was pointed out by some sales executives that a number of companies would refuse to grant a cancellation privilege voluntarily, regardless of whether or not others would. Such companies, it was stated, would have an unfair advantage over those granting increased cancellation in being in a position to take advantage of full-line forcing for extra playing time made available by the exhibitor's cancellation of the other companies' product. In this connection, distributors hold that the code lacks sufficient enforceability to protect those companies granting the increased cancellation from those that did not, and for that reason they would oppose exhibitor efforts to bring about increased cancellation via the code.

Another View of Matter

If the enforcement provisions of NRA were first made unassailable by the Recovery Administration, it was intimated by a few, at least sufficiently so to assure a sales organization that it would suffer no unfair advantage at the hands of a competitor, then moves for a moderately increased cancellation under the code might not be opposed. This view, however, was distinctly a minority one in distribution ranks. The attitude popularly held by sales executives is that the present 10 per cent cancellation, even as now administered, is costly to distribution companies and wholly unjustified.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Party Wire"

(Columbia)

HOLLYWOOD, April 11.—Containing an even balance of comedy, drama and romantic flavor, "Party Wire" pleases as average entertainment.

The small-town story's romantic thread entwines Jean Arthur and Victor Jory, a rich man's son, blending drama and humor when the girl's father (Charley Grapewin) in an inebriated moment during a telephone conversation drops a verbal bombshell which gabby listeners misconstrue as scandal about her.

The usual town gossip builds up to a big explosion, coming when Jory's invalid aunt (Helen Lowell), endeavoring to save Miss Arthur's good name, draws back the curtain of hypocrisy, revealing the scandalous activities of the town's nose-pokers. Grapewin decides not to commit suicide and Jory and Miss Arthur tie the knot.

All performances are smooth and convincing, with Erle Kenton's direction draining the original Bruce Manning-Vera Caspary yarn for laughing suspense. Ethel Hill did an interesting screen development.

No production code seal. Running time, 68 minutes. "G."

Looking 'Em Over

"Red Morning"

(Radio)

This picture, after close analysis, doesn't appear to have much body, but it is nevertheless a good hour's entertainment. It has been built around a fair story that is packed with hair-raising action for the most part.

The character portrayals, particularly on the part of Steffi Duna and Regis Toomey, are good. Director Wallace Fox concentrated his material for a maximum of action and a minimum of dialogue for effective results. The photography of Harold Wenstrom is good.

Fox's and John Twist's story has Miss Duna an officer on her father's ship trading in the South Seas. She and Toomey are about to wed when her boat is scuttled by Raymond Hatton and a gang, and the girl and her father are left to perish. They escape to an island and become friendly with the natives there. Miss Duna saves the chief's son's life. Miss Duna's father dies and she starts home alone. En route she discovers Toomey, who has been searching for her, and rescues him from cannibals. Reunited, the two lovers punish Hatton for his villainy in a telling climax.

Others in the cast are Mitchell Lewis, Charles Middleton, George Lewis, Francis McDonald and Brandon Hurst.

On dual bills and in small towns this film should prove good fare. Children, also, will be attracted to it. Reviewed without production code seal. Running time, 63 minutes. "G."

Farnsworth Confers On Reels' Schedules

(Continued from page 1)

were Jack Connolly of Pathe News, A. J. Richards and William P. Montague of Paramount News, Charles Ford of Universal Newsreel and Mike Clofine of Hearst Metrotone News.

Employes presented a difference in opinion on the working hour basis of cameramen. One group stated that cameramen get credit for four hours even if they do not work on the ground all the time. Another group stated that, even if they do not work, they have to sit around in order to get credit for full time. The background of this argument is that about a year ago Pat Casey met with these various groups and reached an agreement on working terms for cameramen. However, today there is a difference of opinion as to that agreement, although a compromise is said to have been effected. Farnsworth will meet Louis Krouse, first vice-president of the I.A.T.S.E., for the union's angle on the controversy and then will decide whether to hold a joint session of all parties to iron out the situation.

Farnsworth has been endeavoring to get in touch with Krouse in Washington for the last couple of days without success, he said. Krouse spends at least three days a week in that city on union matters.

NVA Widening Its Drive

All independent theatres throughout the country are being lined up for the annual NVA drive by the committee in charge. The plan is to have the theatres donate 10 per cent of the May 20 receipts.

New National Distributor; It's Republic

(Continued from page 1)

producing and distributing company. The Monogram name will be permitted to lapse after the current season's product has been delivered. J. P. Friedhoff is secretary and treasurer of the new company and Edward A. Golden will continue as sales manager. Edward Finney continues as head of advertising and publicity.

Republic Prod., Inc., has been organized as a wholly-owned producing subsidiary of Republic Pictures. Robert E. Welsh continues as executive producer; Herman Schlom is production manager; Ernie Hickson, technical director; Lindsley Parsons, west coast publicity director, and William Leyser, editor of Republic's house organ, "The Co-Operator." Production will be continued at the Pathe studios in Culver City and the present Monogram production personnel will be retained intact.

The company's new season schedule will call for 26 features at a substantially higher negative cost than was allotted to Monogram productions. In addition, the schedule calls for 16 westerns, eight of which will feature John Wayne and additional product may be added to the schedule from time to time, the company stated. The production program will be assisted, Johnston said, by $2,000,000 of new capital which has been made available for production purposes.

Foreign Affiliate Formed

In addition, Republic International Corp. has been organized to handle foreign distribution for the new company, with Norton V. Ritchey, president; Johnston, vice-president, and J. V. Ritchey, secretary and treasurer. Agencies will be maintained in London, Paris, Buenos Aires and the Far East.

An advisory committee to plan and direct policies has been named, consisting of Johnston, Carr, N. V. Ritchey, Herman Rifkin, Boston; C. C. Ezell, Dallas; Irving Mandel, Chicago; Arthur C. Bromberg, Atlanta; J. S. Jossey, Cleveland, and Floyd St. John, San Francisco.

It was stated that the names of the 33 exchanges being acquired will be changed to Republic Pictures Corp. and that negotiations are under way for acquisition of additional exchanges in competitive spots for the strengthening of distribution facilities. With the development of the national organization, the local franchise system maintained by Monogram will be abandoned, with the former franchise holders becoming units of Republic and handling that company's product exclusively.

Time Gets Out Campaign

March of Time has issued a novel campaign sheet on its third release, set for April 19. It's a snappy two-color job with plenty of red done on four sheets of heavy coated stock.

It starts off with: "Call in the boys! Light up! Make your plans to tie with the big new third release campaign of the March of Time." To make the catch line catchier a package of cigarettes is attached.

FWC's 9-Zone Plan Attacked Before Campi

(Continued from page 1)

F.W.C., asked that Burbank and North Hollywood be combined into one zone. Arthur retaliated by saying that each of the towns should support their own theatres and that each town should get the same availability. Arthur denounced F.W.C.'s moves in the presence of Harry A. Babcock, who was an official observer for the Federal Trade Commission in Washington.

Babcock told MOTION PICTURE DAILY that he was making a record for the commission because of the F.W.C. consent decree.

Alperson answered Arthur stating the only one affected by the revised Los Angeles schedule is F.W.C. and "we're not asking for anything we did not have before."

Berinstein Asks for Speed

Ben Berinstein, who represented the Los Angeles board and also the I.T.O. of Southern California, demanded that the schedule be put into effect immediately and that, if any changes were necessary, protests could be filed with the local board later.

During a part of the testimony Berinstein hit the major circuit's buying power when he said: "What chance has a small man to buy against Fox West Coast?"

Hanson did most of the talking. He brought along a map on which the zones in Los Angeles and its adjacent towns were divided. After he had finished explaining his reasons for the elimination of certain zones, Berinstein followed in rebuttal. In some instances, Alperson followed Berinstein.

Among the 13 situations to which F.W.C. objected were the Forum-Uptown, the Carmel-Marquee, Egyptian-Gem-Apollo-Hollywood-Sunset, Fox Florence-Huntington Park, Fox Village in Westwood-Beverly Hills, Belvedere Gardens-Whittier, Cosmos-Glendale and the Balboa.

J. Robert Rubin, chairman, reminded the various principals that the session would be run in orderly manner and asked that bickering and innuendoes stop. At another time when Golden insisted on asking Hanson and Arthur for certain facts that had not been brought out, Rubin said: "Either you or I am chairman," whereupon Golden apologized.

Alperson Warns of Price War

Alperson warned the board that the very next day after the schedule is put into effect there will be a price slashing contest.

Arthur, who was general manager of F.W.C. a number of years ago, gave the board a complete breakdown of the coast protection situation, holding that at the time he was in charge clearance was set up according to the circuit which had the buying power. He also said that eventually every county in the Los Angeles area will be zoned as one group.

In addition to the various speakers, attending were Charles Reagan, Paramount western division manager; Felix Feist, general sales manager, and Edward M. Saunders, western division head for M-G-M; Harry Vinnicoff, representing the I.T.O. and owner of the Strand, L. A.; William T. Powers, attorney for F.W.C., Deputy Administrator William P. Farnsworth, Irving Lesser and I. Levinson of Warners' legal staff.

John C. Flinn, who made a complete survey of the coast situation, was on hand for considerable questioning.

Hanson, at one point asserted: "This action is not going to end here unless you straighten this thing out."

Wall Street

Small Losses on Big Board

	High	Low	Close	Net Change
Columbia vtc	43⅜	41⅜	41½	—1½
Consolidated	5⅛	5	5	— ⅛
Consolidated pfd.	18½	17	17	—1
Eastman	124⅞	124½	124⅝	+ ⅜
Fox Film "A"	9¾	9½	9½	— ¼
Loew's, Inc.	38	37⅛	37¼	— ⅜
Loew's, Inc., pfd.	107½	107½	107½	— ½
Paramount Publix	3⅛	3	3⅛	— ¼
Pathe	⅝	⅝	⅝	.....
Pathe "A"	11⅞	10⅞	10⅞	—1⅛
RKO	1¾	1½	1½	— ⅛
Warner	3⅛	3	3	— ⅛
Warner pfd	20	19½	20	+ ½

Curb Exchange Off Slightly

	High	Low	Close	Net Change
Technicolor	21	19⅝	20	— ½
Trans Lux (.10 K)	2	2	2	— ¼

Para. B'way Bonds Gain 1

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	9	9	9	— ⅛
Paramount B'way 5½s '51	51	51	51	+1
Paramount F. L. 6s '47	77	76⅛	77	— ½
Paramount Publix 5½s '50	78⅞	78⅛	78½	+ ¼
Warner Bros. 6s '39 wd	54⅛	53¾	53¾	.....

(K and v) Paid this year.

(Quotations as at close of April 11)

Coast Grosses Gain By 15-20%—Hanson

Al Hanson, Los Angeles city manager for Fox West Coast, states that theatre business on the west coast has gone up about 15 per cent to 20 per cent in the last year. He also states that all industries on the coast are gaining. He is in New York attending hearings on the Los Angeles clearance and zoning schedule on behalf of the Fox West Coast. He plans to leave for home Monday or Tuesday.

Hanson has 27 theatres under his supervision and reports that the four drives a year conducted by Fox West Coast are very successful and that it is really a profit-sharing plan with managers benefiting according to the increase in their receipts.

Charles Skouras has taken over the operation of the four first runs in Los Angeles. These houses were formerly under the supervision of Reeves Espey, who resigned to join Samuel Goldwyn several week ago.

Free U. A. Program Hit

WASHINGTON, April 11. — Free handling by broadcasters of the United Artists' radio program, "Last-Minute Flashes," has been outlawed by the radio code authority as "commercial propaganda" which should be handled only at commercial rates, according to a bulletin issued to the broadcasting industry.

N. J. Houses Sue 27 Firms for Conspiracy

(Continued from page 1)

their theatre properties is charged by the plaintiffs.

The suits are aimed at the block-booking system.

The firms named include: Warner Bros. Pictures, Inc., and 10 other Warner-controlled concerns; United Artists Corp; Columbia Pictures Corp.; RCA; several RKO companies; Fox Film Corp.; Paramount Pictures Distributing Corp., and five subsidiaries; First National Pictures, Inc.; Vitagraph, Inc.; Vitaphone Corp., and the Stanley Co. of America.

The individuals are Albert, Harry M. and Jack L. Warner, and Joseph Bernhard and Don Jacocks, all of Warners.

Grand Jury Favors Two Men in Booths

DENVER, April 11.—A bombshell was exploded among exhibitors by a grand jury report to the county court which urged two men in a booth. The report pointed out that because of the isolation of most booths it is hard to get assistance hurriedly and that much could happen in case of fire.

Ohio Gives Warning On Late Tax Returns

COLUMBUS, April 11.—The State Tax Commission has issued notice that beginning this month exhibitors will be assessed a penalty for failure to make sales tax returns in accordance with the law.

Need Quality In Supply and Demand: Hays

(Continued from page 1)

comment from all over the country voiced the fact producers had proved successful in meeting the important test of the industry's ability to use its opportunities to discharge its responsibilities. He added the industry stands today in a position of friendship and high respect, with an ever-increasing appreciative public.

The present turnout of films was said by Hays to represent a year's labor in developing a quality demand and to answer the requirement that major dramatic themes be treated with full regard for their entertainment values yet with the utmost consideration of their social usefulness and good taste.

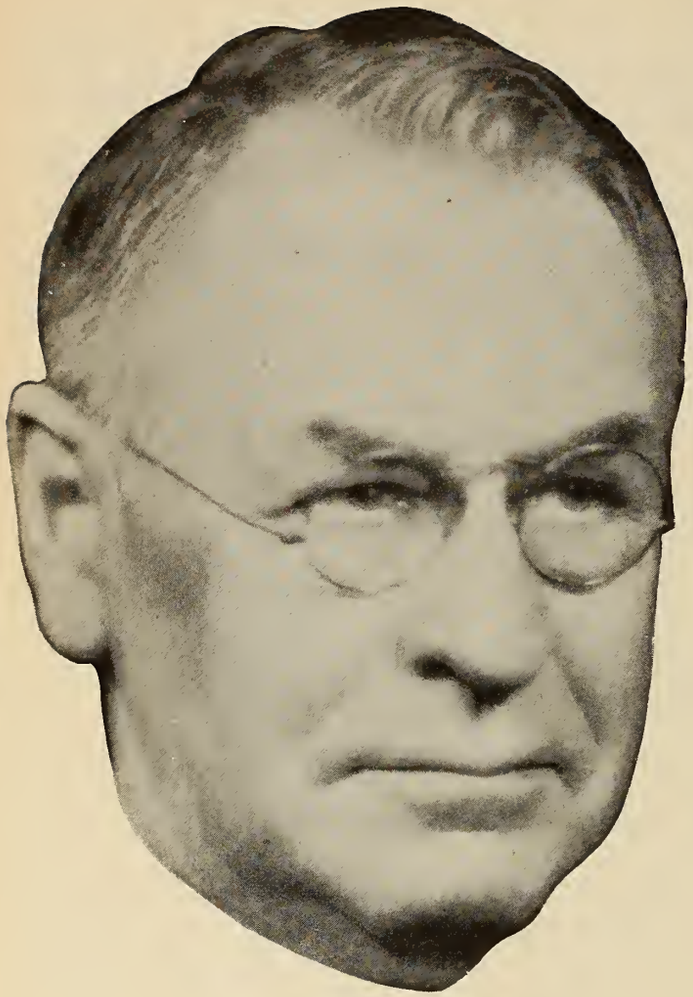
Louis B. Mayer was reelected president for the fifth consecutive term. All other officers were also renamed, including Jack L. Warner, first vice-president; Winfield Sheehan, second vice-president; Fred W. Beetson, secretary-treasurer; Joseph I. Breen, director of Production Code Administration. The board remains unchanged except for two changes, Henry Herzbrun replacing Emanuel Cohen for Paramount and Stanley Bergerman succeeding Carl Laemmle, Jr., for Universal.

Hays, accompanied by his wife, left for New York tonight.



Bottom Guy: ***Hey, punk, what's a Werewolf?***

Top Guy: ***It's*** **UNIVERSAL'S** ***gift to the box office!***



NEW BLUE

Not a line of type of any of the previous editions of this famous work is being used in ***Richardson's*** new BLUE BOOK OF SOUND AND PROJECTION. Alert to the refinements in equipment, accessories and practices of the last several years that have made his previous editions obsolete, Richardson has written a completely new book. Leading engineers and projectionists who read it in manuscript rate it as the most comprehensive and useful treatise on the subject that has yet been published. It contains over 700 pages and 153 illustrations. The new edition is 6 x 9 in size, allowing for large readable type.

THE AUTHOR

The name of F. H. Richardson is synonymous with good projection everywhere. Three decades spent in this important branch of the theatre have won him international recognition from theatre owners, producers and manufacturers. He has travelled widely in behalf of his profession, has lectured and taught his favorite subject in many places, and has written innumerable articles. His Blue Book School of Projection in Motion Picture Herald is an established feature of the industry. He carries on a vast correspondence with projectionists all over the world, and thousands follow his Questions and Answers in Better Theatres. He is one of the founders of the American Projection Society. His Blue Books, in previous editions, are used in thousands of projection rooms where skill and honest craftsmanship is valued.

Author Will Autograph the First 200 Copies

Because of the wide demand from projectionists and theatre managers for autographed copies of the new BLUE BOOK, Mr. Richardson has consented to autograph 200 books to go to the first 200 buyers. The prompt return of this coupon will reward you with one of these highly prized autographed copies.

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The indexing system used in the new Blue Book is another of Richardson's many important contributions to the art and science of motion picture projection. It is comprehensive and extremely simple and enhances the value of the work to every theatre technician. Since Richardson's books are designed to be used as part of each day's projection routine it is essential that the projectionist find what he wants within the instant. By the indexing method Richardson has especially devised for this new Blue Book a twirl of the pages with your thumb is enough to take you at once to the text dealing with your problem. Projectionists of long experience in projection rooms will be the first to appreciate this time-saver.

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TELEGRAM TO M-G-M

"The people of Charleston and surrounding towns have voted **NAUGHTY MARIETTA** with Metrotone News Metro Color Cartoon and Fitzpatrick Traveltalk the finest bill ever shown at the Capitol Theatre stop thousands have come the second third fourth fifth and sixth time to see the picture stop Charleston is a city of sixty thousand and we played this picture ten days and in spite of an all day downpour our business on the tenth day nearly doubled our business of the first day stop regards"

Charles A. Midelburg



"NAUGHTY MARIETTA ...YOU'RE A BUSINESS GETTA...

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 87 NEW YORK, SATURDAY, APRIL 13, 1935 TEN CENTS

Giveaways on Road to Ruin, Says Lichtman

Heading Industry Back To Nickelodeon Days

Giveaways, two-shows-for-the-price-of-one, bank nights and similar stunts are heading the industry straight back to nickelodeon days, asserts Al Lichtman, vice-president and general manager of United Artists.

These practices are "equivalent to telegraphing producers to 'stop making good pictures,'" he insists.

"The film industry," Lichtman says, "is no longer thought or spoken of as being in 'swaddling clothes.' With the release of such intelligent and highly entertaining pictures as 'David Copperfield,' 'Les Miserables,' 'One Night

(*Continued on page* 3)

Tri-States to Meet Sunday at Memphis

MEMPHIS, April 12.—The semi-annual convention of the M.P.T.O. of Arkansas, Mississippi and Tennessee opens here Sunday. It will continue through Monday. A large delegation from the Tri-States area is expected, according to William Landers, president. No election of officers is scheduled for this session, the annual election being held at the fall meeting.

Ed Kuykendall, M.P.T.O.A. president, left New York last night for Memphis to attend the semi-annual Tri-States convention.

Move to Reorganize Fox Theatre, B'klyn

A petition for reorganization of the Fox, Brooklyn, under Section 77-B of the bankruptcy law was filed in Federal court here yesterday by the holders of $3,000 of the theatre corporation's bonds.

The petition states that interest payments are overdue on a $5,675,000 first mortgage bond issue outstanding on the theatre building, and that the present valuation of the property "is not more than $3,000,000."

Steuer to Withdraw M. & S. Money Claim

Max D. Steuer, counsel for Meyer & Schneider, yesterday agreed to withdraw any claim for money damages against RKO as a result of the breach of lease charges brought

(*Continued on page* 3)

British Film Producers To Receive Code Data

Martin Quigley Accepts Invitation to Explain— Carl E. Milliken Going as Hays Office Representative

Will H. Hays has received from the Film Producers' Group, Federation of British Industries, an invitation to present at a conference in London an explanation of the production code under which the organized industry in the United States is operating. The conference is intended better to familiarize British producers with the requirements of the code in order to facilitate distribution of their pictures in the American market.

On account of engagements in the United States which make it impossible for him to attend the conference, Hays has invited Martin Quigley, editor-in-chief of *Motion Picture Herald* and MOTION PICTURE DAILY, to attend in his stead and has designated Governor Carl E. Milliken to attend as secretary of the association. Quigley has accepted the invitation and together with Governor Milliken will arrive in London on May 2.

"For many years," said Hays, "Mr. Quigley has cooperated actively in the industry's plans and arrangements to provide effective self-regulation of the moral character of motion pictures to the end that pictures should attain the widest possible acceptability with the public.

"In the development in 1930 of the production code to its present scope and character, Mr. Quigley played a leading part. Prior to that time and since, he has taken an active interest in the work and is well qualified to detail for the information of British film interests the production code as it affects the exhibition and distribution of motion pictures in the United States.

"Mr. Milliken, in his official capacity, is thoroughly familiar with the details of the industry's progress under the code, and will be of assistance in meeting the purposes of the British invitation.

"The Association and myself are gratified that Mr. Quigley and Governor Milliken are able to attend the conference."

California's House Passes Tax on Income

SACRAMENTO, April 12.—Film interests lost the first round of their fight against the Administration's tax program today when the Assembly passed the income tax bill, 70-5. This calls for a levy at one-third the Federal rates, but the surtaxes combined with the Federal rate would make the tax on a $1,000,000 income about 76 per cent.

The bill faces its hardest test in the Senate, but Governor Merriam's pressure may force the bill through that branch, thereby forcing a showdown on the industry's threat to move out of the state. It is claimed that passage of this bill would give Cali-

(*Continued on page* 4)

Campi Delays L. A. Zoning To April 23

Code Authority hearings on Fox West Coast's application for a rehearing of the Los Angeles clearance and zoning plan were described as "illegal procedure" yesterday by Ben Berinstein, president of the I. T. O. of Southern California, following Campi's postponement to April 23 of a ruling on the F.W.C. application.

Berinstein declared that the Los Angeles plan had been approved by the exhibitors of the territory and by Campi and that the code does not prescribe or authorize petitions for rehearings such as the one in progress, nor provide for changes in an adopted clearance and zoning plan by any pro-

(*Continued on page* 3)

Move Started To Make Code Use Voluntary

McCarran Wants Pacts For Intrastate Trade

By BERTRAM F. LINZ

WASHINGTON, April 12.—Legislation under which adoption of codes would be purely voluntary with no distinction between interstate and intrastate commerce, is being drafted by Senator McCarran, Democrat of Nevada, critic of the NRA and co-author of the Nye-McCarran resolution calling for the investigation now being made by the Senate Finance Committee.

The bill, which will be offered as a substitute for the pending legislation extending the Recovery Act for two years in substantially its present form, will require adherence to the anti-trust laws, suspended under the present law for the benefit of those who adopt codes, McCarran said today.

The Finance Committee on Monday

(*Continued on page* 3)

F. & M. Will Close 2nd St. Louis Unit

ST. LOUIS, April 12.—The Ambassador Theatre, a Fanchon and Marco house, will close April 25 for an indefinite period because the management claims it has been unable to obtain a sufficient number of first run pictures to keep that house and the Fox and Missouri in operation.

The 60 members of the theatre staff have been given the customary two

(*Continued on page* 3)

Elwood-Warner Case Appeal Is Dismissed

WASHINGTON, April 12.—Informed by David T. Wilentz, attorney general of New Jersey and counsel for Louis Levin, operator of the Elwood, Newark, that a satisfactory agreement had been reached in the controversy with Warners over a 14-day clearance for their houses, the Industrial Appeals Board today announced the dismissal of the appeal pending before it.

Sirovich to Start Art Bill Hearings

WASHINGTON, April 12.—Representative Sirovich of New York, chairman of the House Patents Committee,

(*Continued on page* 3)

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(Registered U. S. Patent Office)

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Editor-in-Chief and Publisher

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JAMES A. CRON
Advertising Manager

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RKO Books G. B. Picture

RKO has booked "The Man Who Knew too Much," Gaumont British feature, into its 45 houses in New York and Brooklyn, starting May 1. The Brooklyn runs start May 8. The first Manhattan showing under the deal will be at the RKO 81st St. April 24. Phil Meyer, Gaumont British branch manager, closed the deal. The picture gets a fourth week at the Mayfair.

Mintz Buys "Google"

Sam Mintz of Screen Gems, Inc., has bought the screen rights to Billy DeBeck's cartoon, "Barney Google," and will produce an indefinite number of cartoons in color. The deal for the strip, now syndicated by King Features in several hundred daily newspapers, was handled through the William Morris office.

Close Coast "Time" Deal

LOS ANGELES, April 12.—Sam Berkowitz and Mel Hulling of Far West Exchanges have signed contracts to handle the distribution of the next six "March of Time" releases in the Los Angeles and San Francisco territories formerly handled by First Division.

Miami Sees "Richelieu"

MIAMI, Fla., April 12.—"Cardinal Richelieu" opened yesterday at the Colony here.

Strand to Hold "Fury"

"Black Fury" will go a second week at the Strand, beginning Wednesday.

Purely Personal

MARY BOLAND, LUPE VELEZ, RUDY VALLEE, MIRIAM HOPKINS, SOPHIE TUCKER, A. C. BLUMENTHAL, MR. and MRS. J. ROBERT RUBIN, JOSEPH M. SCHENCK and WALTER CONNOLLY among those seen at the charity affair given by the St. Xavier Society at the St. Regis Thursday night.

•

ALBERT RICHARD, Paramount newsreel editor; C. A. COCHRANE, English director, and MARCEL DE SANO, French producer for M-G-M, will be among the outgoing passengers on the *Ile de France* today.

•

GEORGE RAFT arrives from the coast today. He was to have arrived yesterday, but bad flying weather forced him to take a train in from Pittsburgh.

Quip of the Day

An exploitation man recently attended a Communist rally social affair recently. In the course of conversation, he was asked by one of the radicals the nature of his trade. He answered he was an exploiteer.

"Aha," exclaimed the Communist, "an exploiteer. Don't you know an exploiteer has no place in our system?"

With that, the press agent was calmly, but forcibly, ejected from the premises.

Bill Usdin of Warners tells this.

ADOLPH ZUKOR was reported to be showing slight improvement yesterday at his home, where he has been confined for the past week with a minor ailment.

•

M. E. STATLER, accompanied by MRS. STATLER, sails tonight on the *Volendam* for Bermuda and tropical waters east of Florida.

•

RUBY KEELER gets into town Monday to be on hand for the dinner to be given for AL JOLSON, her hubby, at the Casino de Paree Tuesday night.

•

JULES LEVY leaves for Canada today, returns next Friday and a couple of hours later that same day will 'plane it for the coast.

•

RUBINOFF, and his violin, have been signed by DARRYL F. ZANUCK for a part in 20th Century's forthcoming "Sing, Governor, Sing."

•

MONROE GREENTHAL's desk littered with newspapers from all over the country and he scans them all for comment on U.A.'s latest special.

•

RUTH CHATTERTON and JULIUS and MRS. STEGER sail today for Europe on the *Conte di Savoia.*

•

ORRY-KELLY, Warner stylist, will be interviewed by BIDE DUDLEY over WOR this afternoon.

•

H. J. YATES hopes to be able to get off to the coast next week. It will be via the air route, if he goes.

•

ABE WAXMAN walking in the rain on Broadway. Says it makes the trees and the flowers grow pretty.

•

IRENE DUNNE braving the weather on Park Ave.

HERMAN ZOHBEL, RKO treasurer, arrived from the coast yesterday to assist in the preparation of RKO's annual consolidated financial report for 1934. Dust storms throughout the west delayed his train four hours, he reported.

•

AL JOLSON will make a personal appearance in conjunction with the opening of "Go Into Your Dance" at Strand, Albany, on April 17 and at the Stanleys, Pittsburgh and Philadelphia, on April 19 and 20.

•

J. R. GRAINGER is scheduled to arrive from the coast tomorrow.

•

GEORGE DAWES off for Chicago. Back in a couple of days.

•

. . . Kansas City

B. E. ZEEMAN, Universal traveling auditor, at BENNY BENJAMIN'S exchange.

•

BARNEY JOFFEE, Tower impresario, back from Detroit where he, BILL REINKE and NATE BLOCK are opening the Capitol.

•

GEORGE BAKER, Newman manager and Variety Club prexy, adds fishing to his enthusiasms, which include hand ball and saddle horses.

•

WILLIAM KUPPER, Fox western division sales manager, with WILLIAM J. CLARK of Educational, here for parleys with WARD SCOTT and GEORGE FULLER.

•

LEON ABRAHAM is new booker at M-G-M, DOUGLAS DESCH of the Apollo taking his place at Gaumont British.

•

JACK TRUITT, opening the Royal, called to California by the serious illness of his mother.

•

CLAUD SAUNDERS of Ross Federal Checking in town tete-a-teting with PAUL LAROCHE.

•

. . . Lincoln

E. A. PATCHEN's brother-in-law and BILL KNIGHT's brother both died of pneumonia after the epidemic brought out by those terrific dust storms.

•

TEMPLE DEVILBISS, late manager with the Westland string here, is now with Western Theatre Supply, which services this territory.

•

BOB LIVINGSTON, who lobbies for the film boys, believes none of the three remaining picture bills in the legislature will ever come out of committee.

•

JERRY ZIGMOND, city manager for the Lincoln Theatre Corp., exploited "Ruggles" for a solid month.

•

LELAND MISCHNICK, Varsity assistant manager, thought "Scarlet Letter" was a football picture.

•

HAROLD SCHOONOVER has opened in opposition to himself in Aurora, Neb.

•

CARL ROSE, York, Neb., is the village's best dressed man.

•

J. H. COOPER, LTC head, has been spending some time in New York.

Soviet Films Fail To Draw in Boston

BOSTON, April 12.—Showing of Soviet films at the Majestic has been stopped by Levrad Corp. The American Legion demanded the stoppage on the ground that reds were flocking to the house.

Al Tulipan, manager, retorted that if reds had been flocking to the place they must have been slipping in through the stage door, because the cash drawer was getting rusty.

That's why he veered to the extreme right and decided to let Boston get along without arty cinema.

Forum to Hear Flyers

Aviation and air transportation in general will be the topic at the M. P. Club Forum next Tuesday. Igor I. Sikorsky, designer of the flying boats now being tested on the proposed trans-Pacific line; Harold Crary, vice-president and general traffic manager of United Airlines; Clarence Chamberlin, transatlantic flyer; Clyde Pangborn, round-the-world pilot; Rex Cleveland, aeronautical editor of the *N. Y. Times;* Frank Coffyn, pioneer air photographer, Casey Jones and James Mollison will be among the guests.

Produce New Color Film

Eastman Kodak has produced a new 16mm color film called Kodachrome which can be used in ordinary cameras without special lenses and can be projected with the regular lamps, it states in the latest issue of its house organ, *Cine-Kodak Salesman.*

The effects are obtained by three very thin emulsions on the negative, each of which is sensitive to a primary color. The film is claimed to be not much thicker than regular black and white stock.

Philadelphia Gets Break

PHILADELPHIA, April 12.—The local Warner outfit is getting a break on its personal appearances. Nelson Eddy, a Philadelphian, now on concert tour in the East, was here tonight for a personal appearance with "Naughty Marietta," which got off to a big opening yesterday at the Boyd. Al Jolson will be over next Friday night to attend the opening of "Go Into Your Dance" at the Stanley. Hugh Herbert started a week at the Earle today.

Goetz on Talent Deals

To further interchange of talent between United Artists' links and London Films, William Goetz, vice-president and general manager of 20th Century, will sail April 20 on the *Paris* for Europe. Mrs. Goetz will accompany him.

Included in the trip, which will last until June 1, will be stops in Paris and Rome for openings of "Les Miserables" and "Cardinal Richelieu."

HOLLYWOOD, April 12. — William Goetz left for New York tonight.

Tri-Ergon Claim Voided

An order expunging the American Tri-Ergon claim against Paramount Publix for an indeterminate amount for alleged patent infringement was signed yesterday by Federal Judge Alfred C. Coxe. The order was the result of the Supreme Court ruling holding the Tri-Ergon patents to be invalid.

Campi Delays L. A. Zoning To April 23

(*Continued from page 1*)

cedure such as that being invoked by F.W.C.

"If the plan needs changing after being placed in effect," Berinstein said, "the proper procedure would be for exhibitors to go before the local board in Los Angeles with their complaints."

Berinstein stated, however, that he would remain in New York in order to be on hand when Campi rules on the subject at the adjourned hearing. The postponement was taken because Campi required a stenographic transcript of Thursday's hearing on the F.W.C. application in order to make its decision. While this would consume only a day or two, the lengthier adjournment was taken because Ed Kuykendall, Campi member, is scheduled to attend several exhibitor meeting in the south next week and cannot be back in New York before the time set for the next Campi session. The I.T.O. of Southern California wants Kuykendall to be present when the Campi decision is made.

LOS ANGELES, April 12.—The news the local schedule had been postponed to April 23 received an angry reception today from the Southern California I.T.O. and Associated Exhibitors. The I.T.O. is aroused over the alleged failure of Campi to take action on 50 protest wires. It plans to take more drastic measures at a meeting of the board and membership on Monday.

Court Upholds Bank Night Ban

DES MOINES, April 12.—A grievance board ruling on bank nights was upheld here today by Federal Judge Charles A. Dewey, who refused to grant the Central States Theatre Corp. an injunction restraining the board and six major distributors from interference with the practice.

Counsel for the plaintiff took issue with the board's contention that bank night is an interstate matter and borders on a lottery.

Two Held in Bombings

PORTLAND, Me., April 12.—Herbert Wilkins and Wood Hedgepath, former stage employes at Keith's here, one of the Lieberman theatres lately the target of bombers, were held yesterday for the grand jury on charges of conspiracy to kill with arranged scenery bags Gordon Foss, an employe at the same house. The case may solve fires and other violences perpetrated against the Lieberman and E. M. Lowe circuits and other theatres, it is believed.

Lloyd and Para. Sign

HOLLYWOOD, April 12. — Contracts were signed today between Harold Lloyd and Paramount on "The Milky Way" and Leo McCarey was assigned to direct.

Chatkin Closes Office

CLEVELAND, April 12.—David Chatkin has closed his Cleveland office and will henceforth operate the circuit from New York, with weekly visits here.

Wall Street

Most Show Gain on Big Board

	High	Low	Close	Net Change
Columbia vtc	43½	41⅞	43½	+2
Consolidated	4⅞	4¾	4¾	— ¼
Cons. pfd (1v)	17⅛	16⅞	17⅛	+ ⅛
Eastman	125¼	124½	125¼	+ ⅝
Fox Film "A"	9⅝	9½	9⅝	+ ⅛
Loew's, Inc.	37¾	37⅛	37½	+ ¼
Paramount Publix	3⅛	3	3	— ⅛
Pathe	⅝	⅝	⅝	.....
Pathe "A"	11¼	11	11¼	+ ⅜
RKO	1½	1½	1½	.....
Warner Bros.	3⅛	3⅛	3⅛	+ ⅛
Warner Bros. pfd	20	19½	20	.....

Technicolor Up 1 on Curb

	High	Low	Close	Net Change
Technicolor	21	20	21	+1
Trans Lux (.10 K)	2	2	2	.....

Bond Issues Steady

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	8⅞	8½	8⅞	— ⅛
Keith B. F. 6s '46	74	73¾	74	+1⅜
Loew's 6s '41 ww deb rights	104¾	104¾	104¾	+ ¼
Paramount B'way 5½s '51	53¼	51½	53¼	+3
Paramount F. L. 6s '47	78	77½	77½	+ ½
Paramount Publix 5½s '50	79	78¼	78¾	+ ¼
RKO 6s '41 pp..	30	30	30	.....
Warner Bros. 6s '39 wd	53⅞	53½	53¾	.....

(K and v) Paid this year.

(Quotations as at close of April 12)

Dress List Dropped By Casting Bureau

HOLLYWOOD, April 12.—The Central Casting Bureau today abandoned its dress list to conform to the new system, effective immediately, eliminating all classified distinctions in extra ranks with the exception of the reclassification of extra talent into groups as provided in the code.

In the future the bureau will give studios the established right to select, retain or advance employes on individual merit.

The elimination of jealousy and ill-feeling was given as the reason for the change.

Campbell MacCulloch at the same time was made vice-president of Central Casting without relinquishing his title of manager.

Wis. ITPA Favors Further Code Probe

MILWAUKEE, April 12.—The Wisconsin Independent Theatres' Protective Ass'n went on record here today for further investigation of the code and endorsed a bill in the state legislature to outlaw preferred playdates and the stand taken by exhibitors against the Fitzgerald buying and booking combine.

The meeting was attended by 127 exhibitors.

Technicolor Deficit Up

Technicolor and wholly owned subsidiaries were in the red by $282,607.96 last year, according to earnings figures issued yesterday. The net loss for 1934 was after interest, depreciation, amortization of patents and other charges and after capitalizing expenditures of $30,806.

In 1933 the loss was $249,396, after capitalizing expenditures of $36,830, repesenting research, development and patents costs.

Move Started To Make Code Use Voluntary

(*Continued from page 1*)

will start on the last lap of its hearings, hoping to clean up early the following week with the appearance of former Recovery Administrator Hugh S. Johnson and probably other officials of the Recovery Administration who have been the subject of charges by witnesses. Included in this group may be Compliance Director Sol A. Rosenblatt, who was referred to by Abram F. Myers, general counsel of Allied, in conjunction with the drafting of the code, at which time Rosenblatt was a deputy administrator.

F. & M. Will Close 2nd St. Louis Unit

(*Continued from page 1*)

weeks notice. While the Ambassador is closing, plans are under way to reopen the new Grand Central in about two weeks for revivals of old films.

F. & M. will continue to show their Class A films at the Fox and Class B pictures at the Missouri, both on Grand Boulevard. The Ambassador, a downtown house, in recent weeks has been operating with films only, but for several years had put on elaborate stage shows with a large orchestra and featured organist.

F. & M. also control the St. Louis which is now dark.

Alleged inability of the controlling company to obtain product for these five theatres was one of the charges that led to the Federal indictment alleging conspiracy to violate the Sherman Act against major companies and individual company officials.

Coincident with the recent resignation of Harry Koplar from Fanchon & Marco's St. Louis operations, Allan Snyder has also withdrawn from the F. & M. financial setup there, it was learned yesterday.

Steuer to Withdraw M. & S. Money Claim

(*Continued from page 1*)

against the latter by M. & S. in connection with film playing policies at the Hollywood and Apollo.

On behalf of his clients Steuer agreed that if M. & S. had suffered damages as a result of the alleged breach of the leases, it would be impossible to establish the financial extent of the damages. The admission came with the resumption of testimony before the board of three arbitrators hearing the charges. Charles Steiner, former head of the Apollo, testified as to grosses, film rentals and profits of the two houses from 1929 to 1935, and designated the product available to the houses prior to RKO operation.

The hearings will be resumed on Monday, with Steuer about ready to conclude the complainant's case. RKO will begin its defense immediately afterward and expects to conclude the case on Wednesday. Steuer's remaining objective will be to require specific performance of the Hollywood and Apollo leases by RKO in the future, it was said.

Giveaways on Road to Ruin, Says Lichtman

(*Continued from page 1*)

of Love' and others, films attain their full maturity.

"I was impressed, on my recent trip to Hollywood, by the amount of money producers are spending. A good picture costs not less than $400,000. One film this year has already run up to $1,700,000.

"And yet in Chicago alone exhibitors are giving away $30,000 worth of pottery a week on premium nights. That money eventually comes out of the producer's pocket, because it forces him to make cheaper pictures. When an exhibitor spends so much for premiums he is forced to chisel elsewhere. In the end the product is cheapened, the public sours and the vicious circle is completed.

"If the public wants to see a double feature, I say give it to them, but not two features for the price of one. This is only a cutthroat practice and exhibitors should remedy it by charging admissions fair to producers and thereby encourage the making of better films.

"The entire business is only as good as the pictures it makes and the producer can't make pictures unless his return is commensurate with the cost. Lower costs mean cheapened product. The problem is squarely up to the exhibitor. And he may well ask of himself:

" 'Will it be a dignified product with the unqualified support of the public, or are we to return to the days of the catchpenny nickelodeon?' "

Bank Night Charges Are Delayed in K. C.

KANSAS CITY, April 12.—Action by the county prosecutor against bank night operators was delayed a week when Prosecutor Graves was called out of town. Mrs. A. Baier, Lindbergh Theatre, had sought to obtain warrants for the arrest of R. W. McEwan, bank night distributor, and Rube Finklestein, Belmont, for running bank nights in violation of the state lottery law and the prosecutor informed her the men were entitled to a preliminary hearing which was to have been held yesterday. The hearing will be held next Thursday, and, if the evidence warrants, formal charges will be filed according to the prosecutor.

McEwan said bank nights will continue at the Belmont and will open at other houses.

Sirovich to Start Art Bill Hearings

(*Continued from page 1*)

today announced that in response to many requests he will open hearings Monday on his measure to create a department of arts and sciences.

Under the legislation, films and other arts would be encouraged by a separate department in the Government, the possibility of securing which, this session at least, is about on a par with that of winning the Irish sweepstakes.

California's House Passes Tax on Income

(*Continued from page* 1)

fornia the highest combined Federal and state income tax in the country.

The Senate Labor Capital Committee has killed five 30-hour week bills in spite of Democratic efforts to get them through.

Explain Florida 10% Tax

TAMPA, April 12.—Members of the Florida legislature, returning to their homes for the week-end, following the opening week of the session, in which a bill was introduced to tax amusements 10% on the admission scale, have done some explaining of the proposed bill.

According to these members, the bill is not a straight 10% tax on all admission prices, but in the case of dog tracks there would be an added tax of 10 cents on each ticket. The price at most all dog tracks is 20 cents with three cents of this going to the state, so should the bill pass, the admission total would be 30 cents with 13 cents going to the state. This straight 10 cents per ticket tax would also apply to automobile, motorcycle and horse racing; to boxing and wrestling bouts and games. Agricultural fairs, educational, charitable and war veteran entertainments would be exempt from any tax. The 10% tax would apply to theatres, cabarets, night clubs and the like.

Another proposal that developed over the week-end was an amendment to the bill to charge a license fee on bank night, which has been declared legal by the Attorney General, provided the purchase of a ticket is not required in order to win.

Favors Mass. Betting Bill

BOSTON, April 12.—The Massachusetts legislative committee on legal affairs has favorably reported a bill allowing betting on pari-mutuel horse and dog racing on public-owned property. Injunctions, pending legislation and other measures are still checkmating work on tracks for which licenses have already been granted.

A hearing will be held Tuesday before Supreme Court Judge Field of a petition for an injunction prohibiting the Eastern Racing Ass'n horse track in East Boston on the ground its license was unlawfully issued. Work on this track has been so delayed that only by a miracle could it be ready for the 37 days' racing scheduled to begin June 29, even if it were allowed to operate.

An appeal to the full bench of the Supreme Court is planned if Judge Field rules against the film interests on Tuesday.

Oppose Conn. Two-in-Booth Bill

HARTFORD, April 12.—A large delegation of the M.P.T.O. of Connecticut appeared before the judiciary committee of the General Assembly here today to oppose a bill requiring two operators in every booth, no matter how small the theatre. The measure has the support of organized labor. Theatre men contended the state police already have sufficient jurisdiction in the matter to order as many men as deemed necessary for safety.

A bill creating a Connecticut board of censorship received no support from anyone at the hearing. Several private citizens of Hartford opposed a measure to permit Sunday shows.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Doubting Thomas"

(Fox)

HOLLYWOOD, April 12.—As usual with Will Rogers' films which are high in laugh content and entertainment values, this one also hands out Rogers' personality, plus enjoyment.

Based on George Kelly's stage play "The Torch Bearers," depicting a comedy of errors attendant on amateur theatricals, this film, adapted for the screen by William Conselman, covers domestic drama, burlesque, slapstick, some romance with a new Hollywood slant and a Rogers impersonation of a crooner that will have them rolling in the aisles.

The story is of Rogers trying to dissuade his wife, Billie Burke, from expressing her suppressed desire of exhibiting her talent at an amateur show. Rogers pays off the town barber, John Qualen, to impersonate Von Blitzen, a Hollywood director, thereby discouraging his wife and insuring domestic tranquillity and bringing Frankie Albertson together with Frances Grant. Alison Skipworth, Andrew Tombes, Sterling Holloway, Gail Patrick, Frank Albertson and George Cooper contribute to the laughs.

David Butler, in his direction, has concentrated on a hilarity of an explosive type with the Hollywood angle, novel and exploitable.

Will Rogers' name in a well known farce gives ample assurance of good business.

Production Code Seal No. 720. Running time, 78 minutes. "G."

Looking 'Em Over

"Roaring Road"

(Ajax Picture Corp.)

Telling a story that is plausible and unhampered by far-fetched situations, this picture should prove excellent fare for children. There is enough, also, in the character portrayals and fast-moving action to hold the interests of adults.

Director C. Edward Roberts has concentrated his efforts on those sequences that have particular adolescent appeal and brings his story up to an exciting climax. The photography of Robert Cline is good.

The yarn has David Sharpe the ward of two maiden aunts who have almost ruined his life by protecting him and the great fortune he has inherited. Fed up with the treatment of the two women, Sharpe runs away from home and picks up Mickey Daniels, a homeless hitch-hiker. Driving along they run into Gertrude Messinger with her brother's racing car and strike a friendship with the girl. The brother, Jack Mulhall, had been injured driving his racer so Sharpe volunteers to race it in an attempt to win enough money to pay off a mortgage they have on their home. After several amusing sequences followed by a few exciting ones, Sharpe wins the race, is forgiven by his aunts and a romance between him and Miss Messinger is hinted at the fade-out.

Sharpe is good in his part of the "poor little rich boy." Daniels, aided by Mary Kornman, produces several comedy bits.

This film should do well. Production Code Seal No. 663. Running time, 58 minutes. "G."

Columbia Picks Title

HOLLYWOOD, April 12.—"After the Dance" has been picked by Columbia as the release title for the third feature in which Nancy Carroll and George Murphy will be teamed.

"Bride" Gets $10,656

"The Case of the Curious Bride" grossed about $10,656 last week at the Strand Theatre, while "Brewster's Millions" in its first week at the Rivoli did approximately $13,400.

Answers "Night" Suit

TAMPA, Fla., April 12.—A demurrer has been filed to the suit brought against the Tampa by Hazel Greene, who is seeking to obtain $650 which she drew in a bank night contest at the theatre on Feb. 1 although she was not in the audience at the time. The defendant asserts the bank night idea does not constitute a valid contract between theatre and public.

Lesser After Story

HOLLYWOOD, April 12.—Sol Lesser is negotiating with Hy Daab and Victor Mansfield for rights to an original called "Clancy from De Lancey," written by the pair. The yarn is a drama of the streets of New York. Lesser is planning it as a special on his 1935-36 schedule.

"Pimpernel" Los Angeles' Only Grosser

LOS ANGELES, April 12.—Lent and heavy rains socked grosses all along the line. The only first run attraction to show any strength was "The Scarlet Pimpernel" at the 4-Star where it took $5,300.

Even "Life Begins at 40," a hit elsewhere, couldn't make the grade. It took a weak $8,500 at the Chinese and was down to $12,100 at Loew's State. In its second week at the Paramount "Mississippi" garnered $15,500, with the help of a stage show, but elsewhere managers hoped for better days.

Total first run business was $66,200. Average is $91,200.

Estimated takings for the week ending April 10:

"LIFE BEGINS AT 40" (Fox)
CHINESE—(2,500), 30c-55c, 6 days. **Gross:** $8,500. (Average, $12,500)

"CHAPAYEV" (Amkino)
FILMARTE—(800), 40c-50c, 7 days, 2nd week. **Gross:** $1,600. (Average, $2,750)

"SCARLET PIMPERNEL" (U. A.)
4 STAR—(900), 30c-55c, 6 days. 3rd week. **Gross:** $5,300. (Average, $3,250)

"LADDIE" (Radio)
HILLSTREET—(2,700), 25c-65c, 6 days. **Gross:** $6,100. (Average, $8,000)

"LIFE BEGINS AT 40" (Fox)
LOEW'S STATE—(2,500), 30c-55c, 6 days. **Gross:** $12,100. (Average, $14,000)

"MISSISSIPPI" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days, 2nd week. Stage: F. & M. Revue, Etta Moten, Rube Wolf and his orchestra, Popeye and Olive Oyl. **Gross:** $15,500. (Average, $18,000)

"TIMES SQUARE LADY" (M-G-M)
"McFADDEN'S FLATS" (Para.)
UNITED ARTISTS—(2,100), 25c-55c, 6 days. **Gross:** $3,300. (Average, $3,500)

"LADDIE" (Radio)
WARNER BROS. (HOLLYWOOD) —(3,000), 25c-65c, 6 days. **Gross:** $5,700. (Average, $14,000)

"FLORENTINE DAGGER" (Warners)
"A DOG OF FLANDERS" (Radio)
WARNER BROS. (DOWNTOWN) —(3,400), 25c-40c, 6 days. **Gross:** $5,600. (Average, $12,000)

"MR. DYNAMITE" (Univ.)
"GREAT GOD GOLD" (Monogram)
PANTAGES—(5,000), 25c-40c, 7 days. **Gross:** $2,500. (Average, $3,200)

"West Point" Gets $5,500, Oklahoma

OKLAHOMA CITY, April 12.—"West Point of the Air" grabbed top honors last week with $5,500 at the Criterion.

"Gold Diggers of 1935" reached a par $4,000 at the Midwest.

Total first run business was $13,100. Average is $13,500.

Estimated takings for the week ending April 6:

"WEST POINT OF THE AIR" (M-G-M)
CRITERION—(1,700), 10c-26c-36c-55c, 7 days. **Gross:** $5,500. (Average, $5,000)

"GOLD DIGGERS OF 1935" (Warners)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $4,000. (Average, $4,000)

"TIMES SQUARE LADY" (M-G-M)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $1,600. (Average, $2,000)

"WHILE THE PATIENT SLEPT" (F. N).
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. Stage show. **Gross:** $2,000. (Average week, $2,500.

"WE'RE RICH AGAIN" (Radio)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $1,600. (Average week, $2,500)

Coast Jockey Club Quits

SACRAMENTO, April 12.—The Pacific Coast Jockey Club, a $700,000 Delaware corporation, folded today with notice to the Secretary of State from Howard Spreckels, secretary, that the corporation would be dissolved.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 88 NEW YORK, MONDAY, APRIL 15, 1935 TEN CENTS

Purely Personal

SOPHIE TUCKER will be honored by the Executive Council of the American Federation of Actors Wednesday night at the Hollywood where she is being starred. Among those expected to attend are GEORGE JESSEL, VICTOR MOORE, HARRY BURNS, CON COLLEANO, EDDIE CANTOR, BILLY GAXTON, BOB HOPE, DAN HEALY, JOE LAURIE, JR., DOUGLAS LEAVITT, CHARLES MOSCONI, GEORGE OLSEN, HAL SHERMAN, JULIUS TANNEN and PAT ROONEY.

Quip of the Day

A ranking theatre executive, second in importance only to the head of his company, was questioned by a MOTION PICTURE DAILY *reporter on the veracity of a report involving an important change in the company's operating policy.*

"I don't know anything about the subject," the somewhat bewildered executive replied. "But, then," he added, a little plaintively, "that doesn't necessarily mean the report isn't true. I first learned about the last policy change when I read it in your paper."

ELISABETH BERGNER terminated her New York stage engagement in "Escape Me Never" Saturday night. Her plans call for a trip to Italy, but it's hard to draw definite conclusions from BERGNER plans.

•

AL DUBIN and HARRY WARREN, the song-writing team, are in town for a short vacation from the coast. While here they'll attend the opening of "Go Into Your Dance."

•

GEORGE DAWES called off that Chicago jaunt Saturday.

•

HERB CRUIKSHANK goes west shortly.

•

GEORGE WHITE is on his way here from Hollywood to start work on

(*Continued on page* 11)

Ohio Epidemics Hit Theatres in 3 Spots

CINCINNATI, April 14.—Prevalence of spinal meningitis in this city, an epidemic of German measles at Urbana and a number of cases of meningitis in Minerva have exhibitors worried.

In the General Hospital here 109 victims have been treated since Jan. 1,

(*Continued on page* 11)

Memphis Blue Law's End Set For April 28

First Spot to Act Under New State Enactment

MEMPHIS, April 14.—Tennessee's dozen-year-old Sunday blue laws are at an end. Memphis will have legal Sabbath shows on April 28 for the first time since 1923.

Both houses have acted, the Governor has signed the bill, and the matter is now in the hands of local governments throughout the state.

The Memphis City Commission, first to act, has passed at first reading an ordinance legalizing the showing of films for admission charges after 1 o'clock on Sunday afternoon. There are no other restrictions in the local

(*Continued on page* 10)

Approval of Para. Deals Up to Court

Reports approving with minor changes the proposals of the Paramount Publix trustees for settlement of the Chicago Marks Bros. litigation, retention by Paramount of the Astoria, L. I., studio and film depot and the dissolution of the Elwood theatre property at Miami were submitted Saturday by Special Master John E. Joyce. The reports go to Federal

(*Continued on page* 10)

Tax and Code Topics At Tri-State Meet

MEMPHIS, April 14.—Tax problems, the matter of changes in the code, Sunday pictures, and other industry questions will be considered by the M. P. T. O. of Arkansas, Mississippi and

(*Continued on page* 10)

All for 15 Cents

Kansas City, April 14.—Bigger, if not better, inducements seems to be the policy at some of the local suburbans. The other night the Colonial offered two features, a comedy, cartoon, four acts of vaudeville—"good" acts, according to the newspaper ad—and a piece of china, all for the single admission of 15 cents. On subsequent nights the same bill, minus the china, was sold for a dime.

MPTOA Sees Restrictions On Music Fee

Prevention of arbitrary price fixing on music performance rights through amendments to the copyright laws are expected in the near future by M.P.T.O.A., it was learned Saturday.

Already, "considerable progress" toward this end has been made, according to Ed Kuykendall, M.P.T.O.A. president, who adds that the efforts under way are expected to result in making the copyright laws "fair and equitable to all concerned," so that "no one organization can

(*Continued on page* 11)

Fox Met Creditors Study Plans Today

A creditors' hearing on the plan of reorganization for Fox Metropolitan Playhouses proposed by Joseph M. Schenck and Fox Theatres is scheduled for today before Federal Judge Julian W. Mack. Creditor action on assenting to the plan may be deferred until Fox Met's bondholders and un-

(*Continued on page* 10)

Cancellation To Be Pushed By Kuykendall

Declares Increase Would Ease Outside Attack

M. P. T. O. A. will continue its planned efforts to obtain a revision of the code to permit an increased cancellation af "about 20 per cent" despite the prevailing distributor attitude of opposition to such a move at this time, Ed Kuykendall, M. P. T. O. A. president, said Saturday.

Replying indirectly to MOTION PICTURE DAILY's disclosure last Friday of the solid opposition within distributor ranks to any move to obtain an increase in cancellation, Kuykendall said that the fight would be continued and that, in his opinion, "any distributor who opposes this cancellation (about 20 per cent) is merely dimming his own light."

Answering the common distributor declaration that an increase in cancellation would be a "costly, one-way gift, with no one but the exhibitor benefiting," Kuykendall declared that

(*Continued on page* 11)

Republic Studies N. Y., Phila. Move

Republic Pictures, new national distributor which will succeed Monogram with the advent of the 1935-36 season, is seriously considering the launching of its own exchanges in New York and Philadelphia in both of which territories First Division is now distributing its lineup. In other territories,

(*Continued on page* 10)

St. Louis Spots to Get An Overhauling

ST. LOUIS, April 14.—Two local houses, the Ritz and the North Grand, are scheduled to close shortly for a complete remodeling. Joseph C. Ansell, operator of the Ritz, will overhaul his house and install a cooling system, while the Best Amusement

(*Continued on page* 11)

More of Tri-Ergon Cases Are Quashed

Orders finally disposing of four more patent infringement actions brought by American Tri-Ergon in Federal court here were signed by Judge Henry W. Goddard on Saturday. The actions dismissed were those

(*Continued on page* 10)

Salem Was Where It Began

Boston, April 14.—Theatre radio auditions, there appears to be evidence, had their birth in New England, as did double features, the *Motion Picture Daily* learns. Philip Bloomberg, manager of the M. & P.-Publix Paramount in Salem and a veteran theatreman, started the thing during the latter part of 1931. At that time he sold the idea to Myron Shellmen, then district manager and now on the West Coast. At present, the circuit is using the original scheme in more than two dozen New England theatres and is adding spots.

Observing four years ago how many self-made recordings a Salem friend sold, Phil Bloomberg got the idea of drawing crowds

(*Continued on page* 11)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Whitney Cables for Second Color Story

HOLLYWOOD, April 14.—John Hay Whitney has cabled Melville Baker from London to search for story material suitable for a Technicolor feature for the 1935-36 program.

Whitney, who had a one-picture release deal with Radio, has not arranged for distribution of his next year's product.

G. B. Signs U. S. Writers

Gaumont British has signed Arthur Caesar and Rian James to writers' contracts.

Reg Wilson, G. B. special sales representative, left town Saturday for New Orleans and Memphis to complete a number of circuit deals. Other key spots in the south will also be visited by him in company with Walter Price, the company's New Orleans representative.

Robert Donat, co-starred in G. B.'s "Thirty-nine Steps," sent out a denial from London Saturday that he was on his way to Hollywood. The player is reported recuperating from an operation he underwent recently at a hospital in London.

Kent Is Back at Work

HOLLYWOOD, April 14.—Sidney R. Kent has returned to his desk at the Fox Westwood studios.

Kent had been suffering from a severe cold and throat irritation since his arrival two weeks ago, necessitating his remaining in bed.

Insiders' Outlook

By RED KANN

ON invitation of the Film Producers' Group of the Federation of British Industries, the mysterious-to-some production code, shortly now will be aired and explained to the men who make England's pictures. The step is not only a significant one in drawing closer the film relations existing between the two principal English-speaking nations, but a sound, commercial endeavor as well. Why this is obvious is dealt with in the paragraphs which trail below. . . .

▼

Take a look at the facts. The production code finally assumed shape and form because a segment of Hollywood simply could not part itself from the conviction that the way to commercial glory was most quickly reached by the offensive in stories, treatment, sequences and dialogue. It was typical of Hollywood provincialism and inflated egoes that these wisecracking bad boys thought the party, as they conceived it, would run on forever. But the brakes were applied from the outside and by sources which recognized what many producers have consistently either failed to recognize or did not want to: that in films there are certain inescapable social connotations which must be observed. In highlight and with many significant angles removed in the cause of brevity, this is what led into the discussion which, in turn, led into the code. . . .

▼

The document is the law today. The major producers, to a man, long since signed it. By so doing, they, of course, agreed to abide by its regulations. Today, no picture, either produced by or distributed through a major company can reach the public without first passing through the rigorous machinery of the code. If English studios, or other studios, now aiming directly at international distribution, want a release in this market, it is fundamentally simple business for them to learn what the code is all about and then to observe it. Obvious should be the reasons. Their acceptance will eliminate difficulty, make their job easier and their sailing smoother. Whether producers here or producers there like the code is another story. The point about it all is that the code is with us and from it at this time there can be no escape. . . .

▼

Furthermore, substantial and sound judgment in high places in the industry here agrees no escape should be sought, for the code and the halt on unbridled liberties which it called definitely belong. The favorable impression which the current crop of pictures has left on the average picturegoer supplies another answer to any doubts about the code's efficacy. The quality of product is up. As a matter of fact, it is decidedly up. Types of pictures are constantly bouncing through from Hollywood today which never would have been thought of as recently as a year ago. Maybe Arthur Caesar, who knows how to tickle funnybones, was right when he remarked recently: "The code made producers read books and that's why pictures are better." Even if he erred on the cause, there is no argument about the effect. . . .

▼

It began a long time ago. All through the years that W. Ray Johnston has been part and parcel of the picture business he has been moving toward the majority which he is about to reach in Republic Pictures. Outgrowth of Monogram which has been doing all right by itself and by its franchise-holders, this new Johnston enterprise, which gets going with the first flush of the 1935-36 season, is designed to step into a new and higher notch in the film scheme of things. Johnston, with plenty of financing, plans his new company as a national distributor, not on paper or in conversation, but as the McCoy. Contracts, for instance, will be approved by him in New York; district managers are in the offing as a later development. Four pictures, and perhaps more, will emerge on Republic's schedule of 26 with a negative cost for each which no company of comparable size has attempted until now. Johnston is after first run time next year and understands that the shortest cut to that objective is to catch on celluloid sufficient of the necessaries in entertainment to rate consideration of first run operators. His theory is sound and his experience ample to place that objective within his reach. . . .

▼

Now that the Waldvogel bill banning preferred playing time in Ohio has become a law by inaction on the part of Governor Davey, the question which looms large and inexplicable is how new product deals will be made by distributors in that state. Can they make designated playing time contracts in view of the attorney general's interpretation which maintains the law is illegal? Or must they abide by the tenor of the law now on the statute book?

▼

Universal's history over the years demonstrates that, exactly when the company needs it most, a wow picture hits the deck. Advance word from Hollywood would indicate an attraction in that class is "The Bride of Frankenstein." "Laemmle luck" so far has never failed Uncle Carl. Like the hero riding to the heroine's rescue in the nick of time, the age-old melodramatic situation may repeat itself. . . .

▼

"The March of Time" is in the throes of something **again. All** new outfits in this business have a habit of going through the same growing pains; it's the price which youth pays. Messrs. Larsen and Rolan may find comfort of a fashion in this. . . .

▼

Probably you have never heard of Sybil Jason. The extremely youthful Miss Jason—she's six—arrived from London the other day with screen tests in the offing. She may be Warners' Shirley Temple. . . .

Photography Volume Useful for Ad Men

Ansel Adams' "Making a Photograph," eighth in a "How to Do It" series, is just off the presses in this country and in England. The American printing is done by The Studio Publications, Inc. The field is covered so extensively that the volume ought to be valuable to amateurs as well as advertisers and publicity men.

The first section of the volume is devoted to cameras, lenses, studio and laboratory equipment, dark rooms and finishing rooms. Drawings are included. A second principal division is devoted to practical theory and aesthetic considerations. These go beyond the scope of most amateurs, but are of practical value to students of advertising illustration.

Technical problems such as preparation, setting up, composing, conditions of exposure, etc., are handled in the third section.

It is illustrated with a number of unusual photographs as well as drawings.

J. M. J.

Buys American Films

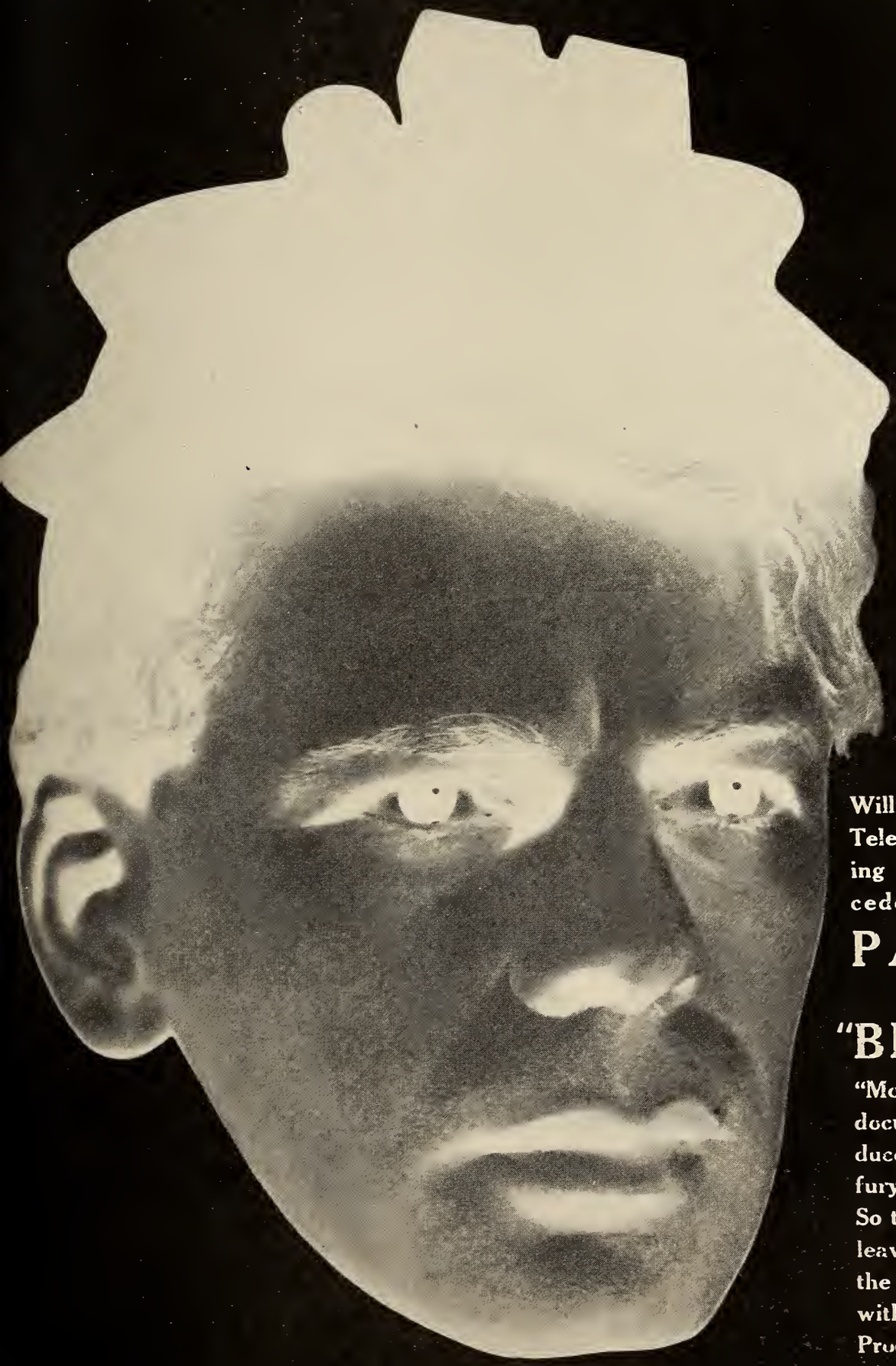
The first purchase of American films by the Soviet Union took place late last week when the Soviet government bought "The Invisible Man," "Peter," "La Cucharacha" and two Walt Disney colored cartoons, "The Three Little Pigs" and "Penguin Island," for distribution in Russia. The pictures had been sent to Moscow for the World Cinema Festival held there in February.

It is understood that deals are pending for the purchase of other American pictures shown at the festival.

Walt McEwen Advanced

HOLLYWOOD, April 14.—Walter McEwen, who has been story editor of Warners for the past three years, has been made assistant to Hal Wallis, studio production executive. David Matthews, who was formerly McEwen's assistant, becomes story editor.

AND NOW 13 MORE* COURAGEOUS CRITICS STAND BY THEIR GUNS FOR THE FREEDOM OF THE SCREEN!



*2

William Boehnel's fearless World-Telegram review strikes the piercing keynote for N. Y.'s unprecedented critical reception of

PAUL MUNI

in

"BLACK FURY"

"Most courageous and vital social document that Hollywood has produced . . It lashes forth with the fury of a wounded animal at bay. So tense and thrilling that it may leave you slightly blanched around the gills but also blissfully happy with excitement." (Warner Bros., Producers. A First National Picture)

"West Point" Philadelphia Money-Maker

PHILADELPHIA, April 14. — "West Point of the Air" proved the big noise in a week that otherwise showed signs of considerable slump from recent high levels. It took $16,000, up by $4,000, at the Stanley.

"Private Worlds" also was in the money at $15,500, which is $3,500 over the Boyd average. "Love in Bloom," with a stage show at the Earle, pulled well with $15,000. The only other above-par draw was "$10 Raise," with a vaudeville bill at the Fox.

Total first run business was $81,800. Average is $81,900.

Estimated takings for the week ending April 4:

"THE WEDDING NIGHT" (U.A.)
ALDINE—(1,200), 35c-40c-55c, 6 days, 3rd week. **Gross:** $5,800. (Average, $7,000)
"ALL THE KING'S HORSES" (Para.)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $2,000. (Average, $2,400)
"PRIVATE WORLDS" (Para.)
BOYD—(2,400), 35c-40c-55c, 6 days. **Gross:** $15,500. (Average, $12,000)
"LOVE IN BLOOM" (Para.)
EARLE—(2,000), 25c-40c-50c, 6 days. Stage: Roxyettes, Ruth Petty, Bellett and Lamb, Johnny Perkins. **Gross:** $15,000. (Average, $12,000)
"$10 RAISE" (Fox)
FOX—(3,000), 40c-55c-65c, 6 days. Stage: Donald Novis, Mae Questel, Betty Jane Cooper. **Gross:** $13,500. (Average, $12,000)
"TRANSIENT LADY" (Univ.)
KARLTON—(1,000), 25c-30c-40c, 6 days. **Gross:** $2,400. (Average, $3,500)
"GOLD DIGGERS OF 1935" (Warners)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 6 days. **Gross:** $3,700. (Average, $4,000)
"MAN OF COURAGE" (Italian)
LOCUST—(1,300), 40c-55c, 6 days. **Gross:** $1,900. (Average, $5,000)
"WEST POINT OF THE AIR" (M-G-M)
STANLEY—(3,700), 35c-40c-55c, 9 days. **Gross:** $16,000. (Average, 6 days, $12,000)
"CASINO MURDER CASE" (M-G-M)
STANTON—(1,700), 30c-40c-50c, 6 days. **Gross:** $6,000. (Average, $6,000)

Interstate Plans New Suburban Theatres

DALLAS, April 14.—A general building program calling for new suburban houses in all the principal cities of the Interstate circuit is in prospect. First of these will be the Tower, suburban, ground for which has been broken in the Highland Park section.

Locations are being surveyed in Houston, Fort Worth, San Antonio and other spots. Sites are being leased, it is said.

One prediction is that 15 or 20 of these houses will be started before the end of the summer.

Form Three Companies

ALBANY, April 14.—New incorporations here include B. K. Blake, Inc., exhibition, Nathan B. Shapiro, Ira Ehrlick and Elizabeth Foder; Broadway Prod., Inc., exhibition, Howard M. Antevil, Georgette Levy and Hannah Fahrer; Theatro Campoamor, Inc., Primitivo Flores, Jesus Martinez and Hyman Bernstein.

Build at East Detroit

DETROIT, April 14.—A new theatre seating at least 600, will be built in East Detroit by Jeff Williams, owner and operator of the Roseville at Roseville, Mich. Plans are now being prepared and work will commence within two weeks.

"Marietta" Pulls $8,500, Portland

PORTLAND, April 14. — "Naughty Marietta" was an unusually heavy draw at the United Artists. It grossed $8,500, over average by $3,500.

"Baboona" at the Paramount, plus a stage show, secured $7,500, or $2,500 over average. Other houses were average and under.

Total first run business was $30,700. Average is $25,000.

Estimated takings for the week ending April 6:

"TRAVELING SALESLADY" (F. N.)
"CASINO MURDER CASE" (M-G-M)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $4,800. (Average, $5,000)
"THE BEST MAN WINS" (Col.)
"CARNIVAL" (Col.)
MAYFAIR—(1,700), 25c-35c-40c, 7 days. **Gross:** $3,000. (Average, $3,000)
"CLIVE OF INDIA" (U. A.)
(2nd Run)
ORIENTAL — (2,040), 15c-25c, 7 days. Stage show. **Gross:** $1,900. (Average, $2,000)
"PRINCESS O'HARA" (Univ.)
ORPHEUM—(1,700), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)
"BABOONA" (Fox)
PARAMOUNT — (3,008), 25c-35c-40c, 7 days. Stage show. **Gross:** $7,500. (Average, $5,000)
"NAUGHTY MARIETTA" (M-G-M)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $8,500. (Average, $5,000)

"Roberta" Second Week Buffalo Top

BUFFALO, April 14.—"Roberta" continued to be an outstanding draw in its second week at the Great Lakes. The $9,200 take was over normal for a first week by $1,200.

"Gold Diggers of 1935," helped by Hugh Herbert in person and a vaudeville bill, went $500 over the line for a take of $14,800. The weather was warm and pleasant.

Total first run business was $43,600. Average is $42,800.

Estimated takings for the week ending April 5:

"GOLD DIGGERS OF 1935" (Warners)
BUFFALO — (3,500), 30c-55c, 7 days. Stage: Hugh Herbert & Co.; Eton Boys; Hal Menken revue, with Betty Castle, Keith Hankins, the Low-Downs; Joe and Jane McKenna; Park & Clifford. **Gross:** $14,800. (Average, $14,300)
"LOVE IN BLOOM" (Para.)
"ROCKY MOUNTAIN MYSTERY"
(Para.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $4,900. (Average, $6,000)
"ROBERTA" (Radio)
GREAT LAKES—(3,000), 25c-40c, 7 days, 2nd week. **Gross:** $9,200. (Average, $8,000)
"THE WEDDING NIGHT" (U.A.)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $8,000. (Average, $8,000)
"THE BEST MAN WINS" (Col.)
"AMONG THE MISSING" (Col.)
LAFAYETTE — (3,300), 25c, 7 days. **Gross:** $6,700. (Average, $6,500)

"Worlds" and Benny Smash Draw in Hub

BOSTON, April 14. — "Private Worlds" with Jack Benny on the stage at the Metropolitan ran up a sensational $41,000 last week. The normal take for the house is $22,000.

In spite of this heavy competition "Roberta" was still strong in its third week. It topped par by $4,000 for a take of $16,000 at Keith's Memorial.

Total first run business was $90,000. Average is $66,500.

Estimated takings for the week ending April 4:

"GOLD DIGGERS OF 1935" (Warners)
"BEHIND THE EVIDENCE" (Col.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,000. (Average, $4,500)
"ROBERTA" (Radio)
KEITH'S MEMORIAL—(2,907), 25c-65c, 3rd week, 7 days. **Gross:** $16,000. (Average, $12,000)
"VANESSA" (M-G-M)
"CASINO MURDER CASE" (M-G-M)
LOEW'S STATE—(3,537), 25c-55c, 7 days. **Gross:** $10,000. (Average, $10,000)
"PRIVATE WORLDS" (Para.)
METROPOLITAN — (4,332), 35c-55c, 7 days. Stage: Jack Benny with big stage show. **Gross:** $41,000. (Average, $22,000)
"GOLD DIGGERS OF 1935" (Warners)
"BEHIND THE EVIDENCE" (Col.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)
"PRINCESS O'HARA" (Univ.)
RKO BOSTON—(3,246), 25c-50c, 7 days. Stage: Five acts of RKO vaudeville. **Gross:** $9,000. (Average, $11,000.)

Baker to 20th Century

HOLLYWOOD, April 14.—Twentieth Century has signed Phil Baker and his stooges, Beadle and Bottle, for "Sing, Governor, Sing," picture which will feature Paul Whiteman and his band. Nunnally Johnson wrote the screen play, and Gus Kahn and Arthur Johnston the music.

Foran Released by Fox

HOLLYWOOD, April 14.—Nick Foran has asked for and been granted a release from his contract with Fox, and he will free-lance as soon as he completes his current assignment in "The Farmer Takes a Wife."

Production on this feature has been temporarily delayed because of an accident in which Director Victor Fleming was slightly injured when caught in a collapsing set. Fleming is resting at home and is expected to resume work this week.

Columbus Duals General

COLUMBUS, April 14.—A survey of local houses shows 26 out of 30 neighborhoods playing double features for at least one day during the past week, and one house, the Rivoli, playing vaudeville in addition to a double bill Friday. Many are charging 10 cents and a few 15 cents. One downtown house played twin bills for the week.

Form New Haven Guild

NEW HAVEN, April 14.—Proposing to bring "artistic pictures" to New Haven, a New Haven Cinema Guild, sponsored by Yale professors and others, has been organized.

Sponsors include Professors Allardyce Nicoll, of the Yale School of Drama; Jerome Davis, Jack R. Crawford, Ellsworth Huntington, and others.

"Wedding" Is Frisco Draw; Gets $9,000

SAN FRANCISCO, April 14.—"The Wedding Night" at the United Artists was one of three first runs which managed to combat the Lenten slump. It took $9,000, over the line by $1,000.

"West Point of the Air," one of the other money-makers, reached $23,500 at the Warfield, up by $500.

Total first run business was $72,500. Average is $81,000.

Estimated takings:

Week Ending April 2:
"ROBERTA" (Radio)
GOLDEN GATE—(2,800), 25c-35c-40c, 4th week, 7 days. Stage, band. **Gross:** $8,500. (Average, $13,000)
"GOLD DIGGERS OF 1935" (Para.)
PARAMOUNT — (2,670), 25c-35c-40c, 7 days, 2nd week. **Gross:** $9,500. (Average, $11,000)
Week Ending April 3:
"IT HAPPENED IN NEW YORK"
(Univ.)
"I'LL LOVE YOU ALWAYS" (Col.)
FOX—(4,600), 15c-30c-40c, 7 days. **Gross:** $7,500. (Average, $9,000)
"LET'S LIVE TONIGHT" (Col.)
"UNWELCOME STRANGER" (Col.)
ORPHEUM — (3,000), 15c-30c-35c-40c, 7 days. **Gross:** $6,000. (Average, $9,000)
"RUGGLES OF RED GAP" (Para.)
(Second Run)
ST. FRANCIS — (1,400), 15c-35c-55c, 7 days. **Gross:** $8,500. (Average, $8,000)
"WEDDING NIGHT" (U. A.)
UNITED ARTISTS—(1,200), 15c-35c-55c, 7 days. **Gross:** $9,000. (Average, $8,000)
Week Ending April 4:
"WEST POINT OF THE AIR" (M-G-M)
WARFIELD — (2,700), 25c-35c-55c-65c, 7 days. Stage, band. **Gross:** $23,500. (Average, $23,000)

ITO Rejects Contests

KANSAS CITY, April 14.—The local I. T. O. isn't going in for personality and talent contests this season, it decided in rejecting a promotion plan submitted by Lester F. Martin of Des Moines, former Allied organization leader, who is sponsoring the idea.

"Scandals" at $5,900 for 9 Days in K.C.

KANSAS CITY, April 14. — Little agitation was apparent around first run box-offices last week. In nine days "George White's Scandals" reached $5,900 at the Uptown. This is $1,400 over a normal take for seven days.

"Mississippi" was $600 over the first week average with a take of $6,600 in its holdover at the Newman, and "It Happened in New York," with a vaudeville bill, went to $7,800 at the Tower.

Total first run business was $32,700. Average is $31,800.

Estimated takings:

Week Ending April 3:
"LIVING ON VELVET" (F. N.)
MAINSTREET—($3,100), 15c-25c-40c, 6½ days. **Gross:** $4,500. (Average, 6½ days, $6,300)
Week Ending April 4:
"CASINO MURDER CASE" (M-G-M)
MIDLAND—(4,000), 15c-25c-40c, 7 days. **Gross:** $7,900. (Average, $8,000)
"MISSISSIPPI" (Para.)
NEWMAN—(1,800), 25c-40c, 7 days, 2nd week. **Gross:** $6,600. (Average, $6,000)
"IT HAPPENED IN NEW YORK"
(Univ.)
TOWER—(2,000), 25c, 7 days. Stage: Jack Joyce, Les Ghezzis, Barr and Estes, others. **Gross:** $7,800. (Average, $7,000)
Week Ending April 5:
"GEORGE WHITE'S SCANDALS" (Fox)
UPTOWN — (2,000), 25c, 40c, 9 days. **Gross:** $5,900. (Average, $4,500)

Danzig Demands 'Kultur'

DANZIG, April 14.—A decree handed down by the Danzig Senate here that went into effect recently calls for a "kultur" picture to be shown in connection with every feature presentation. The "extra attraction" must be a required length and pass the Danzig censor office on its artistic, educational and political value to the state.


"TOPS ALL PREVIOUS HORROR PICTURES ...A SMASH HIT"...Variety
"A JOY...BEAUTIFULLY ACTED AND DIRECTED"...Hollywood Reporter
Carl Laemmle presents
KARLOFF
in a Universal Picture
THE Bride of FRANKENSTEIN
with
COLIN CLIVE
VALERIE HOBSON
ELSA LANCHESTER · UNA O'CONNOR
O. P. HEGGIE · ERNEST THESIGER
Directed by James Whale

MILLIONS ARE RE

IN COLUMNS SYNDICATED THROUGH THOUS



"Only one picture in a decade can match its spiritual qualities with its box-office power. 'Les Miserables' is that picture!

—Louella Parsons in the great chain of Universal Service newspapers.

•

"Here, at last, is the perfect picture—the picture by which all talking screen achievements of the future will be compared!"

—Eileen Percy in the far flung chain of Block Publications.

•

"It is not often that we really go into raves over a picture, but 'Les Miserables' warrants unloosing every adjective."

— Dan Thomas, Motion Picture Editor, Newspaper Enterprise Association

•

"Les Miserables' is a picture in a million!"

—Alice Tildesley, Philadelphia Public Ledger Syndicate

JOSEPH M. SCHENCK presents

VICTOR HUGO'S

LES M

20TH CENTURY PICTURE

Released thru UNITED ARTISTS

NG THESE REVIEWS

F NEWSPAPERS ALL OVER THE COUNTRY



"Your grandchild and your grandmother will be equally thrilled by 'Les Miserables'—destined to be the year's outstanding picture!"

—Wallace X Rawles, International News Service

•

"It is a sensational picture!"

—Mollie Merrick, North American Newspaper Alliance

•

"The book, 'Les Miserables' is the greatest epic and dramatic work of fiction ever created, and the talking picture of the same name may well go down in history as the greatest of its kind!"

—Feg Murray' "Seeing Stars," King Feature Syndicate

ISERABLES

A

DARRYL ZANUCK PRODUCTION

STARRING

FREDRIC MARCH
CHARLES LAUGHTON

CEDRIC HARDWICKE - Rochelle Hudson - Frances Drake - Joan Beal

Directed by RICHARD BOLESLAWSKI

NEW YORK CRITICS GO OVERBOARD WITH PRAISE!

"Offerin
the mo
N.Y. Dai
entertainment . . . goo
. . . . "A happy break f
drama . . . A grand myste
bright and easy it makes the story fresh and entertainin
"Jaunty, light-hearted, Springtime entertainment . .
American . . . . "Lively, amusing and effective, standin
sumptuous drawing-room backgroun
. . . . "Diverting entertainment . . . Th
N. Y. Evening Journal.

. . . top money looms for more than 100 key-runs Easter Week . . .

ystery, suspense, humor and romance, 'Star of Midnight' is easily one of musing and absorbing comedies to come out of Hollywood this season." . . ews . . . . "The new film at the Music Hall is a sleek, witty and engaging vely fun . . . recommended both as humor and as melodrama." . . N. Y. Times lusic Hall audiences . . . Mingled moods of carefree laughter and taut melo- ory, one of the best." . . N. Y. Sun . . . . "Sparkles and entertains . . . Dialogue so . . Powell and Miss Rogers a charming team." . . N. Y. Daily Mirror . . . . s bright a bit of wit and nonsense as the new season has seen." . . N. Y. gh among the examples of this enlivening school of cinema story telling." N. Y. Herald Tribune . . . . "Gay, witty and exciting murder mystery enter- inment, a thriller de luxe . . . consistently clever . . . extremely ingenious." . . . Y. World-Telegram . . . . "A neat and nicely turned out talkie . . . Has inger wears gorgeous clothes. Bill is a male fashion plate." . . N. Y. Post cture is handsomely mounted and nicely acted by its well-dressed cast." . .



William
POWELL
Ginger
ROGERS

with

PAUL KELLY ★ GENE LOCKHART

RALPH MORGAN • LESLIE FENTON • J. FARRELL MacDONALD

in

STAR OF MIDNIGHT

From the novel by ARTHUR SOMERS ROCHE

. . . . . Directed by Stephen Roberts . . . . .

RKO-RADIO PICTURE

Memphis Blue Law's End Set For April 28

(Continued from page 1)

ordinance, which must pass at two additional meetings of the City Commission to become law.

Other cities throughout the state are expected to act on the local option measure within the next few weeks.

Credit for its passage is generally given to the Memphis delegation in the legislature, Memphis having contended for the right to have Sunday amusements ever since the blue law was passed 12 years ago.

May Test Beatrice Law

BEATRICE, Neb., April 14.—With Sunday films definitely defeated again, there was talk here that the three theatres, operated by Phil T. Hill and Frank Hollingsworth, will open anyway on a Sunday in the near future in the hope of beating the law.

Opening in defiance of the election result would force the issue from a different and untried angle. City Commissioners would be forced to close all other amusement and commercial businesses, it is contended.

Fox Met Creditors Study Plans Today

(Continued from page 1)

secured creditors have had an opportunity to study the bid for the circuit submitted late last week by the Bankers Bond & Mortgage Co. and Alfred M. Greenfield, Philadelphia realty investor.

According to report, the latter bid proposes a sale, rather than a reorganization, of Fox Met, with the operation of the circuit to be handled by Si Fabian. Unofficial bondholder comment over the week-end was that the sale and discontinuance of the Skouras and Randforce operating contracts created leasehold complications and, in addition, left unsecured creditors with causes of action against the company.

The Schenck-Fox Theatres plan, under which the 86 Fox Met houses would be absorbed by United Artists Theatre Circuit, with operation by Skouras and Randforce continued, would not disturb existing leases or contracts and would bring about the end of all litigation against Fox Met by its unsecured creditors, of which Fox Theatres, owner of all of the common stock of Fox Met, is the largest.

Republic Studies N. Y., Phila. Move

(Continued from page 1)

deals with the current Monogram franchise-holders either are set, or will be shortly.

W. Ray Johnston, president of the new company, has acquired "The Leavenworth Case" by Anna Katherine Green for production by Republic.

James Tierney has joined Ritchey International Corp. and Republic International Corp., new company formed to handle foreign sales, as head of the accounting department.

Variety Club Chatter

Albany

ALBANY, April 14.—WILLIAM WILLIAMS is the newest barker.

WILLIAM HASKELL, dramatic editor of the *Evening News* and *Knickerbocker Press,* is recovering from a serious illness.

Milwaukee

MILWAUKEE, April 14. — Variety Club entertainers with BILLY SNYDER as master of ceremonies performed at the luncheon at the Plankinton hotel. Kings for a day were HOWARD "BUCK" HERZOG and BEN KATZ.

Guests included Judge F. J. JENNINGS and Attorney W. B. RUBIN, both of Milwaukee, and NATE and BARNEY SILVER of Racine.

H. J. FITZGERALD and ETTA WEISNER are wintering in Florida and Treasurer ART SCHMITZ recently returned from several weeks of sunning in Bermuda.

Plans are being formulated to raise money to use for charitable purposes.

Every Thursday night is club night. Women, with escorts, are admitted on Saturday and Sunday nights and without escorts Wednesday afternoons.

Philadelphia

PHILADELPHIA, April 14. — Barker MILTON ROGASNER and SAMUEL SCHWARTZ have been selected by the board of directors to attend the Variety Club annual meeting in Pittsburgh, May 18-19, as delegates from Tent No. 13.

Plans were completed at the last meeting to put the club on a stable financial basis. Report showed the tent to be in a healthy condition.

The board of directors has considered new applications for membership.

Chief Barker EARLE SWEIGERT has notified members of the Sunday night trade shows scheduled for April.

Barkers EDDIE CORCORAN and JERRY CROWLEY were kings for the day on April 10. The April 24 luncheon will be omitted because of the Passover. Next regular luncheon will be held May 1.

Washington

WASHINGTON, April 14. — April Fools' Day was appropriately celebrated at the smoker of Tent No. 11. Kings for a day were EDWARD HALEY and ALAN BACHRACH who offered a huge pile of neatly wrapped packages to the assembled barkers.

The packages contained something —or nothing—and the size was not indicative of the value of the enclosed article. Many a surprise was forthcoming.

Monday's gathering took the form of a luncheon, for which the kings for a day were NELSON B. BELL and AL PRATT.

Chief Barker RUDOLPH BERGER has announced a series of parties, many of which will be open to women. The first will be an informal dance at the Willard about the middle of the month. A reception and buffet supper will be held in the club rooms, with dancing in the adjacent Cabinet Room. HARRY BROWN is chairman.

Next on the list for May 15 will be a golf tournament. SAM A. GALANTY will be the chairman.

Tentatively dated for July 20, is a Showboat Night down the Potomac. CARTER T. BARRON, chairman of the entertainment committee, will be in charge.

The committee on welfare and public charities headed by A. E. LICHTMAN, is planning a charitable drive.

Kings for a day for the next few weeks have been tentatively named as follows: April 15—CLARK DAVIS and JAMES B. FITZGERALD; April 22—MASON PETERS and HARRY SUMMERVILLE; April 29.—EDMUND M. TOLAND and DAN S. TERRELL; May 6—CARTER T. BARRON and HARRY E. LOHMEYER; May 13—CHARLES KRANZ and SAM WHEELER; May 20.—HARRY HUNTER and JOE MORGAN.

Tax and Code Topics At Tri-State Meet

(Continued from page 1)

Tennessee at the semi-annual meeting at the Chisca Hotel here today.

Speakers will include: Ed Kuykendall, national president; M. A. Lightman, chairman of the tri-state board; R. X. Williams, secretary; Harry Martin, film editor of *The Commercial Appeal;* and Jack Bryan of the *Press-Scimitar.*

Nebraska MPTO to Meet

OMAHA, April 14.—Invitations have been forwarded to all Nebraska exhibitors for the annual spring meeting to be held at the Loyal Hotel tomorrow. Charles E. Williams, president of Nebraska M. P. T. O., issued the call. Questions to be discussed are mostly routine, though the code is due to come in for considerable debate.

Get Schmeling Film

Bavaria Films of New York have acquired the American rights to "A Young Man—A Young Girl," a prize-fighting picture with Max Schmeling and Anny Ondra.

More of Tri-Ergon Cases Are Quashed

(Continued from page 1)

which had been brought against Consolidated Film Laboratories, H. E. R. Laboratory, Amerangle Corp. and Filmlab, Inc. Four additional Tri-Ergon actions were dismissed earlier last week by Judge Goddard as a result of the Supreme Court's recent refusal to re-hear Tri-Ergon's double print and flywheel patent cases.

Mexican Strike Spreads

MEXICO CITY, April 14.—Nine of Mexico's largest cities are completely dark as a result of the strike of electrical employes who walked out in sympathy with electrical workers of Tampico who struck last week. The government is attempting to settle the Tampico difficulties in order to clear up the entire matter.

Sanchez Gets Westerns

Arthur Sanchez of Trans-Oceanic Film Export Co. has acquired the foreign rights on a series of Harry Carey westerns.

"Roberta" Up As Rain Hits Chicago Loop

CHICAGO, April 14.—Four days of rain hit downtown grosses and only two spots were over par as a result. "Roberta" took $24,000, up by $2,000, in its third week at the Palace.

Total first run business was $110,000. Average is $127,600.

Estimated takings:

Week Ending April 11:

"MISSISSIPPI" Para.)

CHICAGO—(4,000), 25c-50c-68c, 7 days. Stage: Cross & Dunn, Cherry & June Preiser. **Gross:** $30,000. (Average, $34,600)

"CARNIVAL" (Col.)

ORIENTAL—(3,940), 25c-40c, 7 days. Stage: Jimmie Lunceford & "Harlem Express" company. **Gross:** $17,000. (Average, $15,000)

"ROBERTA" (Radio)

PALACE—(2,509), 25c-35c-50c, 3rd week, 7 days. Stage: Vic Oliver, John Fogarty, Bebe Barri Dancers. **Gross:** $24,000. (Average, $22,000)

"LIFE BEGINS AT 40" (Fox)

GARRICK—(900), 25c-35c-40c, 2nd Loop week, 7 days. **Gross:** $3,000. (Average, $5,000)

Week Ending April 12:

"VANESSA" (M-G-M)

UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $10,000. (Average, $17,000)

"TRAVELING SALESLADY" (Warners)

ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $10,000. (Average, $11,000)

"EVERGREEN" (Gaumont British)

APOLLO—(1,400), 25c-35c-50c, 5 days. **Gross:** $4,000. (Average, $8,000)

"THE COUNTY CHAIRMAN" (Fox)

STATE-LAKE — (2,776), 20c-25c-35c, 7 days, 3rd Loop week. Stage: Vernon Rathburn, Harry Holmes, Robbins Family. **Gross:** $12,000. (Average, $15,000)

Approval of Para. Deals Up to Court

(Continued from page 1)

Judge Alfred C. Coxe for final approval.

The Marks Bros. settlement provides for discontinuance of litigation by Paramount in consideration for payment to the latter of $56,208 by the Continental Illinois Bank out of an escrow fund of $146,208 deposited by Paramount as a guaranty of performance of a stock repurchase provision given with the acquisition of the Marks Bros. theatres in 1931. The balance of the fund will be paid to Marks Bros.

Leasing of the Long Island studio by Paramount News until 1941 is authorized in the special master's report permitting the Paramount trustees to participate in the amended plan of reorganization of Prudence Bonds Corp., lessor of the studio. The Elwood proposal provides for assignment to Paramount of a mortgage held by the former on the Miami Beach Community Theatre Bldg., together with two mortgage notes totaling $73,180, as against indebtedness of Elwood to Paramount. Also provided is the cancellation of $56,000 of claims against Paramount and payment to the latter of $33,180.

Hal Roach Coming East

HOLLYWOOD, April 14.—Hal Roach left for the east with Mrs. Roach on April 11 to attend conferences with M-G-M officials in New York. They stopped over at Culver, Indiana, to spend Easter with their son who attends Culver Military Academy.

Purely Personal

(Continued from page 1)

another of his "Scandals" revues. A short stopover in Chicago will break up the trip and he'll get in late this week.

•

MAX MILDER and D. E. GRIFFITHS of the Warner office in England leave London about the middle of May to attend the company's sales convention on the coast in June.

•

HARRY and BILLY BRANDT pitted against JACK SPRINGER and SAM COCALIS in a golf match with MAX COHEN as watchdog on the score card would make an interesting game.

•

RAY NOBEL has been set by the William Morris Agency to appear in "The Big Broadcast." The sequence will be shot here to allow NOBEL to continue with his radio programs.

•

WILLIE HOWARD has been signed by Paramount for a role in "Rose of the Rancho." The William Morris Agency, in association with JACK CURTIS, handled the deal.

•

SOPHIE KNOWLTON SMITH, formerly with the Little Picture Theatre, has opened an office for furnishing private screenings for industrial, advertising and benefit shows.

•

MARGE LOGAN, vocalist with JOHNNY GREEN's orchestra, all excited over the short she made for Paramount.

•

GERTRUDE (needle - stuck - on - the-record) STEIN is now one of Gov. LAFFOON's colonels.

•

PAUL MUNI will fly to Houston to be present at the opening of "Black Fury" at the Metropolitan May 3.

•

. . . Denver

EVERETT COLO, Alamosa exhibitor, Mayor again through neglect of citizens to hold election to save expense. EVERETT has been Mayor for several terms and is still popular.

•

GEORGE FRANTZ, Fox Wesco purchasing agent, moving his office downtown to the Isis Theatre Building, from the Mayan, suburban.

•

BARNEY SHOOKER, Columbia salesman, out of hospital after operation and resting up for first trip.

•

J. J. GOODSTEIN reopens his Grand at Rocky Ford, rebuilt after fire last year.

•

ART BLUCK takes over the Grand at Littleton from FRED LIND.

•

. . . Milwaukee

COUNTESS OLGA ALBANI, who motored from Chicago for an evening, declared she is leaving the Sunday Silken Strings program July 1 to go to Hollywood to make pictures for Warner Bros.

•

EDDIE LURIE now directing the destinies of the Liberty, formerly operated by OSCAR VOLLERT, as well as the Savoy, both local neighborhood houses.

•

EDWARD ZABEL, secretary to CHARLES SKOURAS, dropped in on his parents here enroute to the coast to meet his boss.

•

H. J. MIRISCH, manager for Warners in Wisconsin, confabbing with officials in New York.

Wall Street

Small Gains on Big Board

	High	Low	Close	Net Change
Columbia, vtc	43⅜	43½	43½	.....
Consolidated	5	4⅞	5	+ ¼
Cons., pfd. (1v)	17⅞	17½	17¾	+ ⅜
Eastman	125½	124⅞	125¼	+ ¼
Fox "A"	9¾	9⅜	9¾	+ ⅛
Loew's (2)	38¼	37⅜	38	+ ½
Loew's, pfd. (6½)	108	108	108	+ ½
Paramount	3½	3	3	.....
Pathe	¾	⅝	¾	+ ⅛
Pathe "A"	11⅝	11⅛	11⅝	+ ⅜
RKO	1½	1½	1½	.....
Universal, pfd.	38½	38½	38½	—1
Warner	3¼	3⅛	3⅛	.....
Warner, pfd.	19¾	19¾	19¾	— ¼

Technicolor Off Slightly

	High	Low	Close	Net Change
Technicolor	21	20⅞	20⅞	— ⅛
Trans Lux (.10K)	2	2	2	.....

Keith Bonds Up 1

	High	Low	Close	Net Change
General Theatre Equip. 6s '40	87⅛	87⅛	87⅛	+ ⅛
Keith B. F. 6s '46	75	75	75	+1
Loew's 6s '41 ww deb rights	104¾	104¾	104¼	.....
Paramound Broadway 5½s '51	53½	53¼	53½	+ ¼
Paramount F. L. 6s '47	77¾	77½	77¾	.....

(K and v) Paid this year.

(Quotations as at close of April 13)

Sees Ind'p'ts Gaining Nothing by the Code

PHILADELPHIA, April 14.—That the independent theatre man has "nothing to gain" by the extension of the code is the belief expressed by the Independent Exhibitors' Protective Ass'n in its latest bulletin. On the contrary, says the organization, he has "much to lose." Exhibitors are advised to exert their influence in Washington to have the code "either radically revised or scrapped altogether."

Characterizing the code as "one of those which have discredited the entire NRA program conceived by the President" and charging "the Authority is 'packed' with representatives of the major producers," the I.E.P.A. asserts that "the affiliated theatre chains have taken advantage of the code to increase their clearance over independent competitors" and that "they so thoroughly dominate local boards that they can obtain decisions detrimental to the independents."

Cancellation To Be Pushed By Kuykendall

(Continued from page 1)

"the exhibitors would continue to play the same number of pictures each year that they are now playing, therefore the same number of pictures would have to be bought."

He offers the opinion that an increase in cancellation would "do more than any other thing to counteract outside meddling with our industry" and "is one of the essentials to a better understanding and friendly relation between the theatre owner and the distributor."

Also, in answer to the distributor opinion that the code lacks teeth with which to enforce effectively an increased cancellation provision, as a result of which some companies could avoid compliance with it and achieve an unfair trade advantage over competitors who fulfilled the provision, Kuykendall offers the belief that "after the final determination of this government as to what shall and shall not be continued in the various code setups, that out of it will come a revised code for the industry that will force and make binding those things that are right and constructive."

He adds that the M. P. T. O. A.'s code revision committee will go ahead with its plans for meetings with Compliance Director Sol A. Rosenblatt and Code Authority for discussion and recommendation of code changes and revisions.

"This committee," he said, "will not be radical but will be composed of gentlemen who understand the mechanics of this business based upon many years' experience as exhibitors."

St. Louis Spots to Get An Overhauling

(Continued from page 1)

Co., owners of the North Grand, plan to completely rebuild the theatre.

W. A. Collins, head of the Collins Circuit, has completed plans for the erection of a new house at DeSoto, Mo., and it is expected that the New Uptown, now in construction at Columbia, Mo., will open early next month.

Has Hungarian Film

J. H. Hoffberg, Inc., have acquired the American distribution rights to the Hungarian film, "March Tale." The picture, which will be released next month, was made by Ibusz in Budapest.

MPTOA Sees Restrictions On Music Fee

(Continued from page 1)

arbitrarily price fix and dominate us in the orderly process of our business."

While the American Society of Composers, Authors & Publishers is not specifically mentioned in Kuykendall's statement, there appears to be little doubt that his reference is directed at the music licensing organization.

"The theatre owners of the country," Kuykendall's statement continues, "will be advised in the near future as to just what they will be expected to do along this line (obtaining amendments to the copyright laws) for their common good. There is no limit to what we can accomplish as a coordinated, unified body of theatre owners providing our cause is right."

That the efforts to secure music licensing relief through amendments to the copyright laws will not detract from exhibitor support of the pending Government suit against Ascap was made clear earlier. The Attorney General's office is reliably reported to be proceeding with its efforts to bring the case to trial here at an early date despite the handicap of a crowded Federal court calendar and a lack of trial judges. The latter factor is now being relieved with the return to the bench of Judge John M. Woolsey, recovered from a lengthy illness, and the assignment to this Federal court district of Judge Charles Thomas as a relief jurist. As a result of these developments, it is said, the Government may be expected to move promptly for a preference on the trial calendar for the Ascap action.

Ohio Epidemics Hit Theatres in 3 Spots

(Continued from page 1)

with a death rate of 31 per cent and the talk of quarantine has hurt exhibition. In Minerva schools have been suspended and pupils have been forbidden to attend theatres.

Police are being used in Urbana to keep pupils from attending any kind of a public gathering.

Paramount Sets Title

HOLLYWOOD, April 14.—Paramount has set "Men Without Names" as the final title for the picture which has been known until now as "Federal Dick."

Salem Was Where It Began

(Continued from page 1)

to his house by giving the hordes of what he calls "parlor singers" a chance to get on the radio. A tieup was arranged with a Boston station for about $25 for a weekly half-hour.

This was by far the heaviest expense. Nearly everything else was promoted. A typical weekly expense sheet reads: "100 postcards, $1.00; car to Boston, $4.00; sheet music, 35c; meals, $2.00; total, $7.35." The weakest night of the week was chosen for the stunt. Business on these nights at the 2,200-seat house was increased from 100 to 300 per cent. The final winners were given the titles of "Salem King and Queen of the Air." They were presented silver loving cups. Bloomberg even promoted the cups.

La Hiff's Tavern

A chop house of exceptional merit

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Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 89 NEW YORK, TUESDAY, APRIL 16, 1935 TEN CENTS

Booking Bill Dangers Cited By Kuykendall

Calls It Detriment at Tri-States Session

MEMPHIS, April 15.—Passage of the Pettengill bill would have no effect on the moral issues involved and would be a detriment to both the industry and the public, Ed Kuykendall told the M. P. T. O. of Arkansas, Mississippi and Tennessee in session here today at the Chisca Hotel.

"We find to our amazement," he said, "that several organizations without the industry are taking the trouble to support this measure. These groups are misled and misinformed as to the results that would be achieved.

"Exhibitors would continue to buy, as now, separately rather than in groups, the pictures that bring the

(*Continued on page 9*)

H. J. Yates Renamed Consolidated Head

Herbert J. Yates was re-elected president of Consolidated Film Industries, Inc., yesterday when the new board of directors met. All other executives were returned to office with the election of M. J. Seigel, formerly an assistant treasurer, to a vice-presidency, succeeding George W. Yates.

The personnel follows: Ben Goetz, executive vice-president; Ralph I. Poucher and Walter Vincent, vice-presidents; H. J. Yates, Jr., secretary-treasurer; C. J. Bigelow, assistant treasurer; Nathan K. Loder, Joe Aller and W. F. Ferris, assistant secretaries.

Deutsch Would Keep Odeon in U. K. Hands

LONDON, April 15.—A statement by Oscar Deutsch that he does not intend to let the Odeon circuit "go out of British hands" is regarded as an indirect comment on stories, heard on the inside, that the Odeon theatres were to form the nucleus of a British

(*Continued on page 2*)

Unusual

Memphis, April 15.—Vaudeville played simultaneously at two first runs here for the first time in years when Paul Ash was headlined at the Orpheum and Larry Rich at Loew's State.

Stuart W. Webb Resigns From Post as Pathe Head

Stuart W. Webb yesterday resigned as president and director of Pathe Exchange, Inc., and will be succeeded by Robert Atkins, a broker.

Webb's resignation, understood to have been brewing for several days, was tendered the Pathe board of directors and accepted yesterday. Webb was not available for comment last night and the Pathe board is reserving issuance of a formal statement until some time today. It is reported, however, that the resignation was impelled by dissatisfaction within the board and from Dupont Film Mfg. Co. with several financing arrangements closed by Pathe recently.

While it is rumored Webb may also resign as chairman of the board of First Division and as a director of Dupont, this could not be confirmed last night. Pathe owns 49 per cent of the Dupont Film Mfg. Co.'s stock and was elected to that company's board by Pathe's stock representation. He was also elected chairman of the board of First Division several months ago as the representative of Pathe's financial investments in that company.

Webb became president of Pathe Exchange about four years ago fol-

(*Continued on page 2*)

Colonels Meet Soon

Louisville, April 15.—That much-discussed gathering of the regiment of Kentucky colonels starts here April 29 and, if the pari-mutuels work out all right, it will continue to May 4.

It's a mere coincidence that the Derby takes place at the same time. All military maneuvers will take place at Churchill Downs.

Scale Boosts Seen in Rules On Clearance

Efforts to increase admissions where feasible are seen in several decisions handed down recently by Campi. In practically all cases the decisions hold that if higher admissions are charged the clearances are reduced accordingly.

A recent instance is the Dixwell complaint against Loew's College in New Haven. Unless the College maintains a 30-cent admission, or above, it loses its 30-day clearance over subsequent runs. An appeal committee early last week hearing a com-

(*Continued on page 14*)

Berinstein Dickers For Upstate Houses

Ben Berinstein is negotiating with Warners for the repurchase of four Elmira, N. Y., theatres sold to the major circuit several years ago. Of the quartet, only one house is open at present.

Berinstein leaves for the upstate city today to look over the properties. If he is successful in closing a deal with Warners, Berinstein will reopen the three dark units.

Jules Berinstein, Ben's brother, has

(*Continued on page 2*)

Action Again Delayed Upon Missouri Tax

JEFFERSON CITY, April 15.—Final action on the two per cent sales tax bill has again been delayed by the Senate Ways and Means Committee which has been studying the financial needs of the state for relief and other purposes.

Several members of the committee are opposed to the move to saddle the costs of county insane patients on the state. They are convinced that delay will bring out a strong expression of public opinion against the increase from one-half of one per cent to two

(*Continued on page 9*)

Campbell Made Head Of British Newsreel

Sir Malcolm Campbell, well known English sportsman and automobile racer, has been named editor of British Movietone News. Gerald Sanger, editor since establishment of the reel in 1929 by Truman Talley, becomes producer.

This is in line with the same policy adopted some time ago in this country when Talley became producer here and Laurence Stallings became editor, with Edwin C. Hill doing most of the commenting.

KAO Will Bid For Fox Met, Court Is Told

Statement Is Made While Schenck Plan Is Up

RKO, through its theatre subsidiary, Keith-Albee-Orpheum, will submit a plan of reorganization for Fox Metropolitan Playhouses, Federal Judge Julian W. Mack was told yesterday by Howard Lehman, attorney, of Cook, Nathan & Lehman, following the first day's hearing on the Joseph M. Schenck-Fox Theatres' reorganization plan for Fox Met.

Lehman's association with the offer was interpreted by observers to mean that K-A-O probably would have the financial aid of the Lehman Bros. bank in the submission of a Fox Met plan. Lehman, the attorney, is related to the heads of the Lehman banking interests.

Judge Mack observed that he had been advised that "several other

(*Continued on page 14*)

Selznick Has Offer, But Silent on Plans

HOLLYWOOD, April 15.—David O. Selznick admits he has received a "handsome offer" for a production post with another organization, but refuses further comment on a report that he is to leave M-G-M.

First reports that he might make a change included a rumor that he would form a new producing organization with Myron Selznick associated with him, but it is now denied that the latter will be with the new company. It is understood here that a new producing unit is definitely under way.

Conspiracy Charged In Suit at Lincoln

LINCOLN, April 15.—State Theatres, Inc., has brought suit against the Lincoln Theatre Corps. of Delaware and Nebraska; J. H. Cooper, New York;

(*Continued on page 9*)

Universal Set

James R. Grainger, general sales manager, returned from the coast yesterday bringing word that Universal is set on its lineup for 1935-36.

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Darryl Zanuck Here For 2nd Anniversary

Darryl Zanuck, accompanied by his publicity head, Harry Brand, are due in town today for a celebration of the second anniversary of 20th Century Pictures. One of the features of the observance will be a party at the Normandy tomorrow afternoon.

While here Zanuck will attend the opening of "Cardinal Richelieu" at the Music Hall Thursday and "Les Miserables" at the Rivoli on Saturday.

Delay Skouras Hearing

A hearing scheduled for yesterday on the settlement of St. Louis neighborhood theatre operating contracts between Paramount and Skouras was postponed by Special Master John E. Joyce to April 29.

MITCHELL MAY, Jr. COMPANY
INC.
SPECIALISTS IN FILM and THEATRE INSURANCE
75 Maiden Lane New York
510 W. 6th St. Los Angeles Cal.

Purely Personal

AL JOLSON made "The Jazz Singer" about eight years ago. That reason is sufficient for a celebration which will be held tonight at the Casino de Paree. RUBY KEELER, who is MRS. J, will attend while among those expected are:

HARRY M. WARNER, M. H. AYLESWORTH, PAUL BLOCK, EDDIE CANTOR, WALTER P. CHRYSLER, JR., HARRY WARREN, AL DUBIN, WILLIAM GAXTON, VICTOR MOORE, ORRY KELLY, DOROTHY MACKAILL, ETHEL MERMAN, AL GOETZ, JACK PEARL, BRADFORD ROPES, and RUDY VALLEE. Tonight's festivities will be broadcast and the newsreel cameras will make a permanent record of the party. The Casino de Paree plays a prominent part in "Go Into Your Dance."

•

MICHAEL BALCON arrives from the coast today and will sail Friday on the *Berengaria,* which will also have as passengers HELEN VINSON and GUS SCHAEFER and his wife.

Quip of the Day

Shabbus, the Hollywood exhibitor on the fringe of the town, highly incensed that his name has been mispronounced by other showmen because inadvertently misspelled here, writes:

"My front name is NOT Mack, or Mac, or Mc. I'm not a Gael. If I was, I couldn't be an exhibitor.

Don't print my name as MOCK, either, because I'm not from China nor am I a Manchukohen.

"My handle is plain MOX, not even Max, but M-O-X;—pronounced as he is spelled.

"So please change my first name on your 'Quip of the Day' marquee.

"Being in Hollywood, I'm temperamental also, and oblige.

"MOX SHABBUS."

"P. S.—What is a quip, anyhow? Has it something to do with a quirk?"

EDWARD CHODOROV, once a press agent and now a producer in Hollywood, is in town in connection with "Kind Lady," his stage play which is now in rehearsal.

•

JOEL A. and MRS. LEVY celebrated their 22nd wedding anniversary yesterday aboard the *Berengaria.* They arrive here today.

•

ROBERT BENJAMIN of LOUIS NIZER's office, is mourning the passing of his father last week.

•

GEORGE BILSON, in charge of Warner trailers at the studio, arrived by plane from the coast yesterday.

•

BUDD ROGERS is now with the film industry contingent of LAFFOON's colonels.

•

HAROLD ARLEN, composer of the "Life Begins at 8:40" lyrics, will leave for the coast tomorrow.

•

MITCHELL KLUPT broke out in a new blue spring top coat yesterday.

•

ELISSA LANDI will be the guest star on Al Jolson's radio hour Saturday.

JULES FIELDS, who was recently transferred from the De Witt, Bayonne, to the Central, Jersey City, by Warners, was given a great send-off by his staff and a pen and pencil set as a token of remembrance. GEORGE STEINER, formerly of the Central, succeeds FIELDS at the DeWitt.

•

NICHOLAS M. LUDINGTON was in Philadelphia yesterday. First Division heads have held informal discussions on production, but nothing has been settled. Within the next few days the board of directors will hold that long-expected session.

•

MILTON SILVER, of National Screen, is walking around with his chest way out here. MRS. SILVER presented him a boy at Polyclinic Hospital yesterday morning. The new arrival, weighing six and a half pounds, will answer to the name of DAVID.

•

A. M. SCHUMAN and JOSEPH DAVIS, partners in the Black Rock, Bridgeport, Conn., were in town yesterday on an appeal of their clearance and zoning complaint against Loew's in the same town.

•

HAL ROACH yesterday said he has a lot of ideas on production for next season and will announce his plans before he returns to the coast in two weeks. He is conferring with FELIX FEIST while in town.

•

ARTHUR GOODRICH, another Hollywood visitor, is here on detail having to do with "A Journey by Night" which he adapted and which opened on Broadway last night.

•

JACK COSMAN is recuperating from an appendix operation at Mt. Sinai Hospital. The report on his condition yesterday was he was improving. He should be up soon at that rate.

•

AL LICHTMAN had his first taste of Matzoth yesterday. In the argot of the industry, he previewed the Passover menu, which ordinarily should start tomorrow night.

•

GARY COOPER, pipe in mouth and wearing a grey top coat, was not noticed by many as he walked down Seventh Ave. yesterday afternoon.

•

WILL HAYS reached New York from Hollywood yesterday. His staff was mightily pleased. He looked that well.

•

NICHOLAS M. SCHENCK returned to New York from Tucson and Hollywood looking very well and very fit.

•

KONRAD BERCOVICI, the author, hatless and coatless, ambled up Broadway yesterday taking advantage of the sun.

•

SAM ECKMAN hies back from St. Louis, where he has been visiting his sick brother-in-law, tomorrow.

•

W. R. RODGERS of M-G-M is back from a trip to the Capital.

•

SIDNEY SAMUELSON is keeping the Pullmans busy. Yesterday he was in Albany attending a regional Allied session and today he will be in Newark where Allied of N. J. will hold its weekly session.

•

CLAUDE EZELL and WILLIAM UNDERWOOD, Dallas; JACK S. JOSSEY and NAT LEFTON, Cleveland; and HERMAN RIFKIN, Boston, are in town conferring with W. RAY JOHNSTON on the new Republic Pictures setup.

•

SPYROS SKOURAS returns from the coast on Friday. AL HANSON is staying over until Campi decides on the F. W. C. petition on the L. A. clearance and zoning schedule.

•

SAUL TRAUNER of the local Columbia sales force back from a cruise. He was on the *Columbia.*

•

. . . Cincinnati

Personalities here in the last few days: BOSWELL SISTERS, ROSCOE ATES and MITZI GREEN, appearing on bills at the RKO Shubert, while BEBE DANIELS, BEN LYON and ATES were at the Cox in a stage play, "Hollywood Holiday."

IKE LIBSON back in town after a trip to New York conferring with RKO.

MAURICE A. CHASE, holding down the managerial chair at the local Majestic exchange, announces appointment of DONALD DUFF as midwest representative.

C. E. PEFFLEY, skipper of the Paramount, Middletown, O., now wears the title of "Dad" before his name. An eight-pound boy has arrived. It's his first.

Webb Quits Post As Head of Pathe

(*Continued from page* 1)

lowing the sale of Pathe's production assets to RKO. Since then the company has engaged almost exclusively in laboratory work and the financing of independent production to supplement the laboratory work. Webb sponsored the plan of financial reorganization for Pathe which the company's stockholders approved last month.

Deutsch Would Keep Odeon in U. K. Hands

(*Continued from page* 1)

circuit with which U. A. would be closely associated.

Odeon theatres at present number 50 and are expected to reach 100 in a year. Other houses mentioned in the U. A. story were the nine supers controlled by Walter Bentley in the Midlands and South Coast. It was suggested that Union Cinemas, Ltd., which figured in the recent Gaumont "booking circuit" dispute, might also be interested.

U. A. has always denied stories crediting its acquirement of British theatres.

Berinstein Dickers For Upstate Houses

(*Continued from page* 1)

charge of the New York houses of the late William Berinstein's estate. There are two theatres in Albany, one the Colonial, which is open, and the Hudson, closed. Altogether, there are nine in the Berinstein circuit.



Leading the Easter Parade to the Doors of America's Great Theatres April 20th... the Most Exciting

song and dance

Combination Ever Presented In Any Warner Bros. Musical! . . . .



al jolson and I

SHE DANCES in 7 different languages to the tune of "Latin From Manhattan," "About A Quarter to Nine" and "An Old-Fashioned Cocktail."


uby Keeler


"go into y



our dance"

HE SINGS "Latin from Manhattan," "About A Quarter to Nine," and Warren and Dubin's other radio-famous hits—"Go Into Your Dance," "Mammy, I'll Sing About You," and 2 others.*

*Also "The Little Things You Used To Do," sung by Helen Morgan



In Warners' Cap Another Feather For Bringing These Two Stars

together

IN A REAL STORY by Bradford Ropes, famous author of "42nd Street"

SUPPORTED BY 8 STARS, including Glenda Farrell, Patsy Kelly, Helen Morgan, under Archie Mayo's direction.

SURROUNDED BY GIRLS in spectacular dance numbers arranged by Bobby Connolly.

A PRODUCTION THAT'S "TOPS AMONG THE MANY MUSICAL FILMS . . . everything about it is absolutely grand"—Los Angeles Herald-Express.

A First National Picture

Action Again Delayed Upon Missouri Tax

(Continued from page 1)

per cent, and they say the problem can probably be solved by broadening the base of the tax.

Approve Ohio Lotteries

COLUMBUS, April 15.—The House Judiciary Committee has recommended for passage a proposal to submit to a vote of the people a constitutional amendment permitting the state to operate lotteries, the proceeds to be used for poor relief, old-age pensions and possibly schools.

The amendment, which would be written into the present section forbidding lotteries, would read, "unless operated by the state."

If passed by the Legislature and favorably voted upon at the election, it is believed that there would be less likelihood of a luxury tax.

Predict California Cuts

SACRAMENTO, April 15.—Chairman Duval of the Senate Revenue Taxation Committee predicted today that severe rates in the Chatters income tax bill passed in the Assembly would be lowered by the Senate. An attempt will be made to reach an agreement through the Senate-Assembly Steering Committee.

It is probable that a compromise will fix the rates in the Chatters bill at 25 per cent of the Federal rate instead of one-third.

Legislative Passes Heavy

LINCOLN, April 15.—The Nebraska Legislature will have used 30,000 free admissions during the 1935 session, if not more, it is estimated by showmen here. Four houses granted legislature the privilege for 14 weeks up to April 1, but the session will go another month and extension has been granted. About 23,000 were used during the regular period.

Mark Time on Sunday Shows

MEMPHIS, April 15.—Talk of rushing through Sunday picture shows has been hushed up here. Managers declare they have waited two years and can afford to wait a couple of more weeks until the City Commission takes formal action.

Illinois Sales Tax Killed

SPRINGFIELD, Ill., April 15. — The House has killed the proposed three per cent sales tax bills, one of which proposed inclusion of public utilities, admissions and other items.

New Orleans Votes Against Time Shift

NEW ORLEANS, April 15.—There will be no daylight saving time in New Orleans this summer, the Commission Council has definitely decided. There will, however, be a referendum next spring on proposals for daylight saving time next summer.

The council decided to hold the question in abeyance for one year, due to the fact that no referendum could be held this year.

Looking 'Em Over

"Goin' to Town"

(Paramount)

SAN DIEGO, April 15.—Mae West, wise-cracking "How Am I Doin'" gal, goes to town in a big way in this picture. The film has genuine box-office possibilities judging from the enthusiastic reception by a preview audience.

In the story by Miss West she is a "blues" singer in the Texas oil district who loses to Fred Kohler, a cattle rustler, in a dice game to see whether she will marry him. When Kohler is killed before the marriage, Miss West inherits his millions and falls hard for an oil field manager, Paul Cavanaugh. She follows him to Buenos Aires and, with the aid of her manager, Gilbert Emery, tries to crash the social gates to win him.

There, she wins a thrilling race with Cactus, her Texas-bred horse, after her faithful Indian servant, Tito Coral, foils a plot by Ivan Lebedeff and Marjory Gateson, her rival, to put the nag out of the race. In a plan to gain social prestige, Miss West marries Monroe Owsley, related to Miss Gateson, and goes to his estate.

Miss Gateson then tries to frame her with Lebedeff's aid. Owsley is shot by the Russian when the former is caught robbing Miss West's bedroom safe to pay a gambling debt. It looks bad for the buxom Mae but with the aid of Coral she outwits her enemies, and, as usual, gets her man.

Best shot shows Cactus being put to bed in Miss West's palatial Buenos Aires home.

Other players are Grant Withers, Luis Alberni, Paul Harvey, Adrienne D'Ambricourt and Mona Rico.

Although racy in spots, the picture has ample comedy relief and drama to make it popular.

Production Code Seal No. 695. Running time, 60 minutes. "G."

"The Return of Chandu"

(Principal)

Although Bela Lugosi lacks some of the romantic appeal that Edmund Lowe put into the original screen role of Chandu, the Magician, he is, nevertheless, convincing and real in the part. Director Ray Taylor keeps things moving at a fast pace and inserts just enough "magic" into the film so as to make some of the weird incidents convincing. Photography is excellent.

The story has Chandu again protecting Princess Nadji (Maria Alba), this time from the clutches of a mysterious Egyptian sect trying to sacrifice her in order to restore a lost kingdom. Lucien Prival, leader of the mysterious group, captures the princess in the home of Chandu and takes her to a deserted house. By means of his magic ring, however, Chandu rescues and takes her aboard Bryant Washburn's yacht for safe-keeping. She is pursued, and captured again.

Chandu arrives in the nick of time to foil Prival, however, and Washburn loses his life aiding him. The party puts into Suva, and Chandu, with the cooperation of the police, kills Prival and disperses his cult. The way is then clear for him to marry the princess and the fadeout shows them in each other's arms.

Other members of the cast, all of whom perform capably, are Dean Benton, Clara Kimball Young and Joseph Swickard. Sol Lesser produced.

There are plenty of thrills and action in this film, enough to entertain any audience. Children, especially, should appreciate it.

Reviewed without production code seal. Running time, 60 minutes. "G."

"Fighting Lady"

(Principal)

Using a theme that is more than familiar to audiences and presenting it in a haphazard manner, Director Carlo Borcosque has here produced a picture slightly below average in entertainment value and a very dubious one for general patronage.

The yarn has Peggy Shannon a scheming young woman determined to get ahead socially no matter what the price. She travels from man to man on her way until she finally meets Edward Earl. He becomes engaged to her to give an air of respectability to their affair and, through him, meets Jack Mulhall, a conservative, socially powerful banker. By clever work she breaks up Mulhall's engagement to another girl and marries him herself. Thinking herself finally secure, Miss Shannon is ready to rest on her laurels when Mulhall revolts and wants to return to his first love. Miss Shannon refuses to give him up, but is forced to

(Continued on page 12)

Booking Bill Dangers Cited By Kuykendall

(Continued from page 1)

best results at the box-office. It would be no help to the small town operator if he were forced to go to an exchange center to see all the product before buying, and it would be demoralizing to the production end of the industry."

Other speakers included M. A. Lightman, Harry Martin of the *Commercial-Appeal* and Jack Bryan of the *Press Scimitar*.

A testimonial dinner was given Sunday night in honor of W. E. Site, Universal branch manager. It was his 20th anniversary on the job.

The annual banquet and a dance closed the sessions tonight.

N. Y. Allied Favors Pettengill's Bill

ALBANY, April 15.—Support of the Pettengill anti-block booking bill was pledged at a meeting of directors of the New York Allied unit here today.

The Atlanta convention was discussed and it was predicted delegations would attend from New England, New York, New Jersey and the District of Columbia.

The next eastern directors' meeting will be held in June. Directors of the state association present today were Robert Goldblatt, A. Papayanakos, H. C. Morse, John W. Gardner and R. P. Merriman.

Conspiracy Charged In Suit at Lincoln

(Continued from page 1)

R. R. Livingston, Lincoln; and over a dozen film companies here in Federal court for damages amounting three fold to $444,000. Distributor defendants named include M-G-M, Paramount Publix, Paramount Pictures Distributing Corp.; Vitaphone, Vitagraph, First National, RKO, RKO-Pathe, Universal, United Artists and Fox.

The charge is made that the State was organized as a corporation only after its officers, G. L. Hooper and George F. Monroe, had been assured they would be sold second run rights to pictures distributed by the defendant companies. After the theatre began operation, the plaintiff charges that through combination and conspiracy between L. T. C. and the majors, the latter refused delivery.

It is further alleged that the L. T. C. of Delaware was washed up in 1932, and the present Nebraska corporation formed on a transfer of the assets, a move designed to defraud the former's creditors.

The suit is being handled by Attorneys Paul Good, former state attorney general and Youngclaus case victor, and Loren Loughlin.

Writers' Board Meets

HOLLYWOOD, April 15.—The new board of directors of the Screen Writers' Guild held its first meeting here tonight. Committees on membership and conciliation and arbitration were discussed. Appointment of an advisory council was also considered.

FOX

Educatio

FOX FILM CORPORATION
INVITES THE SHOWMEN
OF AMERICA TO THE

20th BIRTHDAY PARTY OF

Educational Pictures

Educational Pictures
THE SPICE OF THE PROGRAM

MAY 3 ~ JUNE 6

Special entertainment* provided by . . .

SYLVIA FROOS . . WARREN HULL ★ JOE COOK ★ BUSTER KEATON ★ ERNEST TRUEX
BUSTER WEST . . TOM PATRICOLA ★ TOM HOWARD . . GEORGE SHELTON
CHARLES CARLILE ★ NORMAN CORDON ★ JUNIOR COGHLAN . . DOROTHEA KENT
CABIN KIDS ★ PAUL TERRY-TOONERS

*New releases featuring these stars available for showing during anniversary celebration.



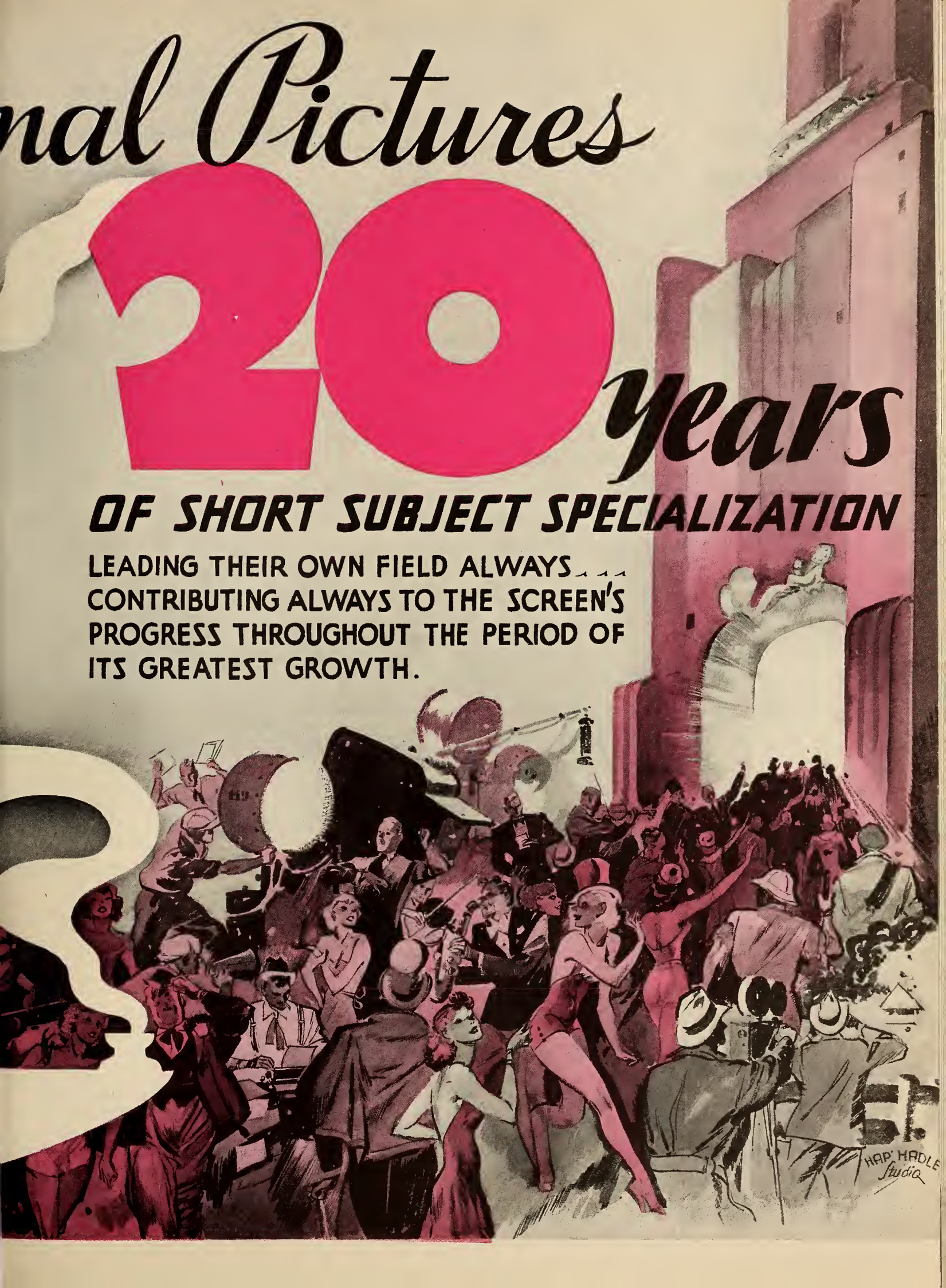
EARLE W. HAMMONS
Founder and head for 20 years
of *Educational Pictures*

nal Pictures

20 years

OF SHORT SUBJECT SPECIALIZATION

LEADING THEIR OWN FIELD ALWAYS . . .
CONTRIBUTING ALWAYS TO THE SCREEN'S
PROGRESS THROUGHOUT THE PERIOD OF
ITS GREATEST GROWTH.



"Mississippi" And "Diggers" Big in Denver

DENVER, April 15.—A few more weeks like last week will convince local exhibitors the depression is over. It snowed and it rained, but there were two smash hits in spite of this.

"Mississippi" piled up $7,500 at the Denham. This is $3,500 over par and resulted in a four-day holdover. At the Aladdin "Gold Diggers of 1935" doubled the normal take at $5,000.

Total first run business was $28,000. Average is $24,000.

Estimated takings for the week ending April 11:

"GOLD DIGGERS OF 1935" (F. N.)
ALADDIN—(1,500), 25c-35c-50c, 7 days. **Gross:** $5,000. (Average, $2,500)

"MILLS OF THE GODS" (Col.)
"MEN OF THE NIGHT" (Col.)
BROADWAY—(1,500), 25c-40c, 7 days. **Gross:** $1,500. (Average, $1,500)

"MISSISSIPPI" (Para.)
DENHAM—(1,500), 25c-35c-50c, 7 days. **Gross:** $7,500. (Average, $4,000)

"WEST POINT OF THE AIR" (M-G-M)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $5,500. (Average, $6,000)

"THE LITTLE MINISTER" (Radio)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $4,500. (Average, $6,000)

"VANESSA" (M-G-M)
PARAMOUNT — (2,000), 25c-35c-50c, 7 days. **Gross:** $4,000. (Average, $4,000)

"Wedding" Grosses $8,000, Montreal

MONTREAL, April 15.—"The Wedding Night," with "All the King's Horses" as the other half of a dual bill, pulled a neat $8,000 at the Princess last week. This is $2,000 over par.

Total first run business was $46,000. Average is $46,500.

Estimated takings for the week ending April 13:

"RUGGLES OF RED GAP" (Para.)
"CAR 99" (Col.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $7,000. (Second week). First week: $11,000. (Average, $9,500)

"THE UNFINISHED SYMPHONY" (Gaumont British)
HIS MAJESTY'S—(1,700), 35c-50c, 7 days. **Gross:** $6,000. (Average, $6,000)

"BABOONA" (Fox)
"THE GREAT HOTEL MURDER" (Fox)
IMPERIAL—(1,914), 20c-25c-34c, 7 days. **Gross:** $4,000. (Average, $3,500)

"THE GOOD FAIRY" (Univ.)
"A NOTORIOUS GENTLEMAN"
LOEW'S—(3,115), 30c-34c-40c-50c-60c, 7 days. **Gross:** $10,000. (Average, $10,500)

"THE LITTLE COLONEL" (Fox)
PALACE—(2,600), 30c-34c-40c-50c-65c, 7 days. Added: "March of Time." **Gross:** $11,000. (Average, $11,000)

"THE WEDDING NIGHT" (U.A.)
"ALL THE KING'S HORSES" (U.A.)
PRINCESS—(2,272), 30c-35c-50c-65c, 7 days. **Gross:** $8,000. (Average, $6,000)

Cal. ITO in Move to Speed Clearance Plan

LOS ANGELES, April 15.—The Southern California I.T.O. decided today to send Attorney Frank S. Hutton to Washington this week-end to contact the Department of Justice in an effort to speed up the zoning schedule, asserting it has gotten no results from Campi.

The organization will meet this week to decide whether to support or oppose the Pettengill anti-block booking bill pending in Congress, on which the membership is split.

Looking 'Em Over

"Fighting Lady"

(*Continued from page 9*)

when one of her early lovers commits suicide and exposes her past. The fadeout has Miss Shannon turning to Earl for protection and the picture ends with the hint she picks up her former life with him.

The editing of the film appears spotty. Scenes shift at times without apparent reason. The photography of Ernest Miller is fair.

Others in the cast are Marion Lessing, Mary Carr, Edward Woods, Betty Blythe and Alice Moore.

No production code seal. Running time, 56 minutes. "A."

"Men of Tomorrow"

(*Mundus*)

This London Films production is a tale of youthful love and English academic life made interesting primarily by the fact it has been filmed amid Oxford surroundings. Fashioned from "The Young Apollo," Anthony Gibbs' novel, it is familiar material for the most part. While of no great importance, the film holds a certain amount of pleasant entertainment with its humor doing much to help matters along.

The cast possesses two British players who have come to be well known to American audiences—Robert Donat and Merle Oberon. The former plays a sort of college hero who is indirectly responsible for the expulsion of a fellow student (Maurice Bradell), a sensitive soul unable to adjust himself to the ways of the world. Miss Oberon is a co-ed in love with Bradell who takes herself out of his life when he marries another student (Joan Gardner).

The latter half of the film concerns itself with the efforts of the young people of the story to adjust themselves to the realities of life. The romance between Bradell and Miss Gardner comes perilously close to disaster, but is saved in the end when the former decides to meet the world on its own terms and Donat makes his peace with him and helps to promote a happy ending. This is not exactly an easy thing for Donat to do, for he is in love with Miss Gardner himself.

The direction is by Leontine Sagan, the woman who directed "Maedchen in Uniform." Emlyn Williams is also in the cast.

No production code seal. Running time, 55 minutes. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Mary Jane's Pa"

(*Warner Bros.*)

HOLLYWOOD, April 15.—Guy Kibbee and Aline McMahon are teamed again in an appealing, homespun comedy.

Kibbee is a small town newspaper owner with an itch to roam, married to Miss McMahon, who is also his partner in his publishing enterprise. Locomotive whistles lure him from the presses for a trip around the world. When he returns, 10 years later, Miss McMahon has moved to another town, established a profitable daily and is firmly entrenched in local politics.

Kibbee, finding her, is given a job as her domestic servant and learns she is being duped by crooked politicians. He secures proof and gets out an edition of the paper personally in time to save the election after the crooks have wrecked the regular presses. Miss McMahon decides to cast her lot with Kibbee again.

Unfolded sympathetically, Director William Keighley has paced the action to draw the utmost from the situations. The cast plays its roles convincingly with the best supporting performances turned in by John Arledge as a reporter; Nan Gray and Tom Brown as young lovers; Robert McWade as a political candidate and Baby Betty Jean Hainey as the couple's youngest daughter. Robert Presnell produced for heart values. It should be liked in neighborhood spots.

Production Code Seal No. 680. Running time, 69 minutes. "G."

Rivoli Goes Dark

The Rivoli closed last night with "Brewster's Millions" and will reopen Saturday with "Les Miserables."

Cheese Club Party June 8

The Cheese Club will hold its first annual picnic on June 8. The festive grounds have not yet been selected.

"One Night," Show, Top in Philadelphia

PHILADELPHIA, April 15.—"It Happened One Night" with a stage show was the best attraction in a week of rain and low grosses. It took $15,000, over par by $3,000, at the Earle.

"Mississippi" also did well at the Stanley at $15,000. This is $2,000 over the normal take. "It's a Small World" received rave notices and had a stage show to help out. It reached $14,500, above the profit mark by $2,500. "Ruggles of Red Gap" was brought back to the Arcadia as a second run and did well. "Roberta," also a second run at Keith's for nine days, reached $5,800.

Total first run business was $80,400. Average is $70,900.

Estimated takings for the week ending April 11:

"THUNDER IN THE EAST" (U. A.)
ALDINE—(1,200), 35c-40c-55c, 6 days. **Gross:** $8,000. (Average, $7,000)

"RUGGLES OF RED GAP" (Para.)
(Second Run)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $3,400. (Average, $2,400)

"PRIVATE WORLDS" (Para.)
BOYD—(2,400), 35c-40c-55c, 5 days, 2nd week. **Gross:** $8,000. (Average, 6 days, $12,000)

"IT HAPPENED IN NEW YORK" (Univ.)
EARLE—(2,000), 25c-40c-55c, 6 days. Stage: Roxyettes and Johnny Perkins. **Gross:** $15,000. (Average, $12,000)

"IT'S A SMALL WORLD" (Fox)
FOX—(3,000), 40c-55c-65c, 6 days. Stage: Buster Shaver and Olive & George, Hammond and Pals, Broadway Snapshots **Gross:** $14,500. (Average, $12,000)

"IMITATION OF LIFE" (Univ.)
(Repeat Engagement)
KARLTON—(1,000), 25c-40c-50c, 6 days. **Gross:** $3,200. (Average, $3,500)

"ROBERTA" (Radio)
(Second Run)
KEITH'S—(2,000), 30c-40c-50c, 9 days. **Gross:** $5,800. (Average, 6 days, $4,000)

"MISSISSIPPI" (Para.)
STANLEY—(3,700), 35c-40c-55c, 6 days. **Gross:** $15,000. (Average, $12,000)

"LOST CITY" (Super-Serial Prod.)
STANTON—(1,700), 30c-40c-50c, 6 days. **Gross:** $7,500. (Average, $6,000)

"Mississippi" Is Oklahoma City Hit

OKLAHOMA CITY, April 15.—"Mississippi" was the big noise of the week at the Criterion. It pulled $6,600, topping average by $1,600.

"The Whole Town's Talking" went into the doldrums at the Midwest with a gross of only $3,000. "Vanessa" took a strong $2,500 at the Capitol. "Under Pressure," with the help of a stage show, reached $2,200 for four days at the Liberty.

Total first run business was $14,800. Average is $13,500.

Estimated takings for the week ending April 13:

"MISSISSIPPI" (Para.)
CRITERION — (1,700), 10c-26c-36c-55c, 7 days. **Gross:** $6,600. (Average, $5,000)

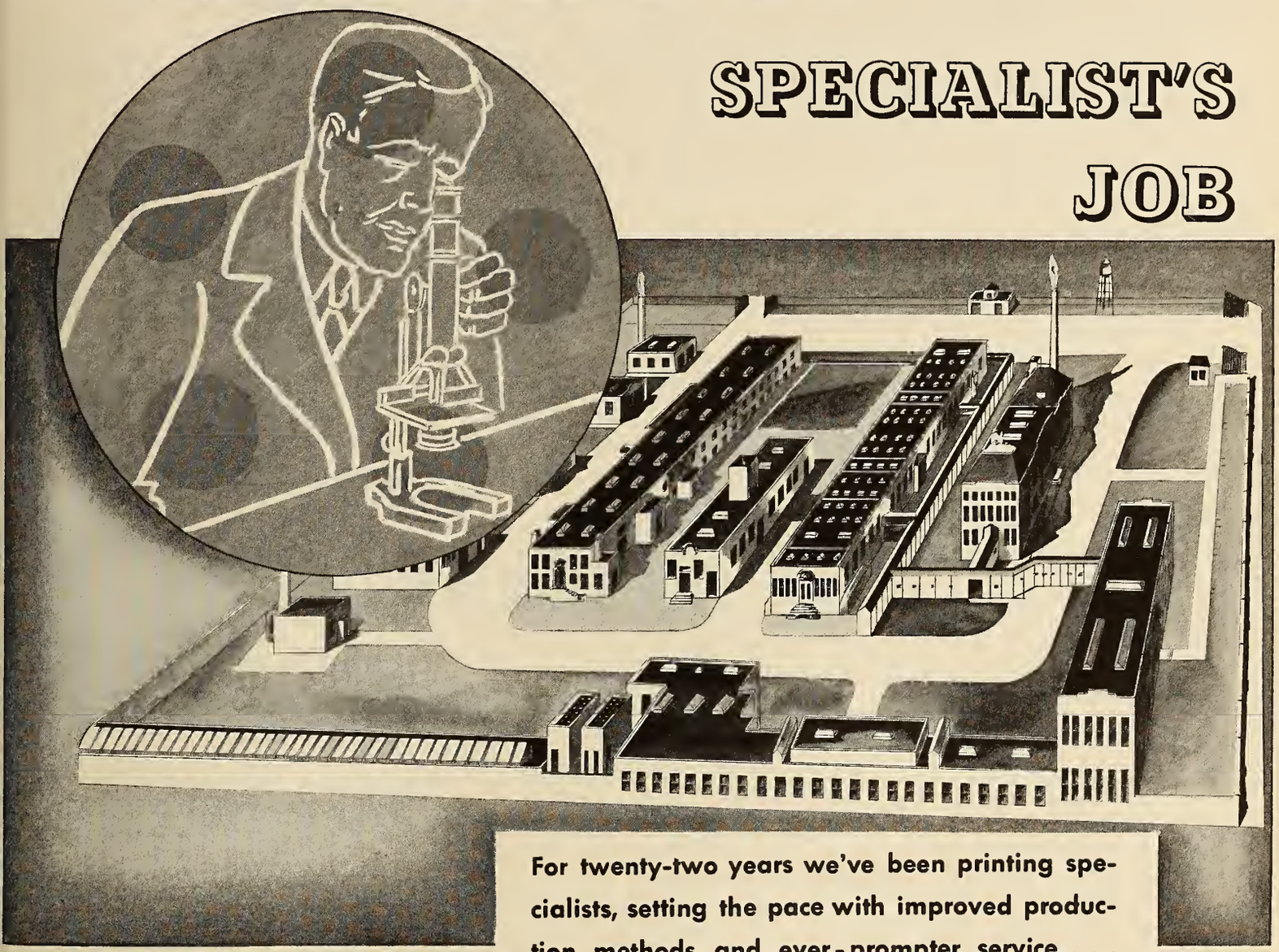
"WHOLE TOWN'S TALKING" (Col.)
MIDWEST — (1,500), 10c-26c-36c-56c, 7 days. **Gross:** $3,000. (Average, $4,000)

"VANESSA" (M-G-M)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $2,500. (Average, $2,000)

"UNDER PRESSURE" (Fox)
LIBERTY—(1,500), 10c-15c-26c-36c. "Top of the World" on stage, 4 days. **Gross:** $2,200. (Average week, $2,500)

"TWO ALONE" (Radio)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $500. (Average week, $2,500)

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CONSOLIDATED FILM INDUSTRIES, INC.

NEW YORK HOLLYWOOD

KAO Will Bid For Fox Met, Court Is Told

(*Continued from page* 1)

plans of reorganization for Fox Met were in preparation and might be submitted within the course of the next few days." He added, however, that he was unaware of the identity of the other bidders. The remarks were made in connection with a discussion as to the legal propriety of the court's entertaining consideration for the Fox Met bid being made by Si Fabian in association with the Bankers Bond & Mortgage Co. and Alfred M. Greenfield of Philadelphia.

Bids Lack Required Support

It was pointed out that the new bids lack the 25 per cent creditor support required by Section 77-B of the bankruptcy law for submission of a plan of reorganization for a debtor corporation. The court held that it would continue the hearings of the Schenck-Fox Theatres' plan and that it would hear sponsors of other plans in connection with whatever criticism of that plan they had to make. Preumably, this would give sponsors of other plans the opportunity to point out any weaknesses in the Schenck-Fox Theatres' plan as developed by comparison with their own plans. As a result of these hearings, Judge Mack said, the court might find the Schenck-Fox Theatres plan to be unfair and inequitable and reject it, subject to modification, amalgamation or revision, and at the same time entertain new plans.

RKO's interest in the disposition of Fox Met is regarded as vital. It is pointed out that even if the Schenck-Fox Theatres' plan is accepted, placing the 86 houses under United Artists' management, RKO's metropolitan product supply might be jeopardized by the sale to Fox Met of United Artists and 20th Century product for first run. The withdrawal of this product from Loew's, to whom it is now under contract, would precipitate a vital contest for remaining product, involving Loew's and RKO, and possibly Fox Met, as well, observers believe.

Schenck, Weisman, Rinzler Quizzed

Schenck, Milton C. Weisman, who is receiver for Fox Theatres, and Sam Rinzler, Fox Met operator, were subjected to lengthy questioning on the Schenck-Fox Met plan at yesterday's session. C. Frank Reves, attorney for interests associated with the Fabian bid, sought by his examination of the witnesses to pick flaws in the Schenck-Fox Met bid.

The principal testimony developed was that while there was no binding assurance that Schenck would remain with the reorganized Fox Met company indefinitely, it was given by Schenck as his desire and intention to make the association permanent. To this end, Schenck said he stood ready to make any long term contract with the new company which could be approved. In response to questions he also stated that it was not his intention to sell the Fox Met stock which he would receive under the plan.

Schenck was asked whether Fox Met would have any assurance of receiving United Artists and 20th Century product first run if his plan was accepted, and replied that it would receive "preferential treatment" and "would certainly be given the benefit of the pictures I control on fair terms."

Attorneys for Fabian's interests placed particular stress on the fact that the Schenck-Fox Theatres' plan provides for payment to bondholders of 75 cents on the $1 for their claims, whereas, they said, their plan would give bondholders 100 cents on the $1. It is understood that the Fabian plan contemplates cancellation of of Skouras and Randforce operating contracts, with operation being transferred to Fabian.

A date for resumption of the hearing will be set by Judge Mack today and will probably be later this week.

Scale Boosts Seen in Rules On Clearance

(*Continued from page* 1)

plaint by Peter M. Pegadiotes of the Colonial and Capitol, Farrell, Pa., against the Warner Colonial, Sharon, Pa., recommended that if Pegadiotes charges 20 and 25 cents the 28-day protection Warners has will be automatically reduced to two weeks.

The Farrell houses now charge 15 and 20 cents, and Pegadiotes stated at the hearing that on unusual pictures he increases each price five cents. The committee, consisting of Ben Berinstein and Henry Randel, felt that the present admission did not warrant a smaller clearance, but if the prices were increased he could get pictures 14 days after Sharon.

"Life Begins" Big Indianapolis Draw

INDIANAPOLIS, April 15.—This town goes for Will Rogers' homespun philosophy in a big way. "Life Begins at 40" garnered $7,500 at the Apollo, which is almost double the normal take for the house.

"Mississippi" was $2,000 up on a $9,000 gross at the Indiana, and "George White's Scandals" at the Lyric and "Naughty Marietta" at the Palace were in the money.

Total first run business was $35,250. Average is $25,000.

Estimated takings for the week ending April 13:

"LIFE BEGINS AT 40" (Fox)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $7,500. (Average, $4,000)

"WHOLE TOWN'S TALKING" (Col.)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)

"MISSISSIPPI" (Para.)
INDIANA—(3,133), 25c-40c, 7 days. **Gross:** $9,000. (Average, $7,000)

"GEORGE WHITE'S SCANDALS" (Fox)
LYRIC—(2,000), 25c-40c, 7 days. Vaudeville. **Gross:** $8,500. (Average, $7,000)

"NAUGHTY MARIETTA" (M-G-M)
PALACE—(3,000), 25c-40c, 7 days. **Gross:** $6,750. (Average, $4,500)

Dietrich Screening Today

Paramount will hold a trade showing at 11 A. M. today at the Criterion of Marlene Dietrich's "The Devil Is a Woman."

Take the Air..

with the

world's greatest flyers

at Today's Luncheon

FORUM

at the Motion Picture Club

Hear:

IGOR I. SIKORSKY
designer of the famous Sikorsky flying boats which are surveying new airlines across the Pacific . . . on The Future of Air Travel.

HAROLD CRARY
vice-president and general traffic manager of United Air Lines, Mid-Continental Route . . . on Trends in Domestic Airways Transportation.

CLARENCE CHAMBERLIN
trans-Atlantic flyer . . . on The Effect of Record Flights on Commercial Aviation.

CLYDE PANGBORN
the first man to span both oceans by air . . . on His Projected Round-the-World Non-Stop Venture.

REX CLEVELAND
aeronautical editor of the New York Times . . . on Aviation as Viewed by a Journalist.

ZOOM IN at 12:45

•

$1.25 per PERSON

FRANK COFFYN
the first man to take motion pictures from the air . . . on His Pioneer Experiences.

CASEY JONES
operating the largest engineering and mechanical aviation school in America . . . on Armaments.

JAMES MOLLISON
on His Recent Australian Flight.

Loew's Decides WHN Will Not Be Changed

WHN, which today celebrates the first birthday of its amateur program, will not undergo a change in name, it has been decided by Loew moguls after consultation on the advisability of renaming the station WMGM. Two reasons were given. One was that WHN has become fixed in radio fans' minds as one of the leading local stations and a change in name would wipe out the background of the station. Two is that WHN is a shorter and easier symbol to remember.

Since Louis K. Sidney took charge about a month ago, the amateur hour has steadily grown in popularity, to the extent that more than 10,000 telephone calls and letters are received after each Tuesday night program. A deal is on with Ward Baking Co. to sponsor the neophytes and, if the contract is closed, the station will be taken out of the red, a color manifest on the books since WHN started operations.

Winning amateurs are given one night bookings in nine different Loew houses. In addition they are booked into night clubs by the WHN Artists Bureau. Jimmy Dearborn, nine-year-old colored singer, who was victorious in one of the programs, is being tested by M-G-M for Hal Roach's shorts. Several winners have also been added to the station's staff.

"West Point" Pulls $24,000 at Capitol

"West Point of the Air" garnered $24,000 at the Capitol last week. "Life Begins at 40" at the Music Hall tallied $58,000. The Roxy with "It Happened in New York" ended with $19,500 and indications are that the current film, "My Heart Is Calling," will wind up with a similar gross. The Palace grossed about $9,000 on the second week of "Roberta."

"Black Fury" had a $9,000 Saturday and an $8,600 Sunday to a total of $17,600 at the Strand.

Figures were released by Warners yesterday.

U. K. Raw Stock Firm Acquires Dufaycolor

London, April 3.—Ilford, Ltd., important British manufacturer of raw film, have acquired a majority holding in Spicer-Dufay (British), Ltd., owners of the Dufaycolor rights.

T. Thorne-Baker, technical adviser to Spicer-Dufay, leaves shortly for the States to consult with Dufaycolor, Inc., of New York.

Manheim-Laemmle Talk

Hollywood, April 15.—N. L. Manheim, manager of Universal's foreign department, has been summoned to the studio for conferences with Carl Laemmle about the company's foreign product. He is due here Tuesday. It will be Manheim's first visit to the studio in three years.

Ridgwell Dies

London, April 3.—George Ridgwell, associated with Vitagraph as a script writer in early days and the director of a series for Stoll in London 12 years ago, is dead.

Seek a Break for Art

Washington, April 15.—A plaintive plea for recognition of the artist and writer whose soul is above all thought of gain was laid before the House Patents Committee today as Congressman Sirovich of New York opened hearings on his bill to create a Department of Arts and Sciences in the Government establishment.

Gently worded criticisms of film and play producers filled the air as witnesses described alleged rules that stories must be true to certain precepts of fiction rather than fact and particularly that they must be published before they will be considered for filming.

"Leading scientists, artists and others have expressed their intention to testify," it was declared by the clerk of the committee in a letter requesting the attendance of newspapermen at what was promised would be "an extremely interesting meeting."

Construction of a National Theatre at which might be produced the works of writers who are not appreciated in a theatrical world whose only thought is the box-office was hinted at if the bill is enacted.

A good time was had by all.

Monogram Men on Coast

Hollywood, April 15. — Eleven Monogram salesmen, headed by Arthur C. Bromberg, franchise holder for 11 southern states, are here to look over the studio.

The party, which comprises the high ranking salesmen in the annual Southern division sales drive, consists of H. H. Everett, Cy Dillon and Jack London of Charlotte, N. C., John Mangham, P. H. Savin and Henry Glover of Atlanta, Carl Floyd of Tampa, and Leo Seicshnaydre, Ed Orte and H. Y. Harrell of New Orleans, in addition to Bromberg.

Back for More Houses

Robert Lynch, branch manager, and Ernest Schwartz, salesman at the M-G-M branch in Philadelphia, returned to Chicago yesterday after conferring with Loew's home office executives on additional theatre sites in the Windy City. The duo had been in town since last Friday.

Five are already closed and a number of new theatre locations will be acquired this week.

Frustrate Omaha Holdup

Omaha, April 15.—Two bandits were frustrated in an attempt to hold up the Orpheum Saturday night when Violet Swanson, cashier, screamed despite a gunman's order for silence.

Oscar Tex, in a private office with $3,300, heard the scream and touched off an alarm. The men fled.

Early Friday Closing

Warners will close its general offices in New York at 1 o'clock on Good Friday to permit Catholic employes to attend church services.

Rename Fox Rockhill

Dover, Del., April 15.—Fox Rockhill Theatre Corp. has changed its name with the Delaware Secretary of State to Fox Laramie Theatre Corp.

Colbert at Warners

Hollywood, April 15.—Claudette Colbert's one-picture deal for Warners is set. The vehicle is "Romance in a Glass House."

Passover on Tomorrow

Tomorrow night ushers in Passover, the Jewish Easter, which continues for eight days.

Zasu Pitts Wins Suit

Los Angeles, April 15.—Zasu Pitts has won affirmation of a verdict of $5,000 in the District Court of Appeals in her suit against Pathe for alleged failure to complete a one-picture contract containing a four-week guarantee.

Pathe never made the picture and maintained in its defense that the pact was merely optional and did not guarantee damages should the studio fail to act.

RKO Opens Its Defense

RKO began its defense of the Meyer & Schneider breach of lease charges involving film playing policies at the Hollywood and Apollo yesterday on the completion of M. & S. testimony given by Charles Steiner, former manager of the houses. RKO expects to complete presentation of its defense testimony late today or tomorrow, at which time the board of three arbitrators presiding at the hearings may take the case under advisement.

Invents a New Blimp

Hollywood, April 15.—John Arnold of the M-G-M camera department has invented a new camera blimp which will be used in the Irving Thalberg production, "No More Ladies." The new device, which has an automatic finder, weighs only 100 pounds, as compared with 240 pounds for the old blimps, it is said.

Buy Don Byrne Story

Hollywood, April 15.—Oscar Hammerstein II and Jerome Kern have purchased stage rights to Don Byrne's "Messa Marco Polo," from Byrne's widow, and will adapt the book as a stage musical for Fall production in Radio City Music Hall. Max Gordon will be the producer.

Operate on Chotiner

Hollywood, April 15. — Harry Chotiner, president of the I.T.O., is resting comfortably today following an operation yesterday at St. Vincent's Hospital for appendicitis.

Pick Wellman's First

Hollywood, April 15. — William Wellman's first directorial effort for M-G-M will be "I Am Joaquim" with Leo Carrillo.

Warfield Cuts, But Frisco Scouts "War"

San Francisco, April 15.—Although the Warfield made a sudden shift in top admission price in this week's show from 65 cents to 55 cents, reports of a "price war" were laughed at by downtown exhibitors.

The new figure, however, is regarded as important, inasmuch as the Warfield withstood five years of depression at its 65 cents figure while other first runs dropped from as high as 75 cents to as low as 30 cents. Most first runs are now asking 40 cents.

The move will not lessen the class of Warfield shows, considered the top locally. It was thought that the Golden Gate, across the street, presenting the best of the Radio and Columbia product, in addition to a stage show, forced F. W. C. to bring the Warfield down.

Brazilian Producer To Make Deals Here

Jaime Yankelevitch, producer and circuit owner in Buenos Aires and head of a South American broadcasting chain, is due in New York May 10. He intends to buy the latest type of sound equipment for his studios and to make a study of new developments in the fields of color photography and television.

Yankelevitch, according to Fally Markus, his American representative, intends to establish an independent distributing system in Argentina, Colombia, Ecuador, Peru, Bolivia, Uruguay and Paraguay.

Rochefort Moved Up

Robert Rochefort, who has been attached to the Paris office of Paramount, has been appointed director of all the company's exchanges in northern Africa.

Wall Street

Small Losses on Big Board

	High	Low	Close	Net Change
Columbia, vtc	43⅝	42¾	42¾	— ¾
Consolidated	5⅛	4⅞	4⅞	— ⅛
Cons. pfd (1v)	18¼	17½	17½	— ¼
Eastman	125¾	125	125⅛	— ⅛
Eastman pfd	154	154	154	— ¼
Fox Film "A"	10⅛	9⅞	9⅞	+ ⅛
Loew's, Inc.	38¼	37½	37⅞	— ⅛
Loew's, Inc., pfd.	107½	107½	107½	— ½
Paramount Publix 3		2⅞	3	.....
Pathe	¾	¾	¾	.....
Pathe "A"	11¾	11½	11½	— ⅛
RKO	1⅝	1½	1⅝	+ ⅛
Warner Bros.	3⅛	3	3⅛	.....
Warner Bros. pfd	19¾	19½	19½	— ¼

Trans Lux Gains ½ on Curb

	High	Low	Close	Net Change
Technicolor	20¾	20	20½	.....
Trans Lux (.10 K)	2½	2⅛	2½	+ ½

Warners Bonds Gain 1

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	8¾	8½	8½	+ ⅛
Loew's 6s '41 ww deb rights	104½	104½	104½	— ¼
Paramount B'way 5½s '51	53⅛	53	53	— ½
Paramount F. L. 6s '47	78	78	78	+ ⅜
Paramount Publix 5½s '50	79¼	79	79	+ ⅛
Warner Bros. 6s '39 wd	54⅞	54⅛	54¾	+1

(K and v) Paid this year.

(Quotations as at close of April 15)


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Star
20TH CENTURY PICTURE
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TRADE REVIEWS ARE TELLING YOU
that this is the box-office picture of 1935!

"It will probably go down in film history as one of the great pictures of all times. It will attract millions to the box-office. It is a certain hit and a smash one at that."
—Hollywood Reporter

•

"Definitely of roadshow calibre. Should be one of the biggest box-office leaders of all time."
—Motion Picture Daily

•

"A picture of distinction that will live in memory just as the famed classic has become indelible in the minds of the millions who have read this human story."
—Showman's Round Table

"All that any exhibitor could want to sell or patron wish to see!"
—Motion Picture Herald

•

"Finally the words 'stupendous' and 'terrific' are given a legitimate place in the motion picture language."
—Welford Beaton, Spectator

•

"It may confidently count for heavy support on its appeal to worldwide legions of constantly replenished Hugo readers, and will carry on sheer dramatic merit to masses who may never have heard of Hugo and his immemorial character, Jean Valjean."
—Hollywood Variety

•

"Will ring a great box office bell." —Bob Wagner, Script

Joseph M. Schenck *presents*

DARRYL ZANUCK'S *production*

of **VICTOR HUGO'S**

RABLES

FREDRIC MARCH
CHARLES LAUGHTON

CEDRIC HARDWICKE • Rochelle Hudson • Frances Drake • John Beal

Directed by RICHARD BOLESLAWSKI

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VOL. 37. NO. 90 NEW YORK, WEDNESDAY, APRIL 17, 1935 TEN CENTS

Popular, New Producer, to Have 18 Films

Sets $2,000,000 Budget; Bryan Foy in Charge

A series of 18 features to be made at a total cost of more than $2,000,000 has been lined up by the newly organized Popular Pictures for 1935-36, it was revealed yesterday. Each picture will be produced at an announced outlay of $75,000 to $250,000.

Bryan Foy, Ben Stoloff and Lou Berman are listed among those interested in the company. Foy will have complete charge of production.

A distribution system covering the United States and Great Britain has been set up to handle the company's product. Distribution is said to have been arranged in every key city in

(Continued on page 6)

F. F. Kolbe Chosen New Head of Pathe

Frank F. Kolbe of Young, Kolbe Co., investment firm, was elected president and a director of Pathe Exchange, Inc., succeeding Stuart W. Webb, who resigned Monday. Robert W. Atkins, a broker and a director of Pathe, was elected executive vice-president, a new Pathe post. All

(Continued on page 6)

Loew Closes a Deal For Madrid Theatre

In line with M-G-M's plan to invade all foreign countries where the company is not getting a break with its product, Arthur Loew has completed negotiations for purchase of the Capitale, Madrid, the newest theatre in that city. The house seats about 2,500.

Management of the house does not change hands until the fall. It will be operated from the Paris office.

Quigley to Exhibit Exploiteers' Work

A permanent exhibit of exploitation campaigns will be maintained at the offices of Quigley Publications as a result of the interest displayed in the Show of Showmanship recently held at the M. P. Club under the sponsorship of *Motion Picture Herald.*

This was revealed yesterday by A-Mike Vogel, chairman of the Managers' Round Table Club of the

(Continued on page 6)

FAVORS SHUTDOWN TO HIT DUALS



Joseph Moskowitz, treasurer of 20th Century, greeting Darryl F. Zanuck on his arrival from Hollywood at the Newark Airport yesterday. Zanuck is here in connection with the second birthday of his company.

Zanuck Says Layoff of Month Would Starve Public for Shows

Closing studios for one month and "starving" the public for picture entertainment would hit a powerful blow at the dual problem and improve pictures, declared Darryl F. Zanuck upon his arrival here yesterday from the coast.

Zanuck came in by plane for celebration of the second anniversary of 20th Century and to attend the openings of "Richelieu" and "Les Miserables."

A production vacation would also be a benefit to producers, Zanuck insisted, because it would permit them to study suitable story material.

He has already applied his theories to 20th Century production. His schedule is so far advanced that he will not resume until July 1.

Zanuck frankly expressed disappointment with the first half of his current output, but was highly enthusiastic over his next three—"Richelieu," "Les Miserables" and "Call of the Wild." He will have 12 for the

(Continued on page 4)

K. C. Moves to Put Clearance On Price Plan

KANSAS CITY, April 16.—First run protection would be graduated according to admissions under an amendment to the proposed Kansas City clearance schedule adopted by the local board. It is also provided that when a first run's protection is cut, as a result of price slashes, all subsequent runs are moved up accordingly in availability.

The amendment, which has been sent to Campi, takes the place of a resolution which was submitted along with the final draft of the schedule. It is predicated on the board's belief

(Continued on page 4)

College Shows Baffle Campi; Study Ordered

Exhibition of films in colleges in competition with theatres is becoming a problem to Campi insofar as clarification of the non-theatrical clause is concerned.

While it is admitted in Code Authority quarters that the clause is liberal in its interpretation, it is impossible to order state institutions and universities to stop showing films. The subject was discussed for two hours at the last Campi session with no solution.

The matter is now in the hands of the legal committee with Nathan

(Continued on page 4)

K-A-O Might Hold Skouras With Fox Met

Bid "Protective," Says Swope in Explaining

Skouras and Randforce may be retained as operators of Fox Metropolitan Playhouses under any plan of reorganization for that circuit which is submitted by Keith-Albee-Orpheum, Herbert Bayard Swope, chairman of the board of K-A-O, said yesterday.

Swope, however, described the operating function as "supplementary" to K-A-O's principal concern over the disposition of Fox Met which, he said, was a desire to protect its own theatres from the threatened invasion of the metropolitan field by a new, first run circuit and its consequent effects on the local product situation. In this light, he emphasized that any effort which might be made by K-A-O to obtain control of the 84 Fox Met houses would be a protective move, "not one of hostility or aggression."

"K-A-O is gravely concerned by any change in a factor of such importance as Fox Met in the metropolitan theatre area," Swope said,

(Continued on page 6)

Say Walker Again Refuses Para. Job

Frank C. Walker, treasurer of the Comerford circuit, is reported to have been again offered a place on the new board of directors of Paramount, and to have again refused.

Walker's refusal leaves the new Paramount board at 16 members. Final agreement among the principal

(Continued on page 4)

John R. Dillon Gets Place on Fox Board

John R. Dillon of Hayden, Stone & Co. was elected to the board of directors of Fox Film Corp. at the annual meeting of stockholders yesterday to fill the vacancy caused by the death of Richard F. Hoyt.

Other members were reelected and, following the stockholders' meeting,

(Continued on page 4)

Carr Lining Up New Republic Schedule

HOLLYWOOD, April 16.—Trem Carr, vice-president of the newly formed Republic Pictures, is swinging into line on production of the new com-

(Continued on page 8)

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G. A. Giles, Boston, To Be Buried Today

BOSTON, April 16.—Funeral services will be held here Wednesday for George A. Giles at his home, 209 Common St., Belmont. Giles, who had been ill for the past few weeks, passed away late Monday. He was 59 and is survived by his widow, Susan Giles, a daughter, Martha, and a son, John F.

Giles was president of Allied of Massachusetts and secretary of the local unit of the M.P.T.O.A. He first entered the industry after leaving the State Legislature in 1910. He owned and operated some 10 houses in New England, two of which are first runs here.

Henry Weinberg Passes

BALTIMORE, April 16.—Henry Weinberg, pioneer exhibitor of Hagerstown, Md., and proprietor of Henry's theatre in that city, died yesterday at Johns Hopkins Hospital where he had been under observation for several weeks. He will be buried here in the Hebrew Friendship Cemetery.

Houston Deal Is Set

Walter Houston's deal to star in the picture based on the life of Cecil Rhodes which Gaumont British will make has been closed.

Michael Balcon, production generalissimo for the company, who retnrned from Hollywood yesterday, brought this word east. Balcon sails for London Friday on the *Berengaria.*

Insiders' Outlook

By RED KANN

"THE MARCH OF TIME" steps up a notch in its third release. As interesting as was its first number, the debut subject merely pointed up what might be in store if subsequent treatment was judicious. Number Two was better than Number One and Number Three ahead of Number Two. Alternately decisive, provocative, biting, but always interesting, the current effort spreads itself over four subjects. Iron heels tramping the capitals of Europe telling the story of an an Old World re-armed for conflict is the first. Louisiana and beyond and the story of Huey Long is the second. Third is Mexico, where Socialist government is pitted against the Catholic Church. Fourth is an episode, complete, of the America's race to span the Pacific with the potentially rich markets of China the ultimate goal. . . .

▼

This time, "The March of Time," veers definitely and sharply in the direction of editorial opinion; its own, of course. Sir Basil Zaharoff, war god and munitions financier, is shown; then the narrator tells more about him while the screen flashes tragic shots of war cemeteries. You see the town of Bedford, England; a gun captured from the Germans during the last frivolities and mute but powerful evidence on the gun itself to prove the lethal weapon was manufactured in the very England which supplied the men the Germans shot down. . . .

▼

Southern neighbors and many of those in the Gulf country, in particular, won't like the treatment in the second episode which describes Huey Long's regime as an "un-American dictatorship." They won't cheer over the famous—or infamous, if you like—episode at Sands Point from which the Kingfish emerged with a blackened optic. But the opportunist tactics of Long and their obvious pandering to the moronic mind are high-lighted in startling clarity. Huey herewith has a pin stuck in him so neatly you can almost see and hear the hot air escaping. The Mexican item, in a few minutes, conveys the essential facts in the why and how of the struggle between temporal and spiritual power and ends on a note of peasant indignation when the instructor who has been teaching atheism to his pupils, is strung up by outraged and incensed peons.

▼

Trans-Pacific, as the final yarn is dubbed, is a re-enactment of the first flight—to come—of the new clipper ship from San Francisco east. It touches on the economic spoils which are in China and, by map, describes the race of the nations to establish effective and regular air contact with this sleeping Oriental colossus. Intimate views aboard the four-engined ship which Pan-American Airways have placed in the field on behalf of America carry the audience across the ocean from 'Frisco to Honolulu, to the Midways, to Wake Island, to the Philippines and, finally, to the eastern terminus. Splendid, dramatically tense camera work and staccato editing are strewn throughout. . . .

▼

Pictorial journalism, unafraid and bold, reaches a new high in "The March of Time's" about-to-be-released two-reeler. Invective makes its appearance through most of the footage, but reaches its most definitely concentrated form in the chapter dealing with the makers of munitions and how they operate. Perhaps the shortest of the four, it packs a significant, thought-provoking commentary on the sort of a world this is, 1935 model. More of it on the screen would be a genuine, humanitarian service. . . .

▼ ▼

Turbulent Cleveland is heading for the front page again. In a few days, the inside sizzles sufficiently to impart, a suit testing the rights or otherwise of independent exhibitors there to agree among themselves that it is single and not double bills they want will be filed. One of the better known independent producing and distributing companies is the father of the idea. In preparation for some time past has been an action to test the ban. The success of the Philadelphia suit, which resulted in upsetting dual restrictions in that city several months ago, whetted the independents' appetite for the Cleveland contest. . . .

▼

The latter move has been held in abeyance, however, pending the outcome of the distributors' appeal of the Philadelphia district court's decision. The Cleveland action, if it jells, may now come to a head in advance of the Philadelphia appeal hearing, since Cleveland exhibitors are already working on an extension of the current double feature ban, which expires in June. Opposing independent distributors may hasten their step, therefore, to circumvent the anticipated extension of the ban and so a definite something may develop this week. The difference in the two situations is this: The Philadelphia ban was enforced by several distributors through contract restrictions. The Cleveland ban was voluntarily adopted by a majority of exhibitors there. . . .

▼ ▼

Exactly how much of what he talked about the Reverend Jesse W. Stitt, minister of the Marcy Ave. (Brooklyn) Baptist Church was familiar with when he declared, as he did, that the Legion of Decency campaign has cost the industry $10,000,000 is very much of a question. The sum, large even in film eyes, represents the cost of discarded pictures and of changes and cuts in pictures necessary to have them meet the reinforced production code standards, he declared. Offhand, and with sufficient confidence that this department is correct, it asserts that nothing of the sort has happened. It also asserts and stands ready to defend the further statement that, were Dr. Stitt's figures correct, the gain, distributed over the years, would more than offset the cost. . . .

▼

Winchell not objecting, these orchids are borrowed and deposited in the general direction of the Waldorf Towers where Darryl Zanuck is stopping for his production of "Les Miserables." He has captured the theme of social injustice which Victor Hugo transcribed to the pages of his famous, classic novel, and had it wrought into a moving, dramatic picture of a man who learns the exquisite pain of giving because he first suffered. Fredric March, as Jean Valjean, is excellent, and the many-faceted Charles Laughton, who plays the inexorable arm of the law in the person of Javert, is magnificent. Richard Boleslawski's merits as a director emerge from under a hitherto unsuspected bushel. He need never achieve the worth of a "Les Miserables" again, so secure is his reputation as a craftsman hereby established. . . .

Gallup Heads Ampa Opposition Ticket

Bruce Gallup heads the opposition committees' selection for the presidency of Ampa with Gordon White nominated for the vice-presidency, Herbert Berg for treasurer and Edward F. McNamee for secretary. The opposition ticket is signed by James P. Cunningham, Ralph Lund, Bert McKenzie, Berg, Irwin Zeltner, Irving Goodfield and Phil De Angelis.

Selected for the board of directors are William R. Ferguson, Paul Benjamin, Alex Gottlieb, Marvin Kirsch and Melvin H. Heyman. John C. Flinn is named as candidate for trustee for three years and Hal Horne as national counselor, Chamber of Commerce. The auditing committee has Paul Gulick, Edward Finney and Vincent Trotta.

Elections will be held April 25.

IT HAPPENED ONE WEDNESDAY!

"NAUGHTY MARIETTA ...YOU'RE A BUSINESS GETTA...



WEDNESDAY BEATS OPENING FRIDAY! LOOK!

12% better in Baltimore
14% better in Bridgeport
32% better in Dayton
8% better in Columbus
81% better in Harrisburg
30% better in Providence
95% better in Reading
18% better in Springfield
50% better in Syracuse
54% better in Toledo
75% better in Wilmington
37% better in Indianapolis
20% better in Kansas City
8% better in St. Louis
40% better in Atlanta
43% better in Nashville

HOLD EXTRA TIME FOR "NAUGHTY MARIETTA"
TURN THE PAGE AND WATCH IT BUILD!

K. C. Moves to Put Clearance On Price Plan

(Continued from page 1)

that where a first run price is on a level with or not much higher than a second city run, or below other first runs, it is not entitled to existing clearance granted all first runs regardless of admission.

For first runs charging more than 25 cents, the amendment would maintain 35 days' protection over second city run of 25 cents or more. But where the first run price drops to 25 cents or less, the period would be curtailed to 21 days. The price is arrived at by computing day and night adult admissions and taking an average.

The Tower, which charges 25 cents for vaudeville and pictures, would be affected under the proposal. Loew's Midland still maintains the lowest first run admission in town, 15 cents for matinees in the balcony. The RKO Mainstreet dropped this feature two weeks ago but retains the 25-cent price in the balcony at night.

Campi Wins Iowa Decision

DES MOINES, April 16.—Campi has won its first court victory in connection with bank nights.

Federal Judge Dewey in the Southern District Court here has dismissed the application by Central States Theatre Corp., operators of the Strand, Owl and Rialto, Fort Dodge, Ia., for an injunction against the local grievance board, M-G-M, Fox, RKO, Paramount, Universal and Vitagraph.

The board some time ago handed down a cease and desist order against Central States for refusing to stop bank nights and set a deadline, after which the respondent's film supply would be shut off.

In the decision, Judge Dewey refused to grant the injunction on the ground that even if a bank night were not a technical lottery, the manner in which it was conducted was a subterfuge.

Omaha Complaint Withdrawn

OMAHA, April 16.—Evert R. Cummings, district manager for the A. H. Blank circuit, explained the apparent free admissions to the Paramount two weeks ago to the satisfaction of complainants and they withdrew a complaint at a hearing before the grievance board.

Cummings explained that the tickets given to local merchants in the Paramount business area had been meant for them personally and their employes as consideration for the merchants' share in an advertising campaign conducted in newspapers. The tickets, however, got into the hands of the general public through a misunderstanding and merchants doled them out.

Complainants were August Hermann and Irving Gossick, managers of the Muse; L. B. Grobeck, manager of the Mueller; G. A. Ruth, manager of the Military, and Epstein Theatres, Inc.

Pushes K. C. Bank Night Fight

KANSAS CITY, April 16.—The crusade against bank nights here being waged by Mrs. A. Baier, Lindbergh Theatre, was given added impetus yesterday when she filed a complaint with the local grievance board against Rube Finkelstein, Belmont, and F. L. Scoville, Prospect. These two operators were the first to resume the stunt after the attorney general had stated bank nights were in violation of the Missouri lottery laws.

In addition to filing a complaint with the local board, Mrs. Baier is also seeking criminal prosecution of Finkelstein and Scoville.

The local board is scheduled to hear the complaints Wednesday.

To Talk Writers' Code Pact

HOLLYWOOD, April 16.—B. B. Kahane, chairman of the Producers' Branch of the Academy, and Waldemar Young, chairman of the Writers' Branch, today announced the appointment of conference committees to review the writer-producer code pertaining to the working conditions of free-lance writers.

The committee appointed for the writers will be comprised of Howard Estabrook, Howard J. Green, Robert Riskin, Carey Wilson and Young. Representing the producers will be Sam Briskin, Henry Herzbrun, Irving Thalberg, Hal Wallis and Sol Wurtzel.

The committees are slated to study the practical experience of writers at the studios with a revised procedure for the determination of the screen credits adopted after a similar conference last July. The entire code will also be reviewed to determine whether any changes or extensions should be made.

The first joint meeting of the committees is scheduled to be held within three weeks, with alternates appointed later if necessary.

Counter-Charges in Brooklyn Cases

Brought before the local grievance board by David Weinstock, partner of Harry Brandt in the Empire, Brooklyn, for reducing admissions by distribution of "service" and "tax" passes, Abe Drojin of the Monroe, Jacob Leff of the Comet, Herman Savage of the Bobby, and Irving W. Kiritz yesterday accused Weinstock of the same practice.

The four defendants claimed that the Halsey and Marvin, in which Brandt is interested, are violating the code in the same manner, but Weinstock did not bring them before the board.

Savage, Drojin and Kiritz charged Brandt with making promises which he does not carry out.

It was revealed at the meeting yesterday that prior to filing of the complaints, exchanges stepped in and ordered the theatres to stop.

FAVORS SHUTDOWN TO HIT DUALS

(Continued from page 1)

1935-36 season, he said. Of these, 10 scripts have already been selected.

He was emphatic on the tax program pending in the California legislature. The industry "made the state," he said, and now the state singles out the industry for the bulk of its taxes. He expressed the opinion that production would be moved from California unless the tax situation is definitely cleared so that the problem would not recur at every legislative session.

Among the stories already chosen, as previously announced, are:

"Ivanhoe," adapted from the novel by Sir Walter Scott. It will be produced as 20th Century's "most lavish spectacle" and will have an all-star cast.

"The Man Who Broke the Bank at Monte Carlo," starring Ronald Colman, and directed by John Ford from the scenario by Nunnally Johnson.

"Sing, Governor, Sing!" with Paul Whiteman and his band, Phil Baker and his stooges, Beetle and Bottle; and Rubinoff. Songs and musical score by Gus Kahn and Arthur Johnson.

"The Diamond Horseshoe," starring Lawrence Tibbett, with screenplay by Bess Meredyth and George Marion, Jr.

"Shark Island," starring Fredric March. The screenplay is based on the life of Dr. Samuel Alexander Mudd from the book by his daughter.

"Professional Soldier," starring Wallace Beery, with the scenario provided by Harold Long.

Four for which no stars have been selected are: "Nile Patrol," by Phillip McDonald; "Gentlemen, the King!" by Howard Smith; "Earthbound," by W. P. Lipscomb, and "It Had to Happen," by Howard Smith.

John R. Dillon Gets Place on Fox Board

(Continued from page 1)

the directors reelected all current officers.

Those reelected were: Sidney R. Kent, president; W. C. Michel, executive vice-president; Winfield Sheehan, vice-president in charge of production; Sidney Towell, treasurer; Felix A. Jenkins, secretary; John P. Edmondson, assistant secretary; J. H. Lang, assistant secretary; W. S. Bell and R. B. Simonson, assistant treasurers.

Those board members reelected were Kent, Michel, H. B. Clark, Harley L. Clarke, H. Donald Campbell, Daniel O. Hastings, Arthur W. Loasby, Ernest W. Niver, Hermann G. Place, Seton Porter and Towell.

Russell Moon Quits Fox

Russell B. Moon has resigned from the exploitation department of Fox Film, effective May 1. Moon will operate his own business, the Motion Picture Ad-Sales Printing Co. which he launched a year ago. He will specialize in novelty advertising.

Shirley's Birthday Set

Shirley Temple's sixth birthday next Tuesday will be celebrated in 26 RKO houses in Greater New York by the free distribution of 52,000 Charms lollypops to children attending the circuit's houses that day. "The Little Colonel" is being day-and-dated in all RKO houses starting Friday.

Skourases Return to L. A.

LOS ANGELES, April 16. — Spyros Skouras, accompanied by his brother Charles, Mike Rosenberg and Charles Crapman, arrived at Fox West Coast headquarters here today, completing a week's tour of inspection of Seattle theatres. Spyros Skouras leaves for New York later this week.

Agfa Ansco Cuts Loss

Agfa Ansco reports a net loss for 1934 of $286,106 after charges, depreciation and income taxes. This compares with a net loss of $519,474 in 1933.

College Shows Baffle Campi; Study Ordered

(Continued from page 1)

Yamins delegated to clarify the code provision.

At a meeting of an appeal committee comprising Gordon C. Youngman, Nat Cohn and Harry Vinnicoff, Ben Strozier and Robert E. Bryant, Rock Hill exhibitors, protested against Winthrop College showings for its students and personnel at 10 cents admissions on Saturday evenings.

According to one of the rulings of the institution's board, students are not permitted to attend any of the three local theatres, Dr. Phelps, president of Winthrop, explained. He stated that the college tries to control the pictures seen, time spent and expenditures of the girl students.

The exhibitors contended that the college was unfair competition in that it buys pictures away from the three houses and also permits its students to visit Charlotte and theatres in the town.

Say Walker Again Refuses Para. Job

(Continued from page 1)

creditor groups on the tenure of office of each of the 16 directors is expected this week. It has been conceded already that H. A. Fortington, Stephen Callaghan, Floyd B. Odlum and John D. Hertz will have two and three-year terms apportioned among them. The by-laws of the company provide for one, two and three-year terms for directors.

The Paramount trustees, Charles D. Hilles and Eugene Leake, are expected to receive their final discharge from the court about May 15. The formal election of the new directors may be held immediately prior to that, with probably another month being required to clean up all remaining phases of the organization of the new company. It has been agreed among Paramount creditors that there will be no change in the company name when the new Paramount formally takes over.

Para. Moves Approved

Orders approving Paramount's petitions to participate in the settlement of litigation involving Marks Bros., Chicago, and the Continental Illinois Bank; the leasing of the Astoria studio by Paramount News for a period ending in 1941, and the dissolution of the Elwood Theatre Corp., Miami, were signed yesterday by Federal Judge Alfred C. Coxe.

Producers Royalty Gains

Net profit for Producers Royalty for 1934 was $17,761 after taxes, interest, depreciation and other charges, but before depletion and properties charged off. This compares with a net of $4,498 in 1933.

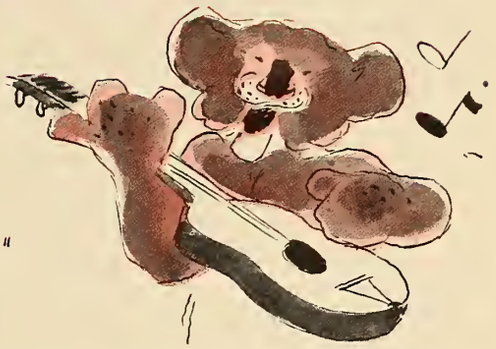
May Meet in Chicago

Columbia is considering holding its annual sales meeting in Chicago some time in June.

SO THIS IS THURSDAY!



"MARIETTA .. YOU'RE NAUGHTY BUT NICE.... TO THE BOX-OFFICE"



THURSDAY BEATS OPENING FRIDAY! WATCH IT BUILD!

45% better in Dayton
4% better in Columbus
87% better in Harrisburg
45% better in Providence
86% better in Reading
7% better in Springfield
48% better in Syracuse
68% better in Wilmington
41% better in Indianapolis
16% better in Kansas City
52% better* in Atlanta
53% better* in Nashville

Best day of engagement to date, except Saturday.

"MARIETTA!" YOU GET BETTA AND BETTA! HOLD EXTRA TIME! NEXT PAGE TELLS WHY!

K-A-O Might Hold Skouras With Fox Met

(Continued from page 1)

"and the company, naturally, wants to take any steps which are necessary to protect its own theatres."

Swope declared that the actual submission of a K-A-O plan of reorganization for Fox Met would probably require some additional time, and that its terms would most likely be shaped by developments in the course of hearings on the Joseph M. Schenck-Fox Theatres' reorganization plan for Fox Met, which are now under way before Judge Julian W. Mack. Creditor criticism of the Schenck-Fox Theatres' plan, it is inferred from this, will probably be the guiding factor in determining the exact terms of whatever offer for Fox Met is submitted by K-A-O.

Hearings Resumed Friday

The hearings on the fairness of the Schenck-Fox Theatres' plan will be resumed Friday morning, with the court having declared itself as willing to hear all opposition to the plan from other prospective bidders as guidance in determining the acceptability of the plan now before the court. Si Fabian, in association with the Bankers Bond & Mortgage Co. and Alfred M. Greenfield of Philadelphia, are also in the arena with a plan which, while it offers Fox Met bondholders 100 cents on the $1 for their $12,875,000 of claims, makes no provision for unsecured creditors and proposes the cancellation of the Skouras and Randforce operating contracts. The latter proposal would vest operation in Fabian and would result in the loss to Fox Met of the Skouras and Randforce Fox film franchise. The court was told on Monday that this franchise was "exceedingly valuable" to Fox Met, not only in supplying it with 50 of the 156 features it requires annually, but also in negotiating day-and-date playing agreements for product controlled by other circuits in return for permission to day-and-date the Fox product with Fox Met houses. Such an agreement has been in effect between RKO and Fox Met for the past three years.

It was also stated that the Fox film franchise makes that product available to Fox Met at rentals appreciably below prevailing film costs. Sidney Kent was quoted by Schenck as having said that the franchise held by Fox Met "costs Fox Film $400,000 annually."

Ohio Passes "Fury"

COLUMBUS, April 16.—Despite censorship action in some of the other states, which, at first, it was feared might influence the Ohio board, "Black Fury" was passed here with but two or three minor deletions. The bits which were scissored were inconsequential.

Mae May Do "Klondike"

HOLLYWOOD, April 16.—Paramount has tentatively set "Klondike" as the title for the next Mae West picture. Miss West will write the script herself, and the locale will be Alaska during the gold rush days. "Goin' to Town" is now in the cutting room.

Looking 'Em Over

"Escape Me Never"

(British & Dominions—United Artists)

LONDON, April 5.—Elisabeth Bergner, in her famous stage role. Undoubtedly one of the most sincere, sensitive, and moving performances it is possible to recall. In whimsical humor, in sorrow and in tragedy Bergner is wonderful; her voice, exceptional in its range of expressiveness, is remarkably recorded.

With the prestige of an international stage success behind it, "Escape Me Never," certainly one of the best films ever made in England, ought to make a box-office worthy of outstanding artistic merit.

Although Miss Bergner dominates the film, it is by no means a manufactured star vehicle. There are considerable, and very original, story values and variety and beauty of settings. The predominance of Gemma Jones, waif-lover and victim of Sebastian, ultra-temperamental member of the Sanger family of "Constant Nymph" fame, is the inevitable result of a delightfully original literary invention. Bergner's genius gives it perfect expression.

The play has made the main plot details familiar. Gemma, schoolgirl in appearance, makes a tempestuous entry to the ultra-respectable salon in Venice, of Sir Ivor and Lady McClean, shocks them by the

"Escape Me Never" was covered by a flash cable from London April 3

casual disclosure that she is mother of an illegitimate child and shocks them still more by revealing that she is living with Sanger, son of Sanger, the great musician. Jumping to the conclusion that her lover is Caryl Sanger, fiance-designate of Fenella McClean, the family hastily leaves Venice for the Dolomites to enable Fenella to get over her sorrow.

Gemma's companion is really Sebastian, ne'er-do-well brother of Caryl. An accidental meeting of the brothers reveals the unintentional deception played upon the McCleans. The two Sangers and Gemma, penniless, thereupon tramp into the mountains and find Fenella, telling her the truth. Fenella, reconciled to Caryl, is attracted by the Bohemian Sebastian.

Later in London, Sebastian marries Gemma, but keeps Fenella, whose infatuation for him increases, unaware of the fact. Gemma's baby dies because, working as a servant to keep the good-for-nothing Sebastian, she is unable to give it proper care. Heart-broken, she interrupts a rehearsal of Sebastian's ballet to tell him the news, but he brutally hustles her away. That night he plans to run away with Fenella, but Caryl interrupts them and nearly strangles him. Gemma returns and, knowing the worst of him, still takes him back.

Few screen characters have lived as Bergner's Gemma lives. This figure is the film, but the support is good right through, Hugh Sinclair as Sebastian and Griffith Jones as Caryl both interpreting the Margaret Kennedy characters as she wrote them. Penelope Dudley Ward makes an excellent debut as Fenella. Lyn Harding, Irene Vanbrugh and Leon Quartermaine are admirable types. The exteriors in the Dolomites are finely done and there is a very effective stage set in the ballet incident.

Undoubtedly, from any Hollywood studio, "Escape Me Never" would attract special attention. Coming from England it should be a striking demonstration, at least to the better class American public, of the technical and artistic achievement of the bigger London studios.

Running time, 80 minutes. "A."

"The Royal Cavalcade"

(Associated British Pictures)

LONDON, April 5.—A necessarily episodic survey of the 25 years of the reign of King George V, this British feature, which combines reconstructions of historic events with actual news shots, has a sort of "Cavalcade" appeal. It needs rather heavy cutting for America, the interest of some scenes being entirely British while the atmosphere of sentimental nationalism will be found somewhat uninteresting in other countries.

The outstanding scenes are those showing Sir Edward Grey delivering his House of Commons speech at the outbreak of the war; the German request for an armistice to Foch and the Allied commanders in the railway carriage "headquarters"; the Suffrage disturbances in Parliament; Lady Astor, the first woman M. P., taking her seat in the House; and the tragic end of the Scott expedition to the South Pole.

In all these episodes, a close resemblance to famous personages has been achieved and there is striking accuracy of historical background.

Much of the old news material has great human interest by its illustration of a quarter-century's changes in costume, social custom and

(Continued on page 8)

Popular, New Producer, to Have 18 Films

(Continued from page 1)

the United States, with exchanges operating under Popular Pictures franchises.

"The Mark of Zorro" will be the company's initial production, to be followed by "Lavender and Old Lace." Other films will include Charles E. Cohalan's "Big Blonde," Russell Higgins' "Love Is No Sin," Peter Shelley's "Ladies on the Loose" and an original by Joan Sherman called "Lovers No More." Also planned are two musicals.

F. F. Kolbe Chosen New Head of Pathe

(Continued from page 1)

other officers of Pathe remain as before.

Kolbe's election to the presidency is regarded in reliable quarters as being of a temporary nature.

Webb, reached at his home yesterday, said that he had no plans for the immediate future and would take a vacation immediately. He said he had not yet considered resigning from the board of Dupont Film Mfg. Co., or as chairman of the board of First Division. He declined to comment on reports linking him with an active post in First Division.

Webb's resignation was said to be the result of dissatisfaction within Pathe over financing deals recently closed with First Division and other independent producers.

Quigley to Exhibit Exploiteers' Work

(Continued from page 1)

Herald, at a meeting of Skouras managers in the metropolitan area held in the Paramount Building.

Among campaigns in the exhibit will be many which have won Quigley Awards.

Vogel told the theatre managers that the Quigley prizes had done much to lift theatre grosses and bring about managerial promotions.

"If managers would stop worrying over the proximity of opposition houses and concentrate on getting a fair share of business from their immediate drawing areas, a happier state of affairs would come about for all concerned," asserted Vogel.

"Plenty of live showmen in the subsequents roll up fat grosses on pictures that have not been milked dry in the first runs. These men have forgotten the existence of competing theatres. As far as they are concerned dates are first runs and are so exploited. That they are on the right track is proved by gratifying grosses and by their success in the Quigley competitions."

Fifth Dual at Lincoln

LINCOLN, April 16.—A fifth dual feature house has been added to the local picture. C. Fraser's Joyo, suburban second run spot, has started spotting two at a time.

HELD OVER!







"YOU NEVER MET A ..... GAL LIKE MARIETTA!"

2nd WEEK

(Watch it Build!)

WEEK-END BUSINESS OF SECOND WEEK BEATS OPENING WEEK-END! A PLEASURE!

Dayton	Atlanta	Philadelphia
Toledo	Indianapolis	New Orleans
Columbus	New York	Harrisburg
St. Louis	Wilmington	Providence
Kansas City	Baltimore	Reading
	Portland	

And the List of 2nd Week Hold-Overs is growing!

TAKE A TIP! HOLD EXTRA TIME FOR EXTRA "NAUGHTY MARIETTA" PROFITS!

Oklahoma Bill Hits First Run Showmen

OKLAHOMA CITY, April 16.—First run exhibitors will be restrained from playing second and subsequent runs if a bill amending the Oklahoma anti-trust laws and introduced into the legislature late last week by Senator Howard Morton of Adair County is passed.

A. B. Momand, leading local independent operator, has been prominent in the drafting of the new measure and supplied the senator with most of his data.

Race Bill Meets Setback

BOSTON, April 16.—A bill for the creation of a state corporation to conduct horse and dog racing in Massachusetts was reported adversely today by the legislative committee on state administration.

This committee also suggested reference of the pari-mutuel betting repeal bill to the next session.

In its report the committee said: "The committee was hopeful that it could report certain changes in the present law, notably provisions for compulsory public hearings before the granting of any license; for a clarification of the law relative to the 50-mile limit, so that this restriction would apply only within the commonwealth; and for the prohibition of licenses in any community which has voted against the law. Advice of counsel made it apparent that these changes were beyond the scope of the petition and could not be reported."

In the state election last November citizens of the state voted in favor of horse and dog racing. The committee felt that it had no right to repeal the whole act so soon after a mandate from the people.

Injunctions still hold up the construction of tracks, however.

Wall Street

Eastman Issues Up on Big Board

	High	Low	Close	Net Change
Columbia, vtc	43⅜	42⅝	42⅝	— ⅛
Consolidated	4⅞	4⅞	4⅞	.....
Cons. pfd (1v)	17½	17⅜	17½	.....
Eastman	126½	125¼	126½	+1⅛
Eastman pfd	155	155	155	+1
Fox "A"	9¾	9¾	9¾	— ⅛
Loew's	37⅞	37⅛	37½	— ⅜
M-G-M	28	28	28	+ ⅜
Paramount	3	2¾	2¾	— ¼
Pathe	¾	¾	¾	.....
Pathe "A"	11¼	10¼	10½	—1
RKO	1⅝	1½	1½	— ⅛
Warner	3⅛	3⅛	3⅛	.....
Warner pfd.	20	19¾	20	+ ½

Technicolor Drops 1 on Curb

	High	Low	Close	Net Change
Technicolor	20	19½	19½	—1
Trans Lux (.10 K)	2½	2½	2½	.....

Most Bond Issues Unchanged

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	8½	8¾	8½	.....
Keith B. F. 6s '46	76½	76½	76½	.....
Loew's 6s '41 ww deb rights	104½	104⅛	104½	.....
Paramount B'way 5½s '51	53	53	53	.....
Paramount F. L. 6s '47	77⅝	77½	77½	— ½
Paramount Publix 5½s '50	79	78½	79	.....
Pathe 7s '37 ww	103¼	103¼	103¼	.....
Warner Bros. 6s '39 wd	54¾	54	54	— ¾

(K and v) Paid this year.

(Quotations as at close of April 16)

Looking 'Em Over

"The Royal Cavalcade"

(Continued from page 6)

transport. Notably is this so with the series of shots of flight in its various stages, from Paulhan to Amy Johnson and Lindbergh.

It is doubtful whether American audiences will want to see the succession of royal marriage ceremonies and episodes of the King's critical illness and of the general strike also seem to call for curtailment.

A certain continuity is aimed at by the fact that a penny, newly minted in the year of King George's accession, turns up in different hands throughout the years; at one time it is clasped in a dead soldier's hand. Weakness of real continuity is scarcely a fault in a film of this type.

Running time, 90 minutes. "G." ALLAN

"Revenge Rider"

(Columbia)

The ghosts of "Bat" Masterson, Billy Smith and "Wild Bill" Hickok, when they hear of the gun play exhibited by Tim McCoy in this picture, will probably return to marvel and to praise him. In six reels McCoy downs 11 men with his six-gun, rides around the countryside solving a murder and carries on a romance with Billie Seward. All in all, it's good entertainment and there is enough suspense and plausible action in the film to satisfy.

The yarn has McCoy trying to solve the murder of his brother on the ranch of the girl's father. During his investigation he uncovers evidence that implicates the father, played by Frank Sheridan, with a gang of rustlers. But it is proven that Sheridan is innocent and that the culprits were paid gunmen in the employ of Jack Clifford, who turns out to be the cause of all the trouble. After generous use of his gun McCoy cleans up the difficulties and the fade-out has him and Miss Seward riding away after their wedding.

Director David Selman has molded this interesting story into a fast-moving film. The photography of Benjamin Kline is good.

Others in the cast are Robert Allen, Edward Earl and Jack Mower.

The film should have particular appeal to lovers of westerns, but there is enough body to it to draw generally. Reviewed without production code seal. Running time, 60 minutes. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"G Men"

(Warners)

HOLLYWOOD, April 16.—Spattering and crackling from the screen in the spirit of an outraged nation, "G Men" is loaded with the dramatic indignation of a people aroused and primed with the siren-shrieking thrill of putting the common enemy on the spot.

Springing from the Government's campaign to exterminate gangsters by fighting fire with fire, it reveals the inside workings of the Department of Justice, touches on scientific methods to combat criminals and rips out a yarn of James Cagney joining the service when his G man pal is bumped off by gangland. Shrewdly have the Warners taken a hot idea and produced a blazing entertainment.

Up with the front-line fireworks, all through the film Cagney battles with his chief (Robert Armstrong). He sparks Ann Dvorak, a cabaret performer. He falls for Armstrong's sister, Nurse Margaret Lindsay. He rebels against department restrictions. He is put on the spot and shot. Escaping from the hospital, he shoots it out single-handed with the public enemy holding Miss Lindsay as a hostage in a bullet-pumping windup thrilling to the marrow.

Audience values of human interest, romance, humor, pace and action are here in full measure.

Cagney's performance bristles, is cleancut and in high register, with Armstrong, Miss Lindsay, Miss Dvorak, Barton McLane, William Harrigan and the others vivid and competent.

William Keighley directed in bangup fashion from Seton Miller's screen play and Gregory Rogers' story.

As an important production meting out dramatic justice to criminals it should buttress public sentiment in favor of a crusading government. As genuine entertainment to stir patriots and hoi-polloi it should garner plenty of "G's" for showmen and a grand smash show.

Production Code Seal No. 745. Running time, 90 minutes. "G."

Philadelphia Tries Out Many Revivals

PHILADELPHIA, April 16.—Film revivals, which enjoyed such impetus when "It Happened One Night" and "Imitation of Life" had their second downtown appearances at the Stanton and Karlton, are spreading.

Among the films being revived this week in the neighborhoods are "Whoopee," "Count of Monte Cristo," "She Done Him Wrong," "The Thin Man," "Cimarron," "The Bowery," "One Night of Love," "Little Miss Marker," "Judge Priest," "Servants' Entrance," "Private Life of Henry VIII," "Great Expectations," "The Gay Divorcee," "Cleopatra," "The White Parade," "King of Kings," "Now and Forever," with, of course, "It Happened One Night" and "Imitation of Life" getting a particularly large number of dates.

Carr Lining Up New Republic Schedule

(Continued from page 1)

pany's program. He has purchased, so far, four stories, signed one director and two writers.

"The Legion of the Lost," by Ex-Legionaire 1384, Gene Stratton-Porter's "The Harvester" and "Michael O'Halloran" and "Forbidden Heaven" by Christine Jope-Slade are the four stories bought. Reginald Barker, who is now directing "The Healer" under the Monogram banner, is the lone director signed so far by Carr. He is scheduled to handle four of the company's 26 for 1934-35.

The writers are Sada Cowan and Adele Commandini. The former has been assigned to the screenplay of "Forbidden Heaven" and the latter to "The Harvester."

Nat'l Theatres Bids $790,000 for Fox Unit

KANSAS CITY, April 16.—National Theatres has entered a bid of $790,000 with all expenses of the bankruptcy administration of Fox Rocky Mountain. No opposing bids are expected when the private sale takes place in bankruptcy court next Tuesday.

Fox Midland will be put up separately, but it will be sold at the same time. Transfers are expected to be approved immediately.

Dismiss Tri-Ergon Suits

American Tri-Ergon patent actions against Producers Laboratory, Inc., and Malcolm Film Lab were dismissed yesterday by Federal Judge Henry W. Goddard, as a result of the recent Supreme Court mandates holding the Tri-Ergon patents to be invalid.

Mooring British Scout

HOLLYWOOD April 16—William Mooring has been appointed Hollywood liaison officer for British International.

Mooring will scout talent for the British firm and contact agents, writers and directors.

Flash Review

On Probation— . . . pretty dull stuff even for the neighborhoods . . . offers the cast little opportunity to rise above the level of the story. . . .

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.


HE'LL BE A
raving, tearing sensation!
HALF-MAN!
HALF-BEAST!
and
ALL BOX OFFICE!
CARL LAEMMLE PRESENTS
WEREWOLF OF LONDON
A UNIVERSAL PICTURE with
HENRY HULL • WARNER OLAND
VALERIE HOBSON
LESTER MATTHEWS • SPRING BYINGTON
WILLIAMS • LAWRENCE GRANT
Directed by STUART WALKER
GERMAN PRODUCTION
Associate Producer

Berinstein to Seek Duals Ban on Coast

Another attempt to eliminate duals and triples in coast theatres will be made upon the return next week of Harry Vinnicoff to Los Angeles, he declared yesterday.

Vinnicoff, who accompanied Ben Berinstein to New York to attend Campi hearings on the Los Angeles schedule, operates four theatres in Los Angeles, all double bill houses. He believes twins and triples are hurting the business. As a member of the I.T.O. of Southern California he will ask his organization to call a general session to discuss the subject.

About a year ago 76 per cent of theatres in the Southern California territory agreed to drop duals, but when the matter was presented to Fox West Coast, the major circuit refused to go along.

Berinstein was in Elmira, N. Y., yesterday to visit his brothers, Harry and Jules, and is due back today.

Plagiarism Charged In Suits Filed Here

Two suits charging plagiarism and asking damages in excess of $1,500,000 were filed against United Artists and Warners in Federal district court here yesterday.

The action directed against United Artists also names Samuel Goldwyn and Eddie Cantor, and alleges that "Roman Scandals" plagiarism a comedy entitled "Oh, Shah," written in 1929 and said to have been submitted to Cantor in 1934. The action is brought by Mort Eisman, Clare Bellar and Robert Shayon and asks an injunction and accounting and damages of $1,000,000.

The second action names Warners, First National and M. Witmark. It is brought by Irving Gielow of Chicago, who alleges song and story plagiarism in "Flirtation Walk" of Gielow's drama entitled "Give Me This Night." The plaintiff asks injunctive relief, an accounting and damages of $500,000.

Plan Rally April 25

PHILADELPHIA, April 16.—The I.E.P.A. has called a special meeting to be held at the Broadwood Hotel here April 25 when block booking and clearance will be discussed. Invitations have been extended to exhibitors in Western Pennsylvania, West Virginia, Southern Jersey and Maryland.

AFA Seeks Circus Talent

Efforts to get circus performers to join the American Federation of Actors will be made at a mass meeting to be held at Union Church Hall, 229 West 46th St., Thursday night at 11 o'clock.

Westerns to Guaranteed

Guaranteed Pictures Co., Inc., has acquired all foreign rights to the current series of eight Kermit Maynard productions which Ambassador Pictures Corp. is now producing. All of the series has been adapted from stories by James Oliver Curwood.

Take Chaliapin Picture

DuWorld Pictures has closed a deal with Vlademar Bell for release of the Feodor Chaliapin picture. "Don Quixote."

Forum Told of Big Planes And Non-Stop World Flight

By J. M. JERAULD

Word pictures were painted yesterday at the Motion Picture Club forum—painted with a matter of fact nonchalance that made the incredible seem credible; the fantastic, commonplace.

Igor Sikorsky said it was perfectly feasible to build a plane now that could carry 100 passengers, but not practicable, because there is not enough concentrated traffic to make it profitable. He predicted 24-hour flights across the Atlantic in the immediate future. Clyde Pangborn detailed his plans for a four and one-half day non-stop flight around the world in July, with a 500-watt radio set that will permit him to talk to the entire world at once.

Noting the gasps his prediction evoked, he said he had sent a code message from north of Australia with a 140-watt set that had been heard around the world, and with the same set had talked with Manila from above Irak.

Vistas of the future were made more pointed by references to the fact that at that moment Sikorsky's new clipper plane was on its way to the Hawaiian Islands and that Laura Ingalls was in the air some place between San Diego and New York.

Louis Nizer described history as "dead," and Rex Cleveland, aviation editor of *The Times*, pointed out that the whole history of heavier-than-air flight covered only 31 years; that it was only 20 years ago when the first "dog fights" took place over the western front, and but seven years since Lindbergh flew to Paris.

Sikorsky Takes the Floor

The pageant of events unreeled with the speed of film.

Nizer introduced Sikorsky as the man who "translated dreams into realities." It was an apt description. Sikorsky, a mild-mannered man of medium height; slightly bald, with a fountain pen and pencil fastened in the pocket where film men wear colored handkerchiefs, spoke in a musical foreign accent of recent happenings and developments to come.

His comparisons were fascinating. A heavy object dropped from the top of the Empire State Building, he said, would fall only half as fast as the 400-mile-an-hour speed recently attained in Italy, and the speed of this plane was half that of a bullet.

In his recent experiments with the trans-Pacific clipper ship between Miami and Porto Rico dinner was served on the plane and it was so steady his coffee didn't even slop over.

"The time is only a short distance away," he went on, "when planes will be built with lounges, libraries, sleeping quarters—every convenience of a ship except a swimming pool. And Europe will be 24 hours distant, the remote places of the world only three and one-half or four days away. This is not for the remote future; it is at hand."

America, Sikorsky said, is "incomparably ahead of all other countries in its transport service."

Clarence Chamberlin, the first man to fly to Germany, related that when E. R. Thomas, the automobile manufacturer, heard in Miami about the Wrights' first flight he offered them financial assistance. They refused it, because the only future they could see for planes was the building of seven or eight of them for the Government to use in scouting ahead of cavalry.

Distance flights for publicity purposes, he said, had been valuable in directing public attention to the possibilities of flying.

Harold Crary dipped lightly into what now seems a distant past by saying that the first transcontinental plane schedules four years ago were 36 hours and cost $400 and passengers crowded into the mail sack compartment. The cost had come down, he said, from 15½ cents a mile to five and one-half cents; the speed had risen from 90-miles-an-hour to 150 to 189. Planes probably will carry 600,000 passengers this year. Ninety-four per cent of schedules were maintained throughout the winter, he said, and within 90 days the transcontinental time will be cut again.

"The problem," he said, "has been to convince the public that something new is something practicable."

Pangborn's calm announcement that he proposed a non-stop flight around the world from the coming San Diego Exposition lost some of its atmosphere of fantasy when he said that a new Bernelli plane he proposes to use has a fuselage 12 feet wide which can carry 2,500 gallons of gasoline and provide accommodations for a radio operator and sleeping quarters while cruising at 155 miles an hour.

Outlines Proposed Flight

"I can take on 2,000 gallons over New York," he said, "and fly across the southern tip of Greenland and Iceland to Moscow. Another refueling there will take me to Irkutsk near Lake Baikal in Siberia with enough gas to fly around for eight or 10 hours in case the weather is bad. From there to San Diego would be 300 miles shorter than the flight which I made with Herndon from Tokio to the middle of the state of Washington in a two-year-old plane. We made that whole trip at 18,000 feet to keep above the fog."

Ruth Nicholls, another noted flyer, talked lightly of her experiences and reminded her hearers that the first balloon trip into the air was in 1783 and a year later a woman went along.

James Mollison, who has crossed the Atlantic three times, the last time with his wife, Amy Johnson, drew a laugh when he said that family arguments some times develop above the clouds.

"The one with the loudest voice wins," he said. "In the London-Melbourne race, I won the argument, but made a mistake—and I'll probably never hear the last of it." They were forced down in India.

Mollison was even more optimistic about transport flights to Europe than Sikorsky. He predicted that stratosphere crossings would be made in much less than 24 hours in the next two or three years.

"England is only 3,600 miles away," he said.

Frank Coffyn described the making of the first motion pictures from the air which he did for J. Stuart Blackton. "Our Wright plane had a top speed of 45-miles-an-hour," he said.

Casey Jones, the last speaker, said the greatest danger to aviators was "starvation," and he was grateful to flying because his speeches had gained him many free lunches.

Roach to Base Two On Amateurs' Work

Hal Roach will produce two comedy shorts next season dealing with amateur performers in theatres and on the radio. One of the pictures will be made in the east and the second at the coast studio.

Roach has effected a tieup with WHN and Loew theatres whereby winners in amateur contests at the radio station and in every Loew house will be cast for the two films.

"The box-office reception of 'Beginner's Luck' indicates the enormous potentialities of comedies built around amateurs," he said.

Accompanied by Mrs. Roach, the M-G-M short subject producer left yesterday on a flying trip to Culver, Ind., to spend the Easter holidays with his son, returning early next week to resume production conferences with M-G-M sales heads.

M-G-M Plans "Amateur Hour"

M-G-M stated yesterday it would produce a picture titled "Amateur Hour." The suggestion for it came from the program now featured over Station WHN, which is owned by Loew's.

RKO Booker Witness In M. & S. Hearing

Cross-examination of John O'Connor, head booker and film buyer for RKO, by Max D. Steuer, counsel for Meyer & Schneider, occupied most of yesterday's session on the hearing of breach of lease charges brought against RKO by M. & S., and will probably result in setting back the closing of the hearings until Saturday. RKO counsel had expected to conclude the case today.

Steuer will continue with his cross-examination of O'Connor when the hearing resumes today. Following him on the witness stand for RKO will be Nate Blumberg and Major I. E. Lambert.

McGuire to M-G-M

HOLLYWOOD, April 16.—William Anthony McGuire has been signed to a contract with M-G-M, the terms of which make him an associate producer.

William Wellman and Edward Sloman have joined the M-G-M directorial staff.

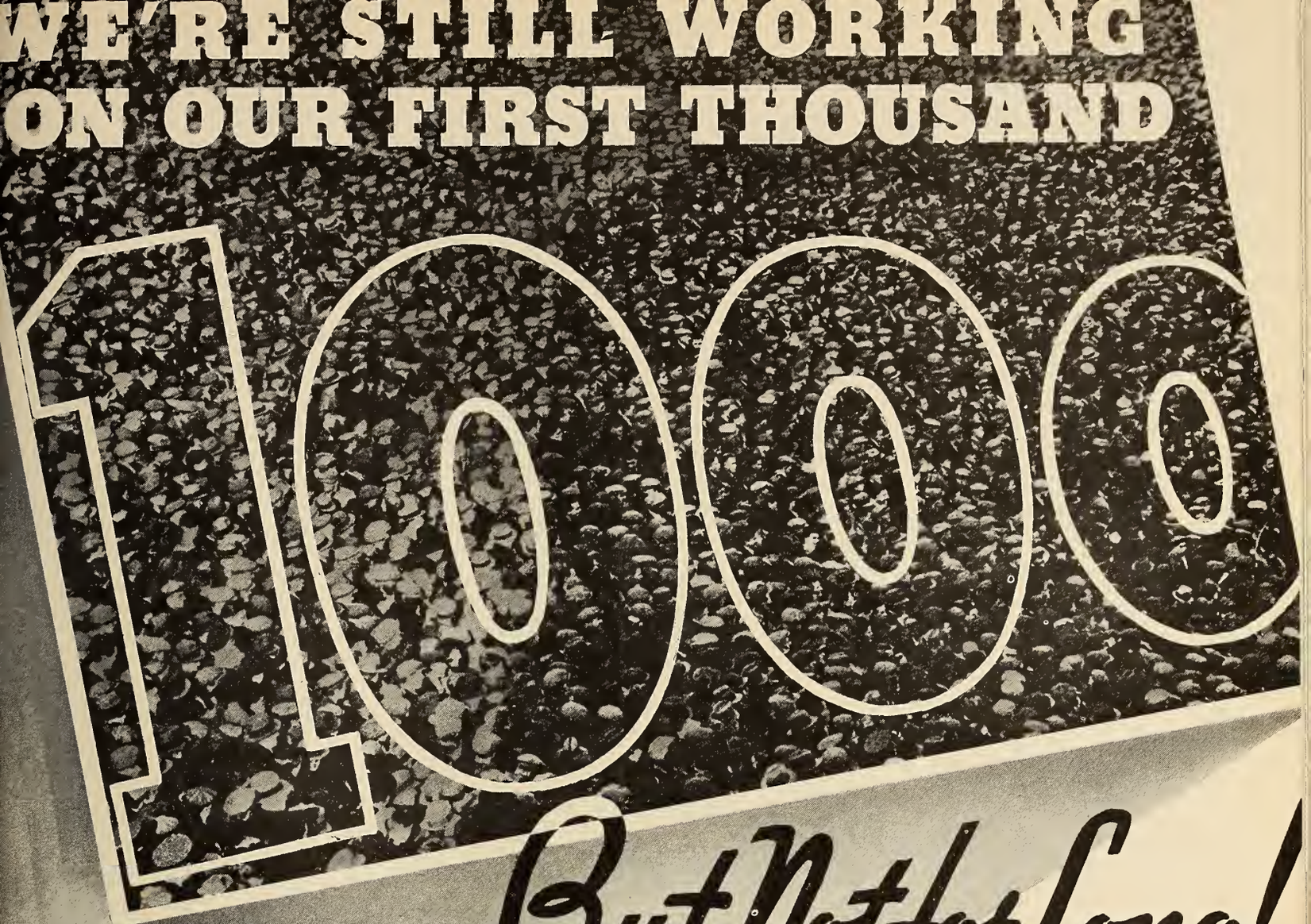
It's Thomas, Not Hill

Due to error, it was stated in yesterday's MOTION PICTURE DAILY that Edwin C. Hill was commentator for Fox Movietone News. It should have read Lowell Thomas.

Chotiner Doing Well

LOS ANGELES, April 16.—Harry Chotiner, president of the I.T.O. of Southern California, is recovering from an appendicitis operation which he underwent on Sunday.

WE'RE STILL WORKING ON OUR FIRST THOUSAND



. . . But Not for Long!

● Remember only 1,000 tickets will be sold this year... after that you'll have to come as a waiter to get in...and that won't be very much fun, on account of how there will be no speeches to break up by dropping dishes!

● So step right up to Paul Benjamin of National Screen Service and lay your money on the line...$7.50 per each for all the food, entertainment and dancing you want!

880
SOLD TO DATE
You and
119
OTHERS
CAN STILL GO IF
YOU HURRY!

NAKED TRUTH DINNER

A.M.P.A.

APRIL 27, HOTEL ASTOR

AL JOLSON was the friendly target of much festivity last night and early this morning at a party thrown for him by the Warners. The Casino de Paree was the scene of activity, what with JIMMY DURANTE introducing EDDIE CANTOR who acted as master of ceremonies, JOLSON and RUDY VALLEE singing and the orchestra playing "Mammy" and other Jolsonesque songs. WILL H. HAYS, HARRY M. WARNER, JOSEPH BERNHARD, PAUL WHITEMAN, STANLEIGH FRIEDMAN, M. H. AYLESWORTH, HERMAN STARR, S. CHARLES EINFELD and, not the least of all by any means, RUBY KEELER, were there. ALBERT HOWSON handled the microphone end of the function with WHN keeping the program on the air from 11:30 to 12:30.

•

REGINA CREWE, film critic on the *New York American*, plans a coast trek. RICHARD WATTS, Jr., of the *Herald Tribune* sails Friday on the *Bremen*. THORNTON DELEHANTY of the *Post* is somewhere abroad, probably in England.

•

BEN L. STROZIER of the Stevenson and Carolina, Rock Hill, S. C., and ROBERT E. BRYANT of the Capitol, same town, were in town yesterday on a code appeal.

•

AL SUCHMAN of Consolidated Amusements has to depend on a cane these days. He tore a ligament in his left foot the other day as a result of a slip.

•

L. W. LEE of the Schoolfield, Schoolfield, Va., and M. E. WIMAN of the Rialto and Broadway, Danville, Va., were Campi visitors yesterday.

Purely Personal

LAMAR TROTTI, Fox writer, is expected to return to the studio late next week. He underwent a major operation some time ago but is convalescing.

•

NORMAN H. MORAY, Vitaphone executive in charge of short sales, has returned from a ten week tour of the company's branch offices.

Quip of the Day

In presenting his views on the film business "as she is rotating today," Mox Shabbus, Hollywood exhibitor on the fringe of the town, says:

"In picture circles today all we hear is 'the vested rights of producers'—'the vested rights of the exhibitor.'

"So that gives us a code with two vests."

GEORGE SKOURAS will open the Capitol, Haverstraw, N. Y., on Sunday. It's the latest addition to his local circuit.

•

HARRY BRAND, head of the U.A. studio publicity contingent, came east with DARRYL ZANUCK yesterday.

•

GLADYS SWARTHOUT, opera singer, heads for those California hills in a few days now.

•

VERA and NATHAN GORDON arrived at the Hotel Edison yesterday from Hollywood.

RUTH GORDON (do you remember "A Sleeping Clergyman"?) returns here tomorrow from Hollywood.

•

JAMES E. GRANT'S *Liberty Magazine* story, "The Whipsaw," has been acquired by M-G-M.

•

BILL SCULLY returned from Boston yesterday, bringing with him one of his famous colds.

•

S. BARRETT MCCORMICK arrived from the coast last night, but doesn't report at RKO until this morning.

•

ADOLPH POLLAK has purchased a half interest in Marcy Pictures Corp., local independent exchange.

•

FRED MCCONNELL flew to Detroit yesterday. "March of Time" business, of course.

•

MARGO, the dancer, heads west shortly for more picture work.

•

MILT KUSELL is back from that Mediterranean cruise.

•

JAMES FINLAYSON got in from Europe on the *Paris* yesterday.

•

RACHEL CROTHERS arrived from the coast yesterday.

•

DAVE BERNSTEIN will call it another year Sunday. It's his birthday.

•

LOU BERMAN is back from the coast.

HARRY VINNICOFF, in New York on the L. A. clearance and zoning hearings, is wearing a hat for the first time in 23 years. BEN BERINSTEIN warned him that if he didn't cover his head he (VINNICOFF) would return to the coast with a nice little cold.

•

RAY GALLAGHER, that young fellow on the advertising staff of *Motion Picture Herald*, is observing his 25th anniversary in this business. He began with Vitagraph in 1910.

•

. . . Atlanta

W. B. FULTON, who has resigned from the U. A. sales force, has joined Arthur C. Bromberg Attractions.

HERBERT OATES, formerly of the Memphis Warner office, succeeds C. E. PEPPIATT, Atlanta branch manager, resigned.

OSCAR OLDKNOW will build a $100,000 suburban theatre in the Techwood district, to be managed by ALPHA FOWLER, who also operates the Empire, another Oldknow suburban.

•

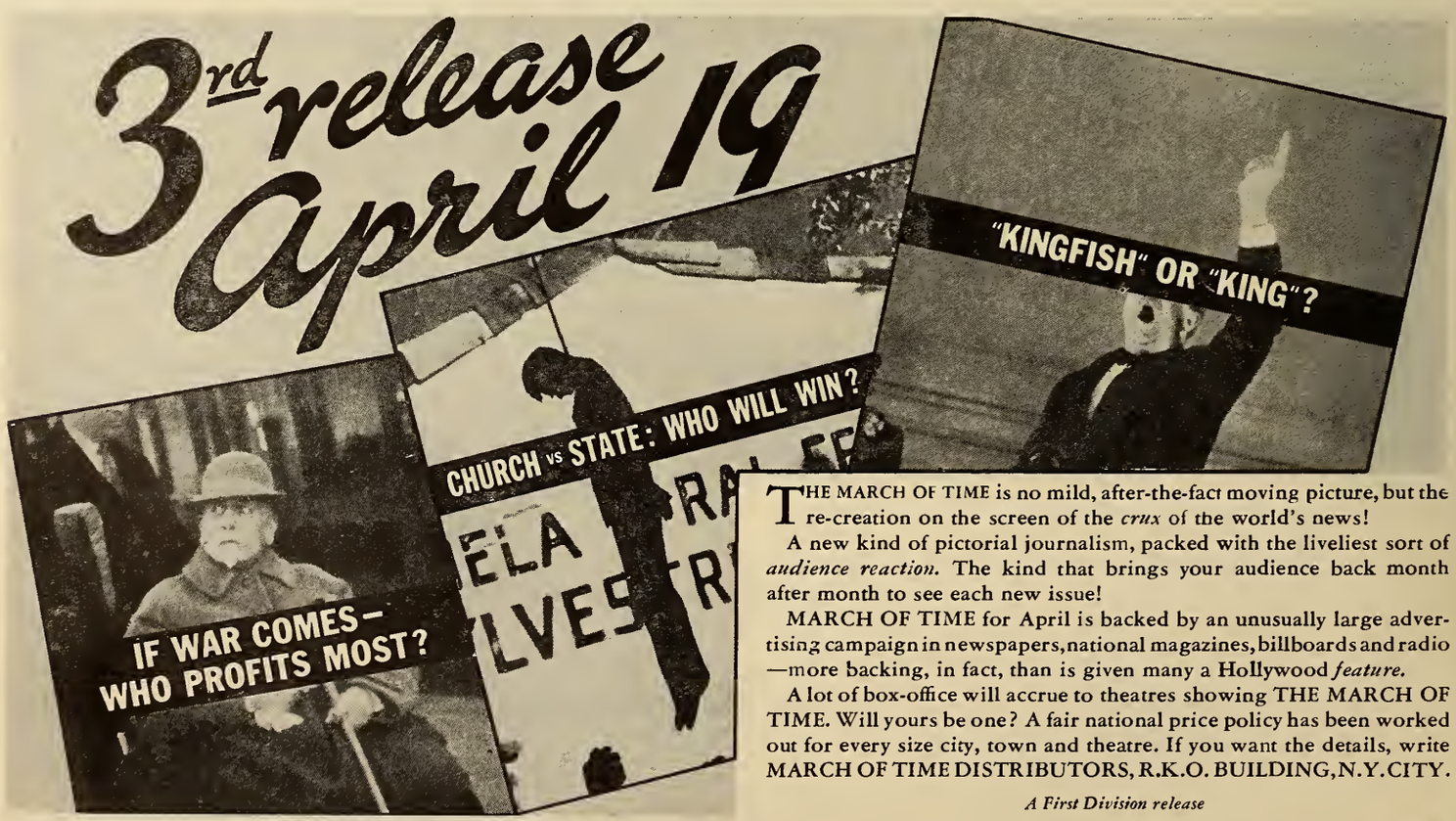
. . . Memphis

Quigley-Award-Winner BILL HENDRICKS has sprouted bushes on his upper lip.

CHARLIE MENSING, ex-Orpheum manager, called to Williamsport, Pa., by the death of his brother, Lieut. FRANK L. MENSING.

HELEN HAYES and PAULING FREDERIC of "Mary of Scotland" cast appearing as guest stars on first in new series of radio programs featuring HARRY MARTIN, motion picture editor of *The Commercial Appeal*.

BYRON ADAMS promoted to management of Warner exchange, succeeding HERB OCHS, who goes to Atlanta.



THE MARCH OF TIME is no mild, after-the-fact moving picture, but the re-creation on the screen of the *crux* of the world's news!

A new kind of pictorial journalism, packed with the liveliest sort of *audience reaction.* The kind that brings your audience back month after month to see each new issue!

MARCH OF TIME for April is backed by an unusually large advertising campaign in newspapers, national magazines, billboards and radio —more backing, in fact, than is given many a Hollywood *feature.*

A lot of box-office will accrue to theatres showing THE MARCH OF TIME. Will yours be one? A fair national price policy has been worked out for every size city, town and theatre. If you want the details, write MARCH OF TIME DISTRIBUTORS, R.K.O. BUILDING, N.Y. CITY.

A First Division release

THE MARCH OF TIME

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 91 NEW YORK, THURSDAY, APRIL 18, 1935 TEN CENTS

Crammond Is Named B.&D. Board's Head

To Share Direction with Marshall, Norton

By BRUCE ALLAN

LONDON, April 17.—E. Ronald Crammond has been named chairman of the board for British & Dominions Films to succeed Hubert Marsh, who died recently. He joined the board in 1933 as a nominee of financial interests when reconstruction of the company was in progress, and has acted as chairman since the death of Marsh.

The plan is to have Crammond, Herbert Marshall and Richard Norton share direction of the company.

William Henry Cockburn has also been added to the board. He was a partner of Price, Waterhouse, Fuller & Co. in South America.

Henigson Resigns as Universal Producer

HOLLYWOOD, April 17.—Henry Henigson today resigned his post as a producer at Universal. His contract with the studio, which had several years more to run, was canceled by mutual consent.

Henigson will leave for New York the latter part of the week. No new affiliation was announced by him.

Stage Show Big Hit In a Tour of Texas

DALLAS, April 17.—Interstate Circuit has scored a success with a stage attraction, "Mary of Scotland," starring Helen Hayes, Pauline Frederick

(*Continued on page 4*)

Ohio Employment Up Over Opening of 1934

COLUMBUS, April 17.—Despite labor disturbances in some of the industrial centers during the first three

(*Continued on page 6*)

Goetz on Production

Harry M. Goetz, for years treasurer of Consolidated Film Industries, Inc., has been eliminated from the company's new board to permit him to concentrate his activities on Reliance Pictures which release through United Artists.

Winchester Gives In

Boston, April 17.—After 15 years of consistent defeats, Winchester has finally voted in favor of licensing a film theatre, 2,475-1,717, out of a total registration of 6,294.

Arguments that a theatre would be unsightly beside the limpid Aberjono River, that children would beg on the streets for admission money, despite the fact that Winchester is one of the wealthiest towns in the country, and that undesirables would be attracted to the community finally were downed.

Referendums on this problem began back in 1920. It finally took a house-to-house campaign, a parade of youngsters carrying banners and other things to put the project across.

Florida Sale Tax Sponsors Gain Support

TAMPA, April 17.—With the opening of the third week of Florida's Legislature it looks as though the "sales taxers" are in the saddle again and riding strong. At the opening of the session, the schools, which had advocated a sales tax to raise $10,500,000, claimed to be needed, decided to drop the general sales tax idea and asked for a 10 per cent amusement tax, with an additional cut in the gasoline tax instead.

Bills were introduced in both the House and Senate to assess a 10 per

(*Continued on page 2*)

Tampa Paper Blasts At Bank Night There

TAMPA, April 17.—The editor of the *Tampa Tribune*, leading daily in this section of Florida, comes out in the Sunday issue with a scathing editorial against bank night, under the heading, "Stop This Racket." A part of the editorial follows.

"'Bank night,' which has been running in Tampa theatres since September, has become a public nuisance, a community evil. It blocks streets,

(*Continued on page 4*)

Republic Sets 80% of Sales Organization

Approximately 80 per cent of the Monogram franchise holders have been signed by W. Ray Johnston, president of the newly organized Republic Pictures Corp., to distribute his company's product in the territories they now cover under the Monogram banner.

Johnston refused to give out the list yesterday, but revealed that William G. Underwood and Claude Ezell, Monogram representatives of the Texas territory with headquarters in Dallas, had been appointed president and

(*Continued on page 4*)

Operator Row Hangs On NRA's Extension

Moves to end the local operator dispute between the I.A.T.S.E., Allied M. P. Operators and Empire State have been put off until President Roosevelt signs the bill to extend the NRA for an additional two years if it is passed by Congress.

Compliance Director Sol A. Rosenblatt, who played an active part in trying to get the various projection union interests together, has tem-

(*Continued on page 4*)

Lenten Slump Bumps Takes In Most of the Key Cities

Lent began to make the full weight of its depressing effect on grosses felt in the week ending April 4-5. Takes for 139 theatres in 22 key cities declined sharply to $1,242,487.

The drop was abrupt and followed three weeks of excellent totals which set in during the second week of March. For the week ending March 21-22 the total was $1,325,360 and the following week it reached $1,334,375. The falling off for the week ending April 4-5 was fairly uniform for all

(*Continued on page 4*)

Giveaways in New York Area Stir Protest

ITOA and Jersey Allied To Discuss Problem

Giveaways in the local area have reached the nettling point in local exhibitor organizations.

Both the I.T.O.A. and Allied of New Jersey are preparing to hold special meetings for discussion on the premium situation and bank nights.

While the distribution of gifts in theatres is prevalent in approximately 90 per cent of the Greater New York houses, bank nights are far and few between. They are principally encouraged on Long Island.

Exhibitors declare that the giveaway gag has reached the point where it will ruin the business if continued at its present pace.

Some theatres give house furnishings and chinaware to patrons from

(*Continued on page 4*)

Campi March Costs Placed at $24,252.95

Total expenditures for Campi and its various agencies amounted to $24,252.95 for March. Of this sum, $10,161.98 went to home office expense, $1,982.15 for Hollywood and $12,108.82 for the local boards.

Exhibitors' assessments received during the month tallied $6,333. Receipts from producers and distributors amounted to $350. Cash on hand as of April 1 was $23,571.17.

Century-RKO Appeal To Be Heard May 3

Campi has set Friday, May 3, as the date for the appeal hearing on the Century-RKO clearance dispute in Long Island. The local board recently handed down a split decision declaring the RKO houses in Far Rockaway non-competitive to the Fantasy, Rockville Center; that the RKO Alden, Jamaica, was competitive to the Century, Jamaica house. Both sides appealed.

Starring the Code

Nat Cohn says Columbia is going to make a new series next season.

It will be called the code cancellation group.

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Wall Street

Most Slightly Off on Big Board

	High	Low	Close	Net Change
Columbia vtc	42½	42	42	— ⅝
Consolidated	4⅞	4½	4½	— ⅜
Cons. pfd (1v)....	17½	17½	17½	.....
Eastman 126	7⅝	126¼	126¼	— ¼
Eastman pfd 154	¼	154¼	154¼	— ¾
Fox Film "A"...	9⅝	9⅝	9⅝	— ⅛
Loew's, Inc.	37⅝	37⅛	37⅛	— ⅜
Loew's, Inc., pfd.	107	107	107	— ½
M-G-M, pfd	28	28	28	.....
Paramount Publix	2⅞	2¾	2¾	.....
Pathe	¾	⅝	⅝	— ⅛
Pathe "A"	10½	10¼	10¼	— ¼
RKO	1⅝	1⅝	1⅝	+ ⅛
Warner Bros.	3¼	3	3	— ⅛
Warner Bros., pfd	20	19⅞	20	.....

Technicolor Off ½ on Curb

	High	Low	Close	Net Change
Technicolor	19½	18¾	19	— ½

Para. F. L. Bonds Up ½

	High	Low	Close	Net Change
Keith B. F. 6s '46	76	76	76	— ½
Loew's 6s '41 ww deb rights..	104⅝	104⅛	104⅝	+ ⅛
Paramount B'way 5½s '51	53½	52½	53½	+ ½
Paramount F. L. 6s '47	78	77⅞	78	+ ½
Paramount Publix 5½s '50	79	79	79	.....
Warner Bros. 6s '39 wd.....	54	53½	53½	— ½

(v) *Paid this year.*

(Quotations as at close of April 17)

Dropping Stage Shows

BRIDGEPORT, April 17. — The Globe will drop stage shows and return to straight films on May 3.

Purely Personal

JOSEPH M. SCHENCK gave a party at the Normandie for DARRYL F. ZANUCK yesterday by way of observing the second celebration of the birth of 20th Century Pictures. It was quite an affair and it drew quite a turnout. Spotted were these, although they were not all by any manner of means: NICHOLAS M. SCHENCK, DAVID BERNSTEIN, J. ROBERT RUBIN, FELIX FEIST, JOE VOGEL, CHARLES C. MOSKOWITZ, OSCAR DOOB, MARVIN SCHENCK. Also LEOPOLD FRIEDMAN, HERBERT YATES, BEN and BILL GOETZ, MYRON SELZNICK, ARTHUR LOEW, JIMMY DURANTE, LOLA WOURSELL, LEE SHUBERT, WILLIAM PHILLIPS, BORIS MORROS, EDDIE CANTOR, GEORGE DAWES, HAL HORNE, EDWARD CHURCHILL, BOB GOLDSTEIN, GREGORY DICKSON, VIRGINIA MORRIS, AL MARGOLIES, MORRIS HALPERN, AL SHERMAN, SAM ECKMAN, JACK ALICOATE. Then, too, PAUL WHITEMAN, SAM HARRIS, HAL ROACH, AL LICHTMAN, PAUL BURGER, HARRY GOLD, LYNN FARNOL, W. G. VAN SCHMUS, JOE MOSKOWITZ, DENNIS F. O'BRIEN, ED RAFTERY, ED EDELSON, TERRY RAMSAYE, BIDE DUDLEY, LOUIS SOBOL, ARTHUR W. KELLY, VICTOR MOORE, MORTON DOWNEY, ETHEL MERMAN, PETE HARRISON, LOIS JACOBY, HARRY D. BUCKLEY, BERNARD SOBOL, A. C. BLUMENTHAL, JACK COHN, HERB BERG, NATE SPINGOLD, LEO BRADY, LARRY REID, MARY BOYLE, JIM CUNNINGHAM, DON MERSEREAU, ARTHUR EDDY, WILLIAM BOEHNEL, and countless others. HARRY BRAND jokingly remarked the attendance by 7 P. M. had outdistanced "Naughty Marietta" at the Capitol by 217.

•

GUS J. SCHAEFER, Paramount's general manager in Germany and Central Europe, returns to the continent tomorrow on the *Berengaria,* after a stay of several weeks here. MRS. SCHAEFER accompanies him.

•

LEOPOLD FRIEDMAN'S Prince of Wales earlier in the year hasn't dimmed his ardor. He rides in the Park every morning at 8 o'clock.

•

HAROLD GREENBERGER of Paramount Publix houses upstate returned to Poughkeepsie yesterday after visiting local exchanges on bookings.

•

BEN GOETZ, executive vice-president of Consolidated, is in town from the coast, but takes the airline west tomorrow. Just a jaunt.

•

BUDD ROGERS took a lot of kidding yesterday because of his recent appointment to the list of Gov. RUBY LAFFOON'S colonels.

•

ARCHIE MAYO gets in today on his way to Europe for a vacation, and JOAN BENNETT is due shortly from the coast.

•

I. E. CHADWICK is here from the coast to confer on production plans he has in mind.

•

LOU NIZER'S idea of a restful day: Doing research while reclining in bed.

•

S. R. KENT is due from the coast next week.

•

JULES LEVY is in Toronto on a short sales trip.

SAM ECKMAN, JR., NED E. DEPINET, HERMAN ROBBINS, WILLARD MCKAY, CHARLES B. PAINE, SAM DEMBOW, JR., MYRON SELZNICK, BILL GOETZ, as well as BEN and JACK GOETZ, MERLIN ("Deac") AYLESWORTH, WALTER VINCENT and RALPH ROLAN were among the merry-makers who crowded "21" yesterday.

•

MORRIS KUTINSKY and his family left yesterday for Lakewood to spend the Jewish holidays. EDWARD SCHNITZER and LOUIS FRISCH, SAM RINZLER and EDWARD RUGOFF are already in the New Jersey winter resort.

•

HARRY ROWSON, former joint managing director of Ideal Films, Ltd., which subsequently became part of Gaumont British, left for London yesterday. He has been in New York several weeks.

Quip of the Day

Cincinnati, April 17. — Local film salesman tells this one on a suburban exhibitor.

Salesman, in going over list of product, mentioned "Texas Terror."

"Such a thing you should say to me," replied the exhibitor. "Ain't I got terror enough with texas? Sales texas, incomes texas and property texas?"

MITCHELL and DURANT are flying east to appear in an Earl Carroll "Vanities" unit starting this week at the Ritz in Elizabeth, N. J. The deal was handled by the William Morris office.

•

RACHAEL FIELD'S story of Maine's shipbuilding communities, "Time Out of Mind," has been bought by Universal for MARGARET SULLAVAN.

•

COL. CHARLES E. MCCARTHY is shopping for spurs and puttees. His commission from Gov. RUBY LAFFOON arrived yesterday.

•

ANN SOTHERN arrived on the morning plane from Hollywood yesterday for a short holiday here.

•

MORRIS ROSENTHAL of Poli's Majestic, Bridgeport, was in town for a while yesterday.

•

H. J. YATES, president of Consolidated Films, leaves for the coast tomorrow.

•

NELL KELLY has been signed by AL CHRISTIE to appear in several shorts.

•

. . . *Omaha*

BEN FISH, SAM GOLDWYN'S brother and personal representative; CHARLEY SCHLAIFER, A. M. Blank's advertising man, and ALICE WHITE spotted at the Paxton bar discussing ALICE'S act which played the Paramount.

LINA BASQUETTE and her hubby-manager, TED HAYES, ingratiated themselves with local newspaper folks by giving every kind of interview and pose asked, in addition to buying drinks.

JACK GOLDHAR, U. A. traveling representative, has been around.

EVERT CUMMINGS, A. H. Blank district manager, receiving plaudits for the elegant stage show he produced at the Paramount. He was up to 3 A. M. several days putting it together.

Florida Sale Tax Sponsors Gain Support

(*Continued from page* 1)

cent tax on all amusement tickets. Before these bills could be brought to a vote, it was decided that this tax would not raise enough revenue to satisfy the schools, and the sales tax advocates came out strong again.

The tax that is now proposed would place a straight three per cent on every transaction, with the exception of the sale of gasoline, which is now taxed seven cents on each gallon. According to reports on the proposed bill, which, it is said, has the approval of the Governor, who had been against a sales tax, the law would require the seller to collect at the time of sale a state tax of three per cent and remit it monthly. The seller could not absorb the tax. The question has been asked as to how the tax would be charged against theatre tickets, and the opinion seems to be that a penny would have to be added to each child ticket of 10 cents and two cents added to the 40-cent adult tickets.

Three other bills affecting the industry are in. One, introduced by Representative Sandler of Tampa, would impose license taxes running from $50 to $500 on bank nights; another would ban walkathons, and the third would impose $15 annual license fees on billboards and a tax of 10 cents per square foot.

Missouri Fight Goes On

JEFFERSON CITY, Mo., April 17.— Despite Senate opposition, administration forces will continue to wage a fight for a two per cent sales tax. The Senate Ways and Means Committee wants a continuation of the present levy of one half of one per cent with the extension including one fourth of one per cent on wholesaling and manufacturing, which would include film distributors.

Big Vending Tax Impends

JEFFERSON CITY, Mo., April 17.— Missouri theatres operating vending machines would have to pay a tax of from $3 to $15 per machine under a bill passed by the House. The impost covers all slot machines and vending devices.

Kill Two-Operator Bill

SACRAMENTO, April 17.—The Assembly Labor Capital Committee today killed the two-man-in-a-booth bill which had been proposed as a "safety measure." This gives the second victory to the industry since the present session opened. The first was the death on the Assembly floor of the film footage tax. Only admission, chain store and income taxes remain as major battle points.

G. B. Party Will Sail

Michael E. Balcon, production head of Gaumont British who has been in Hollywood for the past six weeks on a talent tour, Helen Vinson and Noah Beery sail for England tomorrow night on the *Berengaria.* Both Miss Vinson and Beery have been signed for roles in G. B.'s "King of the Damned," which will go into production on their arrival. Noah Beery, Jr., is accompanying his father on the trip.

...AND RIGHT ON TOP OF "BLACK FURY" WARNER BROS. BRING YOU

"G-MEN"

"TOPS IN CINEMA EXCITEMENT...AS THRILLING AS TOMORROW'S HEADLINES...WARNERS MAKE THE 'G' IN 'G-MEN' STAND FOR GUTS!"
—Jimmy Starr, Los Angeles Herald Express

Giveaways Disturb Local Theatre Men

(Continued from page 1)

three to five nights a week. This is regarded as a competitive situation that even the best picture cannot overshadow.

What moves will be taken by members of the two independent exhibitor units has not yet been decided. Unless 75 per cent of the exhibitors in a territory vote for banning premiums nothing can be done about the practice except by agreement within the organizations.

Operator Row Hangs On NRA's Extension

(Continued from page 1)

porarily dropped the matter, devoting all his time to NRA business in Washington.

Harry Brandt, who proposed one of three scales recently was delegated by the I.T.O.A. to confer with I.A.T.S.E officials and Rosenblatt. Preliminary meetings were held between Brandt and Louis Krouse, vice-president of the international, but no conferences have been held with the former administrator since the fact-finding committee disbanded.

Rosenblatt is anxious to clear up the union situation in the metropolitan area, but has decided to wait until the NRA bill is signed before giving it any more of his time.

Chicago Code Test Seen

CHICAGO, April 17.—The special session of the local grievance board called in the case of Great States Theatres against E. E. Alger Amusement Co. was continued until April 23 because of the inability of the original board membership to sit.

A previous hearing resulted in an impasse when attorneys for Alger challenged substitute members. As a result of this technicality, the local board secretary is reluctant to call a meeting until the original board is available. On the original board were Alan Usher, Paramount branch manager; Irving Mandel, Security Pictures; James Coston, Warner Theatres, and Nate Wolfe, unaffiliated.

Regardless of the fact that the original board will be sitting at the next meeting, it is expected that Rosenberg, Toomin & Stein, Alger counsel, will challenge the validity of the board as a whole under the NRA. Protest against substitute members at last week's meeting is viewed as merely the beginning of a court attack to prove that the code board is unfairly constituted and the prevailing setup does not offer a fair hearing to Alger.

Alger is charged with unfair competition through use of free merchandise, merchants' tickets and the like. The case is arousing much local interest since the complainant is the powerful Great States Theatres. Alger's film service is threatened and the purpose of the forthcoming meeting is to set a date for cutting off his service.

New Audubon Protest In

Loew's has filed another code complaint against Harry Brandt's Audubon for "Lucky Nights." The Rio is the protestant.

Several weeks ago Loew's got a cease and desist order against the Audubon for giving out "pay envelopes" to children on Saturday mornings.

Lenten Slump Bumps Takes In Most of the Key Cities

(Continued from page 1)

sections of the country, except in Cleveland, Indianapolis, Los Angeles, Minneapolis, New York, Philadelphia and Seattle.

Comparative grosses for the latest available periods:

Week Ending	Theatres	Grosses
Sept. 27-28	132	$1,419,815
Oct. 4- 5	132	1,412,844
Oct. 11-12	132	1,344,137
Oct. 18-19	131	1,385,533
Oct. 25-26	133	1,386,935
Nov. 1- 2	135	1,288,992
Nov. 8- 9	134	1,386,736
Nov. 15-16	133	1,389,743
Nov. 22-23	136	1,305,450
Nov. 29-30	137	1,369,576
Dec. 6-7	136	1,401,989
Dec. 13-14	135	1,244,610
Dec. 20-21	135	1,070,800
Dec. 27-28	139	1,408,788
Jan. 3- 4	141	1,719,887
Jan. 10-11	138	1,361,450
Jan. 17-18		
Jan. 24-25	138	1,251,130
Jan. 31-Feb. 1	137	1,354,350
Feb. 7- 8	135	1,332,415
Feb. 14-15	136	1,381,960
Feb. 21-22	137	1,318,630
Feb. 18-29	140	1,405,417
March 7- 8	139	1,295,650
March 14-15	137	1,358,384
March 21-22	135	1,325,360
March 28-29	137	1,334,375
April 4-5	139	1,242,487

Comparative weekly totals:

	Week Ending April 4-5		Week Ending March 28-29	
	No. Theatres	Gross	No. Theatres	Gross
Boston	5	$73,000	6	$81,500
Buffalo	5	43,600	5	46,200
Chicago	8	117,000	8	134,000
Cleveland	6	70,200	6	60,050
Denver	6	26,500	6	33,900
Detroit	6	64,700	6	65,200
Indianapolis	5	28,250	5	25,500
Kansas City	5	32,700	5	33,600
Los Angeles	10	79,325	10	72,225
Minneapolis	7	25,200	6	22,800
Montreal	5	39,500	5	41,000
New York	10	205,612	10	263,000
Oklahoma City	4	15,200	4	18,700
Omaha	4	26,700	4	28,000
Philadelphia	10	81,800	9	73,000
Pittsburgh	5	45,400	5	50,200
Portland	6	30,700	6	33,700
Providence	6	38,300	6	45,450
San Francisco	7	72,500	7	78,500
St. Paul	5	17,200	5	17,500
Seattle	7	36,400	6	30,050
Washington	7	72,700	7	80,300
	139	$1,242,487	137	$1,334,375

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Brandt appealed and later withdrew the appeal.

Ventura Decision Modified

Modifying the decision of the Los Angeles grievance board which unanimously dismissed the overbuying complaint of Mrs. Jenne H Dodge of the Mission, Ventura, Cal., against Fox West Coast, Campi has held that because of the selective contracts held by the major circuit it must accept in writing all pictures 21 days after release date. In the event F.W.C. fails to comply, the undated films automatically become available for purchase by Mrs. Dodge.

F.W.C. has the American and Ventura in Ventura, the houses complained of by the Mission.

In a similar complaint filed by Smalley's, Norwich, N. Y., against Schine's Colonial, same city, the respondent was given from 21 to 28 days in which to decide whether to take pictures. Failure to date within the prescribed time makes undated films available to Smalley.

Rosenblatt Loses Case

Leon Rosenblatt of the Maplewood, Maplewood, N. J., has lost his clearance and zoning complaint against Warners. Rosenblatt sought to follow Warner houses in Newark 21 days after first run.

After a decision by the local board, an appeal committee recommended 28 days, but when Campi decided the issue the entire complaint was thrown out.

Republic Signs Up 80% of Sales Force

(Continued from page 1)

vice-president and general sales manager, respectively, of Texas Republic Pictures, Inc. Under this agreement they will continue to operate as in the past.

Six-year contracts will be closed with exchanges now affiliated with Monogram, according to *Motion Picture Herald*, and these will be merged in the new organization. Republic is not buying into the exchanges, the *Herald* says.

Under the agreements the exchanges will distribute Republic product exclusively.

Stage Show Big Hit In a Tour of Texas

(Continued from page 1)

and Philip Merivale. R. J. O'Donnell says it's a record, in view of the size of the towns and number of performances.

The show opened in Dallas at the Melba April 5 for three performances—Friday night, Saturday matinee and Saturday night—and grossed $13,750. It is estimated that the end of the run, a total of 10 performances, at Fort Worth Saturday, chalked up $46,530, including Federal tax. This exceeds Katharine Cornell's gross last year and is away ahead of the "Ziegfeld Follies."

Interstate regards it as signs of a general uptrend in business.

Broken down by towns, the grosses were: Dallas, $13,750; Houston, $13,860; San Antonio (one night), $6,710; Austin (one night), $4,150; Ft. Worth (Saturday matinee and night), $7,700.

Tampa Paper Blasts At Bank Night There

(Continued from page 1)

congests traffic, disturbs everybody with 'sound wagon' ballyhoo, keeps thousands of citizens in a continuous stew of expectation and disappointment. Essentially, it is as much of a lottery as bolita or 'Cuba.' The 'lucky number' is drawn from a box; no element of skill enters into the winning; simply 'gambling chance,' with an enormous percentage against the individual 'player.' The Postoffice Department has declared it a lottery, will bar from the mails any newspaper printing any advertising reference to it. That should determine its legal standing."

Flash Reviews

The Swell Head—Good fare for neighborhood houses with a heavy kid patronage as a potential factor.

Cognasse— . . . It's highly hilarious stuff.

These films will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Fox Selects Chicago

Chicago is the city in which the Fox convention will be held the latter part of May. Hotel and dates are not set, but it is believed the meetings will last from five to seven days.

Roxy Eight Years Old

The Roxy celebrates its eighth anniversary on May 24. A special stage and screen show will be put on for the birthday week.

HE GETS FOUR STARS!



The addition of wonderful natural color to his de luxe travel pictures has met with enthusiastic response by exhibitors and audiences. Fitzpatrick Traveltalks are featured in theatre advertising and get critical acclaim by all film reviewers. Be sure that your theatre is in step with the latest and greatest in travel films.

THEY GET FOUR STARS!

HOLLAND in Tulip Time
SWITZERLAND—The Beautiful.
ZION—Canyon of Colour
IRELAND—The Emerald Isle
ZEELAND—The Hidden Paradise
RAINBOW CANYON
COLORFUL GUATEMALA
—and others to come

FITZPATRICK TRAVELTALKS

IN TECHNICOLOR

The Pride of M-G-M



Ohio Employment Up Over Opening of 1934

(Continued from page 1)

months of this year, employment in Ohio increased 6.7 per cent over the first quarter of 1934, according to information just released by the Ohio State University bureau of business research.

The breakdown in percentages shows: Cincinnati, 5.2; Dayton, 4.8; Toledo, 4.7; Cleveland, 4; Youngstown, 2.7; Stark County, including Canton, 2; Columbus, 1.4, and Akron, 0.6. An increase of 3.5 per cent was reported outside of these situations.

DAYTON, April 17.—Business generally shows a marked improvement here, and exhibitors report that they are getting their proportionate share. This is due to a decided pickup in manufacturing and retail activities.

According to report just released by A. C. Wolf, secretary of the Dayton Clearing House Ass'n., March payrolls were more than a million dollars greater than in February. Figures for March are $5,044,865.53; February, $3,739,418.

The March payrolls this year were $157,614.44 more than for March, 1934.

O'Connor on Stand In M. & S.-RKO Case

All of yesterday's session in the hearing of lease charges preferred against RKO by Meyer & Schneider was devoted to continued cross-examination of John O'Connor, head booker and film buyer for the defendant.

The hearing will be continued today, with no session scheduled for tomorrow. It will be resumed Saturday. Counsel for RKO yesterday was not certain the case would be completed by then. Nate Blumberg, Major I. E. Lambert and A. J. Handel, the latter's assistant, are still to testify for RKO.

Most of the examination of O'Connor by Max Steuer, counsel for M. & S., was on stories which appeared in trade papers. O'Connor resumes this morning and it is likely Blumberg will take the stand in the afternoon.

"Roberta" Tops List Of March Champions

"Roberta" leads the list of box-office champions for March, compiled by *Motion Picture Herald,* out today.

Other winners are "Ruggles of Red Gap," "The Little Colonel," "The Scarlet Pimpernel," "Folies Bergere," "The Whole Town's Talking," "West Point of the Air," and "Sequoia."

Walsh Succeeds Winn

ST. LOUIS, April 17.—Hall Walsh, for the past ten years a salesman in the local branch office of Warners, has been promoted to manager to succeed James Winn, who in turn has been promoted to the managership of the Chicago office as successor to Edward Grossman, who resigned.

Higgins Circuit Bankrupt

SHAMOKIN, PA., April 17.—The Higgins circuit, operating six theatres in this town, Tamaqua and Langsford, has gone into bankruptcy. It is one of the oldest circuits operating in Pennsylvania. John Higgins is head of the circuit.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Daring Young Man"

(Fox)

HOLLYWOOD, April 17.—Doubtless inspired by the Welfare Island prison scandal in New York, this film treats the subject as a farce comedy.

James Dunn, a reporter covering fires, weddings, funerals and ship news, falls in love with Mae Clarke, sent on the same assignments by a rival sheet. On their wedding day Dunn is assigned to write a jail story from the inside and leaves Miss Clarke waiting at the church. He finds the jail run as a country club for big shot gangsters with Warden Sidney Toler admitting Warren Hymer, a crook, to hide him from the police. Eventually Toler, learning Dunn's identity, has Hymer and William Pawley chase him to town, where Dunn goes to see Miss Clarke. They bring Dunn back before a raid by the prison superintendent. Slapstick comedy follows the raid, ending when Toler and Hymer shower each other with stolen money and Dunn and Miss Clarke straighten out their misunderstanding about the wedding.

By refusing to treat the incident seriously, Producer Robert T. Kane has made a picture with wide appeal. Director William Seiter has pointed the comedy scenes well. William Hurlbut's screen play from Sidney Skolsky's and Claude Binyon's original is workmanlike.

Production Code Seal No. 746. Running time, 74 minutes. "G."

"Mississippi," which was previewed at the Paramount Tuesday night, was reviewed by wire from Hollywood on Feb. 23.

"Reckless," opening at the Capitol tomorrow morning, was reviewed from Hollywood by wire on April 2.

"Cardinal Richelieu," this morning's opener at the Radio City Music Hall, was reviewed from Hollywood on March 25.

"Les Miserables," which goes into the Rivoli on Saturday morning, was reviewed by wire from Hollywood on April 1.

"Love in Bloom," to be previewed tonight at the Roxy, was reviewed by wire from Hollywood on Feb. 27.

To Reissue "Virginian"

Paramount will soon reissue "The Virginian," produced in 1929. The company during the past weeks has put on test showings in San Antonio and Dallas with favorable response. Additional showings will be held in Cumberland, Md., and Allentown, Pa.

In the picture are Gary Cooper, Walter Huston, Richard Arlen and Mary Brian.

Hoffberg Opens Branches

J. H. Hoffberg Co., distributor of Liberty Pictures in Latin America, has opened offices in Buenos Aires to serve the Argentine, Uruguay, Paraguay and Chile. Jack Lustberg will be in charge. Additional offices in Cuba and Mexico are planned for the near future.

Dissolve Warner Units

ALBANY, April 17.—Certificates of dissolution of Stratford Prod., Inc.; Electrical Sound, Inc.; Globe Export Corp. and Union Film Corp., have been filed in the office of the Secretary of State by Warner Bros. Pictures, Inc., of New York, it was revealed here today.

Chicago Censors Relent

CHICAGO, April 17.—The local board of censors has lifted its ban against the showing of "Black Fury." According to Warners, this is the last bar that has held up the picture anywhere.

J. Louis Rome Returns

BALTIMORE, April 17.—J. Louis Rome, managing director of Associated Theatres, Inc., has returned from a Bermuda trip.

Against Pettengill Bill

MEMPHIS, April 17.—Resolutions condemning the Pettengill anti-block booking bill and the practice of distributors of encouraging the opening of rival theatres in small towns where established houses fail to buy their product were passed at the closing session of the M.P.T.O. of Arkansas, Mississippi and Tennessee.

Van Beuren Pickets Out

Two pickets yesterday paraded in front of 729 7th Ave., with placards protesting the discharge of employes at Van Beuren for union activities. The employes let out were members of the Animated M. P. Workers' Union.

Bromberg Party Returns

HOLLYWOOD, April 17.—Arthur C. Bromberg, Monogram franchise holder, and a group of 11 salesmen return to their respective territories tomorrow, completing a week's studio visit.

Pathe Board to Meet

The regular monthly directors' meeting of Pathe Exchange will be held next Tuesday. No important issues are on the calendar for the session.

Depinet to Coast

Ned E. Depinet, president of the RKO Distributing Corp., yesterday stated he planned to leave for the coast tomorrow. Over the airline.

R. H. Clemmons to Build

NEW ORLEANS, April 17.—R. H. Clemmons says he will build a 1,400-seat house in Lake Charles, as well as open houses in Crowley and Lafayette.

Short Subjects

"Spinning Mice"

(Van Beuren-Radio)

The old fable of the spinning mice is presented in a color cartoon. It should be particularly pleasing to children as well as grownups.

Two children notice a spinning mouse and ask him why he spins. The mouse then explains that long ago an old man tried to change nature and got himself into trouble. All spinning mice, therefore, don't ask why they are forced to revolve all the time but merely go on doing so, all the while remembering the fate of the old man.

Good entertainment. Production Code Seal, No. 0346. Running time, 8 mins. "G."

"Bolero"

(Tapernoux-Metropolis)

This musical film, filmed against the background of Ravel's "Bolero," is excellent entertainment. It should appeal to all types of audiences.

Photographed to the accompaniment of the music as played by the Paris Symphony Orchestra, the reel tells the popular Spanish tale of the young gypsy girl who travels from lover to lover, crushing men's hearts on her way, only to be revealed in the end for what she truly is. It is all dramatically presented.

Highly recommended. No production code seal. Running time, 14 mins. "G."

"Rainbow Canyon"

(M-G-M)

Grand Canyon and Brice Canyon are covered in this Fitzpatrick Traveltalk done in Technicolor. All the shifting colors are caught in their natural hues, and some of the shots are breath-taking. It is the color scenes that lift this short to a position slightly above the ordinary because the ground covered has been gone over many times before in similar pictures.

Recommended. Reviewed without production code seal. Running time, 8 mins. "G."

"The Old Camp Ground"

(Educational)

Featuring Charles Carlisle, this "Song Hit Story" is entertainment that should please audiences, particularly those that like music.

Against a Civil War background, several old-time numbers are presented, such as "Dixie," "Tenting Tonight on the Old Camp Ground" and "Break the News to Mother." Carlisle sings several solos in a pleasing manner.

Recommended. Reviewed without production code seal. Running time, 10 mins. "G."

"I Haven't Got a Hat"

(Vitaphone)

It is commencement day in the country school house and all the animals, including their parents, come to see each other perform. Some recite, others sing and dance or play the piano. The reel winds up with a very funny sequence.

An entertaining color cartoon that should please all patrons. Reviewed without production code seal. Running time, 7 mins. "G."

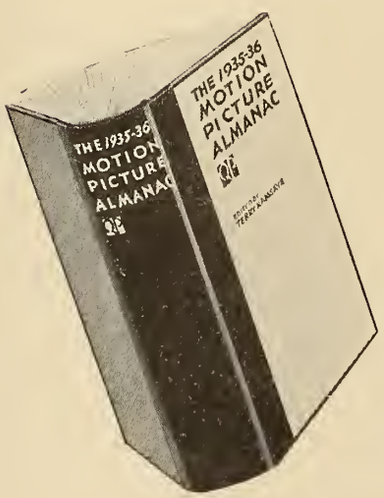
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technician cameraman casting agent

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MOTION PICTURE ALMANAC

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"Transient" Show, Strong In Pittsburgh

PITTSBURGH, April 17.—The downtown managers last week had reason to believe that Holy Week had arrived seven days ahead of schedule. Takings were way off except in one case, the Alvin, where Mary Brian in person with "Transient Lady" gave the house a nice $11,000. It was the only attraction in town to better an even break.

"Private Worlds" at the Stanley received plenty of attention everywhere save at the box-office and had to be content with $7,700, while the Penn, with "The Wedding Night" and five acts of vaudeville, continued to slip, getting only $15,500. At the Fulton, "The Night Life of the Gods," despite very favorable notices, never got started and wound up weakly at $3,500, while the same thing was true of "Power" and "Car 99" at the Warner, with the take approximately only $3,900.

Total first run grosses were $41,600. Average is $46,500.

Estimated takings for the week ending April 11:

"TRANSIENT LADY" (Univ.)
ALVIN—(2,000), 25c-40c, 6 days. Stage: Mary Brian, Adrena and Hines, Paul Gannon, Madeline Baker, Powell and Nedra, Carter and Holmes, Streamline Alvinettes, Jerry Mayhall's orchestra. **Gross:** $11,000. (Average, $10,000)
"NIGHT LIFE OF THE GODS" (Univ.)
FULTON—(1,750), 15c-40c, 6 days. **Gross:** $3,500. (Average, $4,500)
"THE WEDDING NIGHT" (U.A.)
PENN—(3,300), 25c-40c, 6 days. Stage: Herb Williams, Everett Marshall, Charlie Davis' orchestra, Sally Gay, Mickey King, Stone and Lee. **Gross:** $15,500. (Average, $19,000)
"PRIVATE WORLDS" (Para.)
STANLEY—(3,600), 25c-40c, 6 days. **Gross:** $7,700. (Average, $8,000)
"POWER" (Gaumont-British)
"CAR 99" (Para.)
WARNER — (2,000), 25c-40c, 6 days. **Gross:** $3,900. (Average, $5,000)

"Marietta" Pulls $10,200, Buffalo

BUFFALO, April 17.—"Naughty Marietta," on which plenty of money was spent for exploitation, took in $10,200 at the Hippodrome, overboard by $2,200. "Private Worlds" also topped normal at the Buffalo, but otherwise pickings were slim. Weather mostly balmy.

Total take was $41,600. Normal is $42,800.

Estimated takings for week ending April 12:

"PRIVATE WORLDS" (Para.)
BUFFALO — (3,500), 30c-55c, 7 days. Stage: Earl Carroll's "Vanities," with Ken Murray, Collette Sisters, Samuels Bros., Milton Charleston, Rosie Moran, Donald Burr, Claire Curry, Helen Charleston. **Gross:** $15,000. (Average, $14,300)
"THE RIGHT TO LIVE" (F.N.)
"FATHER BROWN, DETECTIVE" (Para.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $4,600. (Average, $6,000)
"LADDIE" (Radio)
"$10 RAISE" (Fox)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $6,500. (Average, $8,000)
"NAUGHTY MARIETTA" (M-G-M)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $10,200. (Average, $8,000)
"IT HAPPENED IN NEW YORK" (Univ.)
"LITTLE FRIEND" (Gaumont British)
LAFAYETTE — (3,300), 25c, 7 days. **Gross:** $5,300. (Average, $6,500)

Throttle Pushing

By H. E. N.

North Carolina

This state is in the throes of the greatest theatre building and remodeling campaign we have ever witnessed. Manufacturers will do well to make a bid for the thousands of dollars that are being spent so lavishly throughout this prosperous territory on equipment, building material and decorations. We have only just started to drive this state and the few towns we have called upon, furnish this:

SPINDALE—P. L. Champion is building a 400-seat house with all modern features. He has taken back his lease on the Carolina from Harrill. Messrs. Yelton, Setzer and Harrill are building a 450-seat house, to be called the New Carolina. This is a modern brick structure and will open May 1 with De-Forest Sound.

GASTONIA—W. T. Gray will close the Loray for a complete remodeling and enlarging. Plans call for 700 seats, modern ventilating and equipment throughout; cost $10,000. Unique cooling plant; local ice company plant adjacent will be hooked up with theatre in summer. J. E. Simpson, owner of Lyric, will build a Class A structure, seating 900, on the site of the old Ideal. Lyric policy will be Class B. Bill Conn's Webb, which is modern in every detail, will play along with what he has.

FOREST CITY—J. W. Griffin of York, S. C., has taken over the Romina here and is remodeling same.

DUNN—Worth Stewart, operating the Paramount, Farmville, N. C., has taken over the Dunn from "Heck" Huff. This house will be completely remodeled, reseated and carpeted, and will open soon.

BELMONT—E. E. Wade, Iris Theatre, will start within the next 30 days to entirely remodel and enlarge to 500 seats. Plans call for an entire new house with the present walls only used. Strictly modern.

KINGSTON—A. B. Huffs, Oasis, which was partially destroyed by fire recently, will be entirely rebuilt along the latest modern lines.

GRAHAM—Mrs. A. B. Thompson's new house, the Graham, will open May 15.

ASHEVILLE—Sam Reevin will close the Eagle in the next 60 days for complete alterations. This house, when finished, will be one of the most modern colored theatres in the Carolinas.

South Carolina

GEORGETOWN—Morris Abrams, Peerless Theatre, is opening a new house in Anderson, date of opening not available yet.

CLINTON—May 1 is a banner day for Jack Sheeley, owner of the Casino here and the Capitol at Laurens. His new house of 450 seats will give Clinton theatregoers an up-to-date and modern house. New Erwin opera chairs, Simplex machines, Walker Screen, furnished by National Theatre Supply, have been installed.

SENECA—Mrs. K. Richardson has closed the Richardson for a complete remodeling of same. Five hundred Erwin seats to be installed, air cooler, new carpets, lighting fixtures and marquee. Expect to be open in 30 days.

DILLON—B. B. Benfield will open a new house at Myrtle Beach May 15. He also operates Chesterfield, McCall, and plans another one in the near future.

"Wedding" at $10,500 Is Best San Francisco Show

SAN FRANCISCO, April 17.—Anna Sten demonstrated considerable drawing power at the United Artists. The take on "The Wedding Night" was over the line by $2,500 for a total of $10,500.

"Ruggles of Red Gap" went into the hardy perennial classification. It held up to $7,000 in its second week at the St. Francis and was given another. This is its fourth downtown week. The only other downtown spot to demonstrate much life was the Paramount where "Traveling Salesman" and "$10 Raise" pulled $11,500.

Total first run business was $78,000. Average is $82,000.

Estimated takings:

Week Ending April 9:
"THE NIGHT IS YOUNG" (M-G-M)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage, band. **Gross:** $11,500. (Average, $13,000)
Week Ending April 10:
"HOLD 'EM YALE" (Para.)
"MEN OF THE NIGHT" (Col.)
FOX—(4,600), 15c-30c-40c, 7 days. **Gross:** $8,500. (Average, $10,000)
Week Ending April 11:
"PRINCESS O'HARA" (Univ.)
"HOOSIER SCHOOLMASTER" (Monogram)
ORPHEUM—(3,000), 15c-30c-35c-40c, 7 days. **Gross:** $7,500. (Average, $9,000)
"RUGGLES OF RED GAP" (Para.)
ST. FRANCIS—(1,400), 15c-35c-55c, 7 days, 2nd week. **Gross:** $7,000. (Average, $8,000)
"THE WEDDING NIGHT" (U.A.)
UNITED ARTISTS—(1,200), 15c-35c-55c, 7 days. **Gross:** $10,500. (Average, $8,000)
"TRAVELING SALESMAN" (Warners)
$10 RAISE" (Fox)
PARAMOUNT — (2,670), 25c-35c-40c, 7 days. **Gross:** $11,500. (Average, $11,000)
"PRIVATE WORLDS" (Para.)
WARFIELD—(2,700), 25c-35c-55c-65c, 7 days. Stage, band. **Gross:** $21,500. (Average, $23,000)

"West Point" High Grosser For Seattle

SEATTLE, April 17.—Top honors for the week went to "West Point of the Air" which pulled $8,700, over par by $1,700, at the Fifth Avenue.

"Roberta" was still good for $4,150 at the Music Box in its fifth week and it was held over for another. "Traveling Saleslady" also did well at $5,700 in the Orpheum.

Total first run business was $29,550. Average is $30,500.

Estimated takings for the week ending April 13:

"FOLIES BERGERE" (U.A.)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week. **Gross:** $3,100. (Average, $4,000)
"WEST POINT OF THE AIR" (M-G-M)
FIFTH AVENUE—(2,500), 25c-40c-55c, 8 days. **Gross:** $8,700. (Average, $7,000)
"WHITE LIES" (Col.)
"HAPPY LANDINGS" (Monogram)
LIBERTY—(1,800), 10c-15c-25c-35c, 7 days. **Gross:** $2,700. (Average, $4,000)
"ROBERTA" (Radio)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 5th week. **Gross:** $4,150. (Average, $4,000)
"TRAVELING SALESLADY" (Warners)
ORPHEUM—(2,450), 25c-35c-50c, 7 days. Vaudeville headed by "Red" Corcoran. **Gross:** $5,700. (Average, $5,500)
"VANESSA" (M-G-M)
PARAMOUNT—(3,050), 25c-35c, 7 days. Vaudeville headed by Georgia Minstrels. **Gross:** $5,200. (Average, $6,000)

"Marietta" Smash Hit in Providence

PROVIDENCE, April 17.—Raves about the starring combination of Nelson Eddy and Jeanette MacDonald sent grosses skyrocketing to $13,000 at Loew's State which held "Naughty Marietta" over for another week. Eddy, who is a Providence boy, can have the keys to the city.

The Strand also went to town in a big way with "Mississippi," catching $8,600, better than $2,000 over average. Fay's raked in $8,200 with "It Happened in New York" and vaudeville and the RKO Albee and Majestic were up to par, the former house holding "Roberta" over for a third week.

Total first run business was $44,850. Average is $40,500.

Estimated takings for the week ending April 11:

"MISSISSIPPI" (Para.)
"ROCKY MOUNTAIN MYSTERY" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $8,600. (Average, $6,500)
"ROBERTA" (Radio)
RKO ALBEE—(2,300), 15c-40c, 3rd week. Stage: Owen McGiveney. **Gross:** $7,000. (Average, $7,000)
"NAUGHTY MARIETTA" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $13,000. (Average, $12,000)
"IT HAPPENED IN NEW YORK" (Warners)
FAYS—(1,600), 15c-40c, 7 days. Stage: "Palais Royale" revue. **Gross:** $8,200. (Average, $7,000)
"GEORGE WHITE'S SCANDALS" (Fox)
"MYSTERY OF EDWIN DROOD" (Univ.)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)
"TICKETS TO A CRIME" (Beacon)
"PLAYTHINGS OF DESIRE" (Principal)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,050. (Average, $1,000)

Jersey Now Distributor

KANSAS CITY, April 17.—Robert Jersey, veteran film salesman, has established himself as a premium distributor.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 92 NEW YORK, FRIDAY, APRIL 19, 1935 TEN CENTS

Zanuck Would End B Films, Halve Output

Declares It Would Hit Duals, Aid Industry

If every major company in the business would cut its program in half and concentrate on A pictures it would go a long way toward solving the dual problem and help the industry, declared Darryl Zanuck, vice-president in charge of production of 20th Century, yesterday.

"This business of turning them out for five cents a dozen, allotting $100,000 for this one, $150,000 for that one, $250,000 for the next one and stopping when the money is spent is the bunk," he declared. "It can't be done.

"To make it worse, every picture is advertised the same way—as the biggest and the best. What's the answer? If a man happens to see three of these B pictures in a row he gets disgusted and stays home to listen to the radio. The only way he can tell

(*Continued on page* 11)

Dog Racing Repeal Voted in Bay State

BOSTON, April 18.—The House has voted, 115 to 85, in support of repeal of the dog racing provision of the new pari-mutuel racing bill, thus overriding an adverse report on the measure by the State Administration Committee. Representative Gustave Everberg is leading the fight. The bill has been referred to the House Ways and Means Committee.

The action of the House is a victory for theatrical interests, with much credit going to Joseph Brennan of the M.P.T.O.A.

FitzPatrick to Use Lives of Explorers

"David Livingstone" will be the first feature James A. FitzPatrick will make, following his recent plan to extend production activities. The picture, which is to be based on the lives of Livingstone and Stanley, African

(*Continued on page* 2)

Gaumont Will Hold Sales Meet in May

Gaumont British will hold its first sales convention the latter part of May. The meetings, which will last from three to four days, will not be held in conjunction with the Fox an-

(*Continued on page* 2)

To Cheer Up Iowa

Des Moines, April 18.—A "Let's Be Happy" statewide campaign to improve business has been started by G. Ralph Branton, manager of Tri-States Theatre Corp. It's to begin Easter Sunday and continue for six weeks.

Theatre parties are to be given unfortunates. Merchants are cooperating.

Goldman Expanding In Phila. Section

PHILADELPHIA, April 18.—Approximately two years after he resigned as local zone manager of Warner theatres, William Goldman again takes a strong position in the local territory, this time as an independent operator, with announcement today that he had acquired the Strand and Victor, Pottstown, from Warners. He also has the Hippodrome there. Acquisition of

(*Continued on page* 4)

Production Holds 36-Feature Level

HOLLYWOOD, April 18.—Production last week showed little fluctuation over the previous seven days with 36 features and seven shorts in work as compared to 38 features and three shorts for the preceding week.

M-G-M retained the lead with seven features shooting, one preparing and nine in the cutting room. Fox had six,

(*Continued on page* 9)

British Newsreel Departmentalized

By BRUCE ALLAN

LONDON, April 18.—British Movietone News is to be departmentalized with specialist commentators on various subjects in pretty much the same way Fox Movietone News was revamped when Laurence Stallings be-

(*Continued on page* 4)

College Agitation Stops Hearst Reel

WILLIAMSTOWN, April 18.—A boycott instituted by the Williams College paper, *The Record,* against Hearst Metrotone Newsreel, because of alleged militaristic propaganda, reached a climax today when Calvin King, manager of the Walden, the only house in the town, announced that there will be no further showings of the newsreel.

JOHNSON DEFENDS WORKING OF CODE

Revamping of Fox Theatres To Start Soon

Shortly after Fox Met. is removed from bankruptcy plans will be filed for reorganizing Fox Theatres' units in Detroit, San Francisco and St. Louis under section 77B of the bankruptcy laws, Milton C. Weisman, receiver for Fox Theatres, stated yesterday.

Answering a petition filed April 12 in the Federal Court by Samuel Chess, representing holders of $3,000 worth of bonds in the Flatbush & Nevins Corp., owner of the Fox theatre and office building in Brooklyn, Weisman yesterday notified the court that "it was proper to reorganize the

(*Continued on page* 9)

National to Get Fox Units for $1,580,000

KANSAS CITY, April 18.—Fox Rocky Mountain and Fox Midland will go under the hammer to National Theatres in bankruptcy court here Tuesday for total bids of $1,580,000, plus unpaid expenses of the bankruptcy administration, estimated at about $70,000. This, of course, presupposes no creditor objections to the unadvertised private sale, because if opposition should develop the proceedings would be held up.

National Theatres has filed an

(*Continued on page* 4)

Blumberg on Stand In M. & S.-RKO Case

Nate Blumberg, general manager of RKO theatre operations, was on the witness stand all day yesterday in the course of the arbitration hearings of the Meyer & Schneider complaint against RKO alleging breach of lease agreements on the Hollywood and

(*Continued on page* 9)

Federal Aid Given In Bank Night Row

LOS ANGELES, April 18.—The U. S. Government has stepped into the bank night cases here involving Oxnard theatres and the San Gabriel Theatre

(*Continued on page* 9)

Says 9,509 of 10,143 Houses Utilize It; Hits at Critics

By BERTRAM F. LINZ

WASHINGTON, April 18.—Characterizing the film code as a "real experiment in industrial self-government," General Hugh S. Johnson, former NRA administrator, today made a strong defense of the document before the Senate finance committee.

"If there is any antagonism to the code on the part of independent exhibitors," he declared, "it must be well concealed because out of the 10,143 theatre exhibitors, 9,116 have actually signed the code and 340 additional have taken its benefits without signing, so that 9,509 out of 10,143 have either signed or accepted the affirmative benefits of this code."

The former administrator admitted that the code probably needs some revision, but asserted it was his understanding that the NRA is prepared to make needed changes in the near future.

"But when a code authority composed of such divergent elements as

(*Continued on page* 9)

Industry Can Move In Hurry—Schiller

NEW ORLEANS, April 18.—"The industry can move out of California so quick it will make Upton Sinclair's head swim," declared E. A. Schiller, vice-president of Loew's, Inc., while here.

"It will do it," he continued, "if his men in the Legislature make it impossible by taxation for the industry to do business. Film companies fought

(*Continued on page* 10)

Radio Nights Spread To 50 N. E. Theatres

BOSTON, April 18.—At least 50 theatres in New England are using radio audition nights at present. M. & P.-Publix is the largest user and is still adding more theatres to the list, but smaller circuits like E. M. Loew's are capitalizing on the stunt.

Broadway Grosses Hit by Holy Week

Holy Week hit Broadway theatre grosses hard. All houses wound up the seven-day stanza with under average results. "Four Hours to Kill" at the Paramount garnered in the neighborhood of $14,875, while the Roxy,

(*Continued on page* 10)

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Gaumont Will Hold Sales Meet in May

(*Continued from page* 1)

nual confab, which is slated for Chicago late next month.

Time and place for the G. B. Sales talks have not yet been set by Arthur Lee. Several additions to the selling staffs throughout the country and a successor to L. J. Schlaifer, who resigned some time ago, will be announced at the first get together of the entire sales force. The number of pictures to be released next season will also be made public at the meeting.

George Weeks, general sales manager, was in Chicago yesterday and will be in Cleveland today. He will return tomorrow.

Kents En Route East

HOLLYWOOD, April 18.—Mr. and Mrs. Sidney Kent left here last night for the east. They will make a brief stop in Chicago, arriving in New York Sunday. Kent will return in June.

Headed for $14,000

"Cardinal Richelieu" grossed $5,620 at the Music Hall by 5 P. M. yesterday, its opening day. Anticipation last night was that the picture would end at $14,000 for the entire day.

Kills 30-Hour Week Bill

SACRAMENTO, April 18.—The Assembly has killed the Democratic 30-hour week bill, 49-26. Studios had opposed it.

Insiders' Outlook

By RED KANN

LARGELY undetermined so far but the object of considerable and serious discussion in parleys headed by Herbert J. Yates, that big laboratory man from Consolidated, is a plan to add more law and order to the independent field. One step in this general direction is the deal whereby Monogram becomes Republic and a national selling organization in the true sense of the word. Yates is supplying the finances, which is passing on no secret at all.

A second and separate step swings around other enterprises in which Consolidated's exchequer is the factor of weight. These companies would be Liberty, Majestic and Mascot. . . .

▼

When you talk merger, you talk difficulties arising from personalities and individual ideas current in the separate corporate entities.

When you consider a strengthening of these entities by the elimination of one of them to bulwark the other two, that's something else which happens to hit very closely to the scheme, on paper so far, but afoot nevertheless. Serious thought has been applied to distribution, the relative importance of the state right exchanges now handling the products individually, how the available ingredients might be reshuffled in an endeavor to rate more and better commitments on playing time as well as on price. . . . .

▼

In the field, to go specific about it, a particular exchange may be handling too many pictures which, in turn, makes its selling too diffused and too scattered to approximate maximum. Another exchange may be weak in point of product and a realignment, as a consequence, may transform it into a distributor sufficiently fortified to achieve better results. In other words, the companies in which Yates plays the dominant financial role have so many pictures releasing through so many exchanges. Availables being what they are, why not add here, subtract there, and re-distribute the cards along lines which will mean an increased return? . . .

▼ ▼

On the urging of producers to film classics and near classics as their authors penned them, minus distortion and embellishment, H. E. Jameyson, district manager for Fox Midwest, has something to say. He knows as much, perhaps more, about literature than any showmen in the Kansas City area. He is credited with having interested Fox in the production of "David Harum," which starred Will Rogers and is largely responsible for the campaign launched by Fox Midwest to interest champions of good literature in patronizing pictures drawn from meritorious printed pages. . . .

▼

On this subject then, which is one of this department's phobias, Jameyson's word is this:

Some years ago I won some harsh criticism for the suggestion that the theatres were committing a form of fraud when they advertised the work of some great author, and then gave the public something entirely different. In spite of the abuse that was heaped upon my poor head at the time, I still stand upon that statement.

If the literary construction of a novel is such to make faithful presentation impossible, then I say it should not be produced. We have no more right to mislabel our screen fare than a manufacturer has to mislabel merchandise, and it would not surprise me a bit to see the Federal Trade Commission sometime take cognizance of some of the outrages we have committed upon well-read literature.

But, disregarding the ethical phases of the matter (which to me are paramount), I think it's bad business! To produce "Cyrano de Bergerac" in a modern setting is a crime comparable to mayhem! You have insulted everybody that has ever read and loved the book, and you haven't added to your audience.

I do not mean to imply that it's always necessary to save every detail of a novel in its screen presentation, nor am I arbitrarily stating that the book has to be produced without any changes whatsoever, but the public is entitled to see substantially what they read.

The evidence seems pretty conclusive that faithful reproductions of novels, not only win public approval—but theatre attendance. With the glowing examples of "David Copperfield," "Little Women," "David Harum" and a dozen others I could mention, standing before them as an object lesson, I cannot understand why any motion picture producer would contemplate the rewriting of the books that fall into his hands.

Echoed by this editorial typewriter. . . .

▼ ▼

Imposition of fines of $1,000 to $5,000 on companies found guilty of releasing objectionable publicity matter, whether art or publicity was brought about several months ago through an amendment to the Advertising Code. The fines apply only to cases in which the objectionable material has been used after having been rejected by the Advertising Advisory Council. Contrary to reports, there is no provision in the Advertising Code for the discharge of employes responsible for the release of the banned material. The amendment was adopted to increase the enforceability of the pact by strengthening it with penalties similar to those added to the Production Code last year. Publication of the story latterly would indicate some of this department's confreres in various directions have been resting on their heels. . . .

▼

Warners, who made a reputation and box-offices busy places with fast, action melodramas based on newspaper headlines, are back in the field they know so well with "G Men." First of the eight, ten, or maybe it's twelve of the pictures now in work on the coast and dealing with the activities of Department of Justice men, this First National attraction has tempo, pace and excitement and enough of all three to turn it into first-class audience stuff. About the others along similar lines which are to come, there may be some doubt. Not here, however. Priority is important in cycles and near cycles. The Warners know it, are making plans to rush the film out and yesterday set the first two dates: the Roger Sherman, New Haven, and the Warfield, San Francisco, on the 26th. Other keys and semi-key runs immediately thereafter. Smart handling. . . .

▼

Praise paragraph: To all hands who perspired, conspired or whatever it was they did on the daily newspaper display of the opening of "Les Miserables" at the Rivoli tomorrow morning. Simple, yet dignified, and with a handful of words, it merely showed a figure of Valjean, central figure of the story, standing in the flush of a rising sun and with hands outstretched paying mute tribute to the epic drama of the book. . . .

FitzPatrick to Use Lives of Explorers

(*Continued from page* 1)

explorers, will be produced in partnership with Gaumont British. Exteriors will be filmed in Africa with Gaumont British studios in England to be used for interiors.

FitzPatrick sails April 27 on the *Rex* for Gibraltar where he will board the *Julius Caesar* for Capetown. From Capetown he will visit the heart of Africa where he will spend six weeks shooting the backgrounds. He plans to return on July 21. Distribution plans have not yet been worked out for the feature, although FitzPatrick has a releasing deal with M-G-M for his Technicolor Traveltalks.

LET'S LOOK AT THE RECORD!

● PARAMOUNT, every month during the 1934-35 season, has delivered at least two outstanding BOX-OFFICE attractions per month

august . .	"SHE LOVES ME NOT" "NOW AND FOREVER"
september	"BELLE OF THE NINETIES" "WAGON WHEELS"
october . .	"CLEOPATRA" "Mrs. WIGGS OF THE Cabbage Patch"
november	"COLLEGE RHYTHM" "LIMEHOUSE BLUES"
december	"HERE IS MY HEART" "BEHOLD MY WIFE"
january . .	"LIVES OF A BENGAL LANCER" "THE GILDED LILY"
february .	"WINGS IN THE DARK" "RUMBA"
march . .	"RUGGLES OF RED GAP" "MISSISSIPPI" "PRIVATE WORLDS"



if it's a PARAMOUNT PICTURE, it's the best shown in town!

British Newsreel Departmentalized

(*Continued from page 1*)

came editor and Lowell Thomas chief commentator.

The first issue under the editorship of Sir Malcolm Campbell will be April 25. Tom Webster, *Daily Mail* cartoonist; G. Ward Price, war correspondent and politician; Capt. R. C. Lyle, British Broadcasting Co. racing expert; Guy Nickall, famous oarsman, and Beryl Querton, style authority, will have charge of various departments.

Walter J. Hutchinson, Fox general manager here, emphasizes that Fox is only selling agent here for British Movietone News. The changes indicate the strength of the *Daily Mail*-Harmsworth interests in the organization and also reflect the prevailing acute newsreel competition.

Want Show Tax Dropped

LONDON, April 8 (*By Mail*)—An influentially supported movement to obtain exemption from the entertainment tax, or a preferential scale, for theatres offering stage shows either in the form of drama or vaudeville, is obtaining increased publicity on the eve of the budget.

The argument is that these theatres provide more employment than straight film houses and that much of their material has a "cultural" value. As a national asset, it is claimed, they deserve similar encouragement to that extended to the Old Vic and Sadler's Wells "Art" theatres, which have a tax exemption.

* * *

Implementing an undertaking given at a League of Nations conference early in 1935, the Chancellor of the Exchequer will embody in his budget proposals for the admission free of duty of all strictly educational films.

The British Film Institute already issues certificates of approval to educational films and it is expected that it will be officially given the duty of defining imported films as qualified for free admission.

* * *

Penelope Dudley Ward, the English society girl who made a success of the part of Fenella in the B. & D. "Escape Me Never," has been signed by Alexander Korda for London Films.

* * *

Western Electric theatre wirings in the United Kingdom now number 1,787 with 13 more for early completion. W. E. has carried out 404 replacements of other systems.

* * *

"Escape Me Never" broke all records for the London Pavilion as a United Artists house. The week, weekend and Sunday takings after the opening all set up new marks.

* * *

The annual *Film Weekly* vote for the best British film of the year has selected for 1934 A.B.P.'s "Blossom Time." Paul Stein, director, and Richard Tauber, star, will be associated in another production at Elstree this month.

Open New Guthrie House

GUTHRIE, Okla., April 18.—Opening of a new house here by the Gem Theatre Co., operators of houses at Norman and Chickasha, Okla., gives Guthrie its second new house since the first of the year.

Purely Personal

HERMAN RIFKIN, Republic representative in Boston, is in town for the Easter holidays. CLAUDE EZELL and WILLIAM UNDERWOOD of Dallas, and JACK S. JOSSEY and NAT LEFTON of Cleveland, have returned to their respective cities.

•

W. G. VAN SCHMUS, managing director of the Music Hall, gave a dinner last night for DARRYL ZANUCK in honor of the world premiere of "Cardinal Richelieu" at the Music Hall. Among those present was JOSEPH M. SCHENCK.

•

FREDERICK ZINNERMANN, who recently completed a film for the Mexican government, has been signed by SAMUEL GOLDWYN as an assistant director under SIDNEY FRANKLIN to make "Dark Angel."

Quip of the Day

Ambitious reporter complaining of the lack of news at a certain major company was silenced by a member of the publicity department with the following:

"What do you expect? You know things are always slow around here between bosses!"

HERB BERG's various cuts about the eyes are healing nicely. He still insists his 18-month-old son reached out and tripped him so that he fell and broke his glasses, hence the cuts.

•

LILY PONS sails for Europe at noon Saturday on the *Paris*. She'll be on the other side until June and she'll report to the Radio studios in July for her first picture.

•

TOM RIFKIN, Monogram district manager for New England, arrived in town from Boston yesterday. MRS. RIFKIN and their youngster are with him.

•

A. P. WAXMAN distributed packages of matzoths to all employes in his department the other day. Passover was not passed over by the G. B. advertising counsel.

•

JOSEPH M. SCHENCK, WILLIAM PHILLIPS and A. C. BLUMENTHAL made an interesting threesome at the Brass Rail during the lunch hour yesterday.

•

MICHAEL BALCON was seen around the M-G-M legal office yesterday conferring on those talent deals for Gaumont British.

•

BERT LYTELL, who refuses to discard his derby, ambled down Broadway yesterday with a brand new top coat.

•

GUS EYSELL is down with a bad cold.

•

MIRIAM HOPKINS visiting the Radio home office yesterday.

•

EDWARD FINNEY chalked up another birthday yesterday.

•

SPYROS SKOURAS is due tonight from the coast via the air lines.

•

ED GOLDEN is due in from Cleveland today.

BILL ROWLAND is shaping plans for a series of musicals to be made in the east. Production may be centered at the Biograph plant in the Bronx. No distribution has been arranged as yet.

•

N. L. MANHEIM, foreign sales manager of Universal who has been conferring on next season's lineup with CARL LAEMMLE, is on his way in from Hollywood. He's using the air lanes.

•

JACK BARNSTYN will sail for London either May 15 or May 20. He plans to be gone five months during which time he will consummate a proposed British production program.

•

DOUGLAS LATHERINGTON, sales head for RKO Radio in Sydney, sails around May 1 for these shores to attend the annual sales convention in Chicago in the middle of June.

•

ELISABETH BERGNER, now that her show has closed, is being shown the town's night spots under the guidance of JOSEPH SCHENCK and A. C. BLUMENTHAL.

•

NANA BRYANT of the legitimate stage soon begins work on her first motion picture, when Columbia's "Unknown Woman" starts shooting.

•

BETTY GOLDSMITH, JIM MULVEY's secretary at Samuel Goldwyn Prod. goes west shortly to assume the same post with the producer at the studio.

•

GERTRUDE STEIN on an invitation from Columbia University will visit the Erpi studios next week to hear some of her recent recordings.

•

NAT WOLF, Warner Cleveland zone manager, has returned to his native heath after two days of home office conferences.

•

CESAR ROMERO has arrived back on the coast after a vacation here. He'll start work shortly in "Diamond Jim" at Universal.

•

CHARLIE MOSKOWITZ has completed plans for a two week seat in the sun at Miami. All matters being equal, he will leave tomorrow.

•

JOHN and MRS. COSENTINO (he is the traveling representative of Amity Pictures) are the proud parents of a son, born Wednesday night.

•

NORMAN S. HALL's "Manhunters" has been acquired by ROBERT E. WELSH for the new Republic company.

•

HENRY RANDEL, Brooklyn Paramount exchange manager, hies to the coast in about 10 days for a vacation

•

MORT BLUMENSTOCK gives as reasons for his rosy cheeks hard work and clean living.

•

GEORGE BURNS of the BURNS and ALLEN team has been made a Kentucky colonel.

•

WALTER READE is going to take a long rest at his Deal, N. J., country home.

•

SINGER's MIDGETS will be the main stage attraction at the Roxy starting today.

•

Y. FRANK FREEMAN returned yesterday from a business trip to the middle west.

•

ADOLPH ZUKOR, fully recovered from a week's illness, is back on the job.

•

E. B. TISHMAN, of the Paramount trustees' staff, is on the sick list.

•

EDDIE CANTOR shoves off for California on May 4. Via the Canal.

•

HOWARD CULLMAN is back from his Miami vacation.

•

HARRY COHN has called off his contemplated New York trip.

•

ARTHUR DENT is due from London any day now.

•

HENRY RANDEL and ABE BLUMSTEIN are dieting—between meals.

•

RADIE HARRIS is doing a film review period once a week for WHN.

•

DIANA BOURBON's "Roaming Lady" has been purchased by Columbia.

•

BOB WOLFF returns from Miami and a fishing vacation Monday.

Goldman Expanding In Phila. Section

(*Continued from page 1*)

the two other houses gives him complete control of Pottstown.

He plans to reopen the dark Victory for traveling shows and community affairs and gatherings. In addition, Goldman said he would take over the Park, Hanover, and the Bandbox and the 56th St., both local houses. The latter is being remodeled and will reopen in September.

The Bandbox goes to Goldman after a long court fight which eneded today with the U. S. Circuit Court of Appeals upholding his previous victories.

Goldman now controls six houses in this territory and it is expected four more will be added within the next few months.

The announcement of the Warner deal in Pottstown came as a surprise to Film Row here, although it is known that he is friendly with Harry M. Warner. Goldman's name has been linked with other houses in the past, with his operations even reported to be extending into Pittsburgh, but the official announcement today gave the first complete picture of his operations. He is expected to be a vital force in independent exhibitor circles.

National to Get Fox Units for $1,580,000

(*Continued from page 1*)

offer of $790,000 for each company's stock, representing assets.

It is expected the Federal court will confirm the sale as of Tuesday, with the transfer of assets taking effect May 4, when the affairs of the bankrupt estates will be liquidated after more than two years under court supervision.

Plans for the new setup are going forward in New York, and it is said here operations will continue undisturbed.

BIGGEST BILLBOARD CAMPAIGN EVER USED!

8,000 24-sheets covering 1,500 cities nationwide



EVERYBODY'S GOING RECKLESS


From the best-seller by
GEORGE BARR McCUTCHEON
set to gorgeous, enchanting music by
RAY NOBLE
directed with lavish production value by
THORNTON FREELAND
who directed "WHOOPEE" and
"FLYING DOWN TO RIO"
BR
M
CARIOCA!
CONTINENTAL!
and now
CARANGA!
The newest dance sensation
...superbly staged to the
catchiest music of the season!
A HERBERT WILCOX PRODUCTION Released thru UN



"REPRESENTS 'JACK' THROUGHOUT — IN A BUCHANAN AND MONETARY SENSE. AS NEAR 100% FILM ENTERTAINMENT AS CAN BE!"

—VARIETY

EWSTER'S
ILLIONS

starring JACK

BUCHANAN
LILI DAMITA

ED ARTISTS

"Eight Bells" Los Angeles' Hit, $22,500

Los Angeles, April 18. — The weather warmed up last week, but "Eight Bells" at the Paramount with a stage show was the only attraction to do outstanding business. It nearly tied the record of "Mississippi" by going to $22,500, over average by $4,500.

One of the others to do good business was the 4-Star where "The Scarlet Pimpernel" grossed $4,400 in its fourth week.

Total first run business was $67,390. Average is $91,200.

Estimated takings for the week ending April 17:

"WEDDING NIGHT" (U. A.)
CHINESE—(2,500), 30c-55c, 6 days. **Gross:** $6,500. (Average, $12,500)

"THE RUNAWAY QUEEN" (B. & D.—U. A.)
FILMARTE—(800), 40c-50c, 7 days. **Gross:** $1,500. (Average, $2,750)

"SCARLET PIMPERNEL" (U. A.)
4 STAR—(900), 30c-55c, 6 days. 4th week. **Gross:** $4,400. (Average, $3,250)

"CASE OF THE CURIOUS BRIDE" (F. N.)
HILLSTREET—(2,700), 25c-65c, 6 days. **Gross:** $6,200. (Average, $8,000)

"WEDDING NIGHT" (U. A.)
LOEW'S STATE—(2,500), 30c-55c, 6 days. **Gross:** $7,140. (Average, $14,000)

"EIGHT BELLS" (Col.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: F. & M. revue, Pinky Tomlin, Fats Waller, Rube Wolf and his orchestra. **Gross:** $22,500. (Average, $18,000)

"LIFE BEGINS AT 40" (Fox)
UNITED ARTISTS—(2,100) 25c-55c, 6 days. **Gross:** $4,450. (Average, $3,500)

"CASE OF THE CURIOUS BRIDE" (F. N.)
WARNER BROS. (Hollywood) — (3,000), 25c-65c, 6 days. **Gross:** $6,900. (Average, $14,000)

"PEOPLE'S ENEMY" (Radio)
"UNWELCOME STRANGER" (Col.)
WARNER BROS. (Downstown)—(3,400), 25c-40c, 6 days. **Gross:** $5,800. (Average, $12,000)

"BEHIND THE GREEN LIGHT" (Mascot)
"WOMEN MUST DRESS" (Liberty)
PANTAGES—(3,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $3,200)

"Scandals" $9,000 Draw in Portland

Portland, April 18. — "George White's Scandals" was a heavy draw at the Paramount. It grossed an even $9,000, over par by $4,000.

"Naughty Marietta" in its second week at the United Artists continued to draw heavily. It secured another $7,000, or $2,000 over average.

Total first run business was $31,700. Average is $24,700.

Estimated takings for the week ending April 13:

"WHILE THE PATIENT SLEPT" (F. N.)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

"NIGHT LIFE OF THE GODS" (Univ.)
"IT HAPPENED IN NEW YORK" (Univ.)
BLUE MOUSE—(700), 15c-25c, 7 days. **Gross:** $1,700. (Average, $1,700)

"ROCKY MOUNTAIN MYSTERY" (Para.)
"MAYBE ITS LOVE" (F. N.)
MAYFAIR—(1,700), 25c-35c-40c, 7 days. **Gross:** $2,500. (Average, $3,000)

"GRAND OLD GIRL" (Radio)
ORPHEUM—(1,700), 25c-35c-40c, 7 days. Stage show. **Gross:** $6,500. (Average, $5,000)

"GEORGE WHITE'S SCANDALS" (Fox)
PARAMOUNT—(3,008), 25c-35c-40c, 7 days. Stage show. **Gross,** $9,000. (Average, $5,000)

"NAUGHTY MARIETTA" (M-G-M)
UNITED ARTISTS—(945), 25c-35c-40c. 7 days, 2nd week. **Gross:** $7,000. (Average, $5,000)

Variety Club Chatter

Cincinnati

Cincinnati, April 18.—May 11 is the date definitely set for the tent's second annual dinner dance, which will be given in the Pavilion Caprice of the Netherland Plaza.

Allan S. Moritz, chief barker, has appointed the following committees: Arthur Frudenfeld, entertainment; Ralph Kinsler, table reservations; Maurice White, decorations; Paul Krieger, printing; Noah Schecter, publicity; Elmer Dressman, radio; Abe Lipp, treasurer, and Jim Grady, tickets.

Grady will be assisted by the following barkers: Harold Bernstein, E. M. Booth, Jake N. Gelman, Stanley C. Jacques, Sam Kramer, H. J. Wessel, Paul Krieger, Joe Oulahan, Al Shmitkin, Elmer Shard, Manny Shure and Maurice White. Attendance will be limited to 700.

Charlie Weigel is looking for the fellow who has been inserting notices in the trade and other publications that he is spending the winter in Florida. He wants to thank him for the compliment.

Col. Arthur Frudenfeld, head man of the side show committee, is taking time out in his Hotel Gibson suite while recovering from a sprained ankle sustained when he tripped over a defective curb at the Film Building.

Karl Rohs, skipper of a theatre bearing his name at Cynthiana, Ky., now has a third member in his family. An eight pound son and heir arrived during the past week.

Max Leflowitz, president of the Community Circuit, Cleveland, and a member of that tent, spent the week-end here, accompanied by the Mrs. They have a son in college.

Noah Schecter is busy readying publicity incident to the early opening of Arrowhead Inn, local night spot.

Cleveland

Cleveland, April 18.—Cleveland Variety Club is holding regular business and pleasure meetings in the club's Statler Hotel quarters. Every Saturday night a large crowd gathers to play keno.

Luncheons are held each Monday, most of them without outside entertainment. There will probably be one more "king for a day" luncheon before the end of the season. Every alternate Wednesday is ladies' day. Mrs. Henry Greenberger, wife of the circuit owner, and Mrs. Deffenbaugh, wife of the RKO Palace artist, were queens at the luncheon held last week. There have been few out-of-town visitors during the past few weeks.

Omaha

Omaha, April 18.—Harry J. Shumow, M-G-M branch manager, has been elected barker of the Omaha club.

Evert R. Cummings, district manager for A. H. Blank, was made first assistant barker; John Gillin, Jr., of WOW radio station, second assistant barker; M. G. Rogers, of Film Transport, wagon man; Ed Shafton, attorney and alternate code board member, property man.

Canvasmen: Joe Scott, Fox branch manager; D. V. McLucas, U. A. branch manager; LeRoy Miller, Universal salesman; Bob Ballantyne, of Scott-Ballantyne Supply Co.; William Miskell, manager of the Orpheum, and H. J. Chapman, Columbia branch manager.

St. Louis

St. Louis, April 18.—Lou Elman is the new Variety Club president.

Other officers named at the recent election are: Vice-presidents, Barney Rosenthal and Joe Garrison; treasurer, George Wiegand; secretary, Henry Budde; chairman of the house committee, Tony Matreci; directors, Ray Colvin, John Walsh, Eddie Rosecran, B. B. Rheingold, Harold W. Evens and Ruby S'Renco.

First big event under the new administration will be a dance April 20.

Washington

Washington, April 18.—Announcement of the new classification of affiliate member has drawn from the parent chapter a gentle rebuke and effective reminder that tents cannot, under the national bylaws, create new membership groups.

Accordingly, this "affiliate" rubric is out from the local bylaws, but nothing has been done to expugn the minutes, and so memberships are being taken of those whose cards might otherwise have been made out for the new category.

Such new members will probably go into the record as associate members, but colloquially Tent No. 11 will recognize them as merely affiliates.

Forthcoming golf tournament and dinner dance, preparations for which are being supervised by Sam A. Galanty, will be held at the Manor Club.

Louisiana Tax Decree In

New Orleans, April 18.—A final decree declaring the newspaper tax act of the 1934 Legislature to be unconstitutional and enjoining Supervisor of Public Accounts Grosjean from enforcing it has been filed in Federal court here. Motions by the state to dismiss the newspapers' suit are dismissed in the decree. Also dismissed are motions by the state to strike out certain portions of the petition and to require the newspapers to particularize. The office of Miss Grosjean was charged with the costs of the proceedings.

St. Louis Houses Drop

St. Louis, April 18.—The annual report of License Collecter Renick reveals that 122 theatres operated here during the last fiscal year ending June 1, 1934. For the previous year there were 152.

New Firm Is Chartered

Albany, April 18. — Westchester Square Enterprises Corp. has been chartered here. Abraham Scheiner, Louis A. Hulnick and Freda Weinger are directors.

"Wedding" Is $11,500 Lead In Cleveland

Cleveland, April 18.—"The Wedding Night," with $11,500 at Loew's State, was the best downtown draw last week.

Total business was lower than it has been in the past six weeks. "Gold Diggers of 1935," plus Gus Arnheim's Cocoanut Grove orchestra, went to $16,000, or $1,000 over par, at the RKO Palace. Other first runs held close to their averages, doing better than the same week last year.

Total first run business was $44,400. Average is $41,000.

Estimated takings for the week ending April 12:

"THE GREAT HOTEL MURDER" (Fox)
ALLEN—(3,300), 25c-35c, 6 days. **Gross:** $3,000. (Average, $3,000)

"GEORGE WHITE'S 1935 SCANDALS" (Fox)
WARNERS' HIPPODROME — (3,800), 30c-35c-42c, 7 days. **Gross:** $6,500. (Average, $6,000)

"GOLD DIGGERS OF 1935" (F.N.)
RKO PALACE—(3,100), 30c-40c-60c, 7 days. Stage: Gus Arnheim and His Cocoanut Grove Orchestra. **Gross:** $16,000. (Average, $15,000)

"THE WEDDING NIGHT" (U.A.)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $11,500. (Average, $10,000)

"CASINO MURDER CASE" (M-G-M)
LOEW'S STILLMAN—(1,900), 25c-35c, 7 days. **Gross:** $3,400. (Average, $4,000)

"IT HAPPENED ONE NIGHT" (Col.)
CIRCLE—(1,925), 15c-25c-30c, 7 days, 2nd week. Stage: 5 acts vaudeville. **Gross:** $4,000. (Average, $3,000)

"Roberta" $4,600 Smash in Lincoln

Lincoln, April 18.—"Roberta" was a hit for eight days at the Stuart and the gross teetered into new high ground for the year, $4,600. An average seven-day pace is $3,100.

"West Point of the Air" did nicely at the Lincoln, likewise for eight days, with $3,000, considerably over the seven-day average of $2,200.

The Orpheum's "Straight from the Heart" and "Chicago Follies" on the stage three days, and the dual, "Mystery of Edwin Drood" and "Lottery Lover," four days were worth $2,900, $600 to the good. At the Varsity, there was another dull stretch with "Fugitive Lady" and "Symphony of Living" The tally was $800.

Total first run business was $11,300. Average is $9,100.

Estimated takings:

Week Ending April 11:
"STRAIGHT FROM THE HEART" (Univ.)
"MYSTERY OF EDWIN DROOD" (Univ.)
"LOTTERY LOVER" (Fox)
ORPHEUM—(1,200), 10c-15c-25c, 7 days, 3 with "Chicago Follies" on stage. **Gross:** $2,900. (Average, $2,300)

"WEST POINT OF THE AIR" (M-G-M)
LINCOLN—(1,600), 10c-20c-25c, 8 days. **Gross:** $3,000. (Average, $2,200)

"FUGITIVE LADY" (Col.)
"SYMPHONY OF LIVING" (Invincible)
VARSITY—(1,100), 10c-15c-25c, 7 days. **Gross:** $800. (Average, $1,500)

Week Ending April 12:
"ROBERTA" (Radio)
STUART—(2,000), 10c-25c-40c, 8 days. **Gross:** $4,600. (Average for 7 days, $3,100)

Seattle Music Hall Dark

Seattle, April 18.—John Hamrick has closed his Music Hall theatre here.

Johnson Hits Code Critics; Says It Works

(Continued from page 1)

this one, with the interests of affiliated and independent, big and small producers, distributors and exhibitors, buyers and sellers, can cast approximately 94 per cent of its votes on divergent subjects unanimously, I should say that the code had worked pretty well," he commented.

Launching upon a defense of the film code, General Johnson asserted it to have been one of the most difficult to work out in the whole NRA.

"For the first time in the history of the motion picture industry a common forum was set up wherein producers, distributors, exhibitors, the public, actors, labor and the administration are all represented," he pointed out. "There has never been a representative trade association embracing the three economic divisions of this industry and there still does not exist any such trade association.

"It would have been a comparatively easy thing for NRA to have secured a separate code for producers, a separate code for distributors and a separate code for exhibitors, as was the case with almost all other integrated, but yet economically severable industries. But under three codes NRA could never have given even the slightest relief to the independent exhibitors of the nation, since it is an impossibility to take under one code from those who possess rights under another code."

Sees Exhibitors Benefited

Explaining that distributors are essentially sellers, and exhibitors are buyers of film and that they had antagonistic interests, General Johnson told the committee that under the code exhibitors "have been given rights and privileges which they never could have achieved except by changes in our copyright laws or by a statute regulating the transportation of film in interstate commerce."

"As proposal after proposal was placed before the distributors," he continued, "they took the position that NRA had no power to make provision in derogation of their legal rights as copyright proprietors and they insisted that they were entitled to have their rights taken from them only by court action, changes of statutes or their acquiescence and voluntary consent. NRA secured their voluntary consent and acquiescence."

As examples of the concessions secured by the NRA from the various groups, he cited the 10 per cent cancellation clause, under which exhibitors so far have cancelled approximately 18,000 playdates; the provision against overbuying, affording the independent exhibitor relief which "he could not have secured in any court in the land or under any statutes written in any of the statute books"; and the clearance provisions.

Every organization of labor having anything whatsoever to do with the motion picture industry was a signatory to the code, the former administrator said, and, finally, "I want you to know that no one in this industry pays any assessment whatsoever unless the firm has signed the code or an exhibitor has taken its affirmative benefits, such as the privilege of cancellation from the block of films purchased.

"I call this code one of our great voluntary codes and I believe that in its operation it constitutes a real experiment in industrial self-government. At the same time, it is well to point out that prosecutions may still be brought and are still being brought by the Department of Justice where a combination or conspiracy in violation of the anti-trust laws is charged, and that there is not one provision in the code which, so far as I know, constitutes such combination in restraint of trade as would be indictable under the Sherman Act."

General Johnson denied that the big members of industry wrote the codes, asserting that "the most persistent and consistent opponents of codes have been the big interests, while the most zealous advocates of codes have been the small business men."

The former head of NRA paid his respects to the Darrow Review Board, which, he said, he had set up in good faith, charging that the board was not in good faith, but "was a political wailing wall and it recommended communism. There was not one fair hearing before it," he said.

"They disregarded NIRA, packed the record with framed testimony, disregarded every judicial rule of fairness known to man, solicited and accepted unsupported statements, restricted or ignored testimony unfavorable to their purposes, hazed witnesses on that side, insulted NRA officials, and for this spent $50,000 of government money.

"I would not mention these things if this committee had not seemed to accept a great deal of testimony from Mr. Darrow and Mr. Mason as important, or had it called Mr. Sinclair of that board who resigned in protest and disgust."

Federal Aid Given In Bank Night Row

(Continued from page 1)

versus the local grievance board. Attorney General Homer S. Cummings has instructed Attorney M. Pierson Hall to file an answer on behalf of the grievance board.

Hall has wired the San Francisco NRA board for cooperation.

The theatres won the first tilt recently when Judge McCormick ruled exhibition was intrastate commerce and consequently outside NRA jurisdiction. The grievance board was given 20 days in which to file an answer.

Goldwyn Drops His N. Y. Publicity Man

Samuel Goldwyn has closed his eastern publicity office and in the future all his publicity will be handled by United Artists.

George Daws, who was in charge of publicity for Goldwyn here, is now doing special promotional campaigns for Walt Disney on Mickey Mouse.

Tri-Ergon Claim Heard

No opposition was voiced yesterday to the Paramount trustees' petition to have the American Tri-Ergon claim against the company for an indeterminate amount for alleged patent infringements expunged. Special Master John E. Joyce, before whom the petition was heard, reserved decision.

Production Holds 36-Feature Level

(Continued from page 1)

two and three; Columbia, four, one and four; Warners, four, one and 10; Radio, four, zero and five; Paramount, three, two and three; Universal, two, zero and three, with the independents registering six, four and seven.

Short subject activity jumped a notch with M-G-M showing one short working, one preparing and two cutting. Columbia had one, one and one; Warners, one, zero and zero; Radio, one, three and one! Roach, zero, one and three; Universal, zero, one and one, and the independents, three, three and three.

Blumberg on Stand In M. & S.-RKO Case

(Continued from page 1)

Apollo through film playing policies at those houses. Blumberg was questioned on the making of the leases with M. & S., the formation of policies for the houses and the Loew's-RKO product agreement which resulted in Loew's releasing to RKO certain product for non-competing situations.

No hearing will be held today, but attorneys expressed hopes of completing the presentation of testimony on Saturday, after which the case will go to the board of three arbitrators for a ruling.

Revamping of Fox Theatres To Start Soon

(Continued from page 1)

corporation under section 77B." Weisman's firm of Weisman, Quinn, Allen & Spett has been retained by the Flatbush & Nevins Corp. to formulate a plan of reorganization.

Such a plan is now being formulated, Weisman said, and will most likely be filed in the Southern District Court in about two weeks. Under the plan a five-year leasing deal Si Fabian has on the Fox will be canceled, he stated.

It is understood that a syndicate or an important circuit is ready to put up $1,000,000 cash to further the reorganization. According to the petition filed by Chess, interest is overdue on a first mortgage bond issue of $5,675,000 and the present value of the property "is not more than $3,000,000."

Weisman believes that the Joseph Schenck-Fox Theatres plan now before Judge Julian W. Mack for reorganizing Fox Met will be accepted by the court. The hearings resume today and are expected to continue for three additional days.

NEATEST TRICK OF THE WEEK



Ruth Eddings

(Phone Hollywood 5151—or see "In Caliente")

Broadway Grosses Hit by Holy Week

(Continued from page 1)

with "My Heart Is Calling," tallied about $17,500. "Princess O'Hara" at the Rialto ended with approximately $9,700. The Rivoli, on the four days of the second week of "Brewster's Millions," took in something like $3,800.

"The Man Who Knew Too Much," in the five days of its fourth week at the Mayfair, got $2,600. At the Astor, $3,800 was chalked up for the fourth week of "It Happened One Night." "One Night of Love" opens there this morning.

New pictures opening within past few days got off to good first day grosses. The Paramount, which plans to keep "Mississippi" from two to three weeks, will return to Friday openings after the current tenant winds up its engagement.

Industry Can Move In Hurry—Schiller

(Continued from page 1)

Sinclair in his campaign and all his friends now direct tax arguments against the industry. Some of the stars are already paying 50 to 60 per cent of their incomes to the Government. If the state comes in for another big share, they'll move."

Mayer Writes to Saylor

WILMINGTON, April 18.—John G. Saylor, secretary of the Central Labor Committee, has received an acknowledgment from Louis B. Mayer of his invitation to the industry to locate in Delaware in case taxation problems get too acute in California.

Comerford Holds Gains

WASHINGTON, April 18.—Condition of M. E. Comerford, veteran theatre operator, continues to show improvement, according to Dr. Walter A. Bloedorn. Comerford may be discharged in about two weeks.

Wall Street

Eastman Up 6¾ on Big Board

	High	Low	Close	Net Change
Columbia vtc	41⅞	41½	41⅞	— ⅛
Consolidated	4¾	4¾	4¾	+ ¼
Cons. pfd (1v)	17⅝	17⅛	17⅝	+ ⅛
Eastman	134¾	127	133	+6¾
Eastman, pfd	154	154	154	— ¼
Fox "A"	9⅝	9¼	9⅝	.....
Loew's	37¾	36¾	37¾	+ ⅝
Loew's, pfd	107	107	107	.....
Paramount	2⅞	2¾	2¾	.....
Pathe	⅝	⅝	⅝	.....
Pathe "A"	10½	9½	9½	— ¾
RKO	1½	1½	1½	— ⅛
Warner	3⅛	3	3	.....
Warner, pfd	19⅝	19	19	—1

Technicolor Gains ⅝ on Curb

	High	Low	Close	Net Change
Technicolor	19⅝	19⅛	19⅝	+ ⅝
Trans Lux (.10K)	2¼	2¼	2¼	— ¼

Para. B'way Bonds Rise ¼

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	8½	8⅜	8½	.....
Loew's 6s '41 ww deb rights	104⅝	104½	104½	— ⅛
Paramount B'way 5½s '51	53¾	53¼	53¾	+ ¼
Paramount F. L. 6s '47	77½	77½	77½	— ½
Warner Bros. 6s '39 wd	53¾	53	53	— ½

(K and v) Paid this year.

(Quotations as at close of April 18)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Cowboy Millionaire"

(Sol Lesser-Fox)

HOLLYWOOD, April 18.—As a definite departure from routine western melodrama, with a maximum of love interest and a minimum of riding, George O'Brien also goes in for more comedy than usual. The film, because of the romance angle, has a much stronger feminine appeal than the average O'Brien western.

O'Brien plays the boy who puts on a fake stage coach holdup for a dude ranch to get enough money to develop his rich mine. In a real runaway he incurs the anger of Evalyn Bostock, an English girl. She sets out to pay him off when she thinks that he has wagered $10 on her availability. A chase follows con men, who are after the mine, to England, where a fight at an inn ensues, before the final clinch.

Edgar Kennedy adds to the laughs as O'Brien's dumb partner. Others in the cast are Maude Allen, Alden Chase, Dan Jarrett, Lloyd Ingraham and Thomas Curran.

Ably directed by Edward F. Cline from a story by George Waggner and Dan Jarrett, it strikes a new note in westerns. By stressing the comedy and romance in exploitation, the film should draw better than the usual O'Brien productions.

No code seal. Running time 68 minutes. "G."

Looking 'Em Over

"The Swell Head"

(Columbia)

Columbia timed this baseball story for opening of the big league season. It may be possible to get the customers in on the strength of the current interest in the national pastime. Some intensive exploitation will probably be needed, though, to stir up adult enthusiasm.

Ben Stoloff used Sammy Cohen, pal of Wallace Ford, star batter, for his comedy gags. Ford is good and doesn't care who knows it.

The romantic interest centers around Barbara Kent, waitress in a lunch room. Frank Moran, pitcher, takes her to the theatre and this starts a training-quarter fight between Moran and Ford. Moran asks for his transfer to the Detroit club and gets it from Mike Donlin, manager. In the next game Moran beans Ford while he is arguing with J. Farrell MacDonald, the umpire. He gradually goes blind, but an operation cures him at the finish and all ends well.

After about three reels of slapstick that doesn't click strongly, the action builds to a strong scene where Miss Kent discovers Ford is blind after he had been sitting at the bedside of her sick brother, Dickie Moore, all night.

Good fare for neighborhood houses with a heavy kid patronage as a potential factor.

No production code seal. Running time, 60 minutes. "G."

"Cognasse"

(Paramount)

Being a comedy that depends for its effect more on humor of line than of situation, this French production, turned out by Paramount at its Joinville plant near Paris, absolutely requires a knowledge of the language if one is to obtain any real enjoyment out of it.

The story is not without a touch of satire. It tells of a worker who, upon being made the director of a factory, forgets his humble antecedents and permits his good fortune to go completely to his head. He comes to look upon himself as a Napoleon and spends his time putting up a grand front, making quite a ludicrous figure of himself.

Business he neglects to the point where the factory workers, once his fellow-employees, rebel and advance upon his mansion at the height of a gay party. Dressed as Napoleon and entirely plastered, he confronts the men and announces he has abdicated in favor of his son-in-law-to-be. This wins over the crowd. It's highly hilarious stuff.

Tramel plays the title role effectively, if a bit on the side of burlesque. The other players include Therese Dorny, George, Christiane Virido, Christian Delyne, Jean Mercanton and Andre Roanne. The direction is by Louis Mercanton.

No production code seal. Running time, 91 minutes. "G."

(Additional reviews on page 11)

Short Subjects

"The Sorcerer's Apprentice"

(Tapernoux-Metropolis)

The symphonic poem of the distinguished French composer, Paul Dukas, based on Goethe's immortal ballad, "The Sorcerer's Apprentice," is here presented in pictorial form. The Paris Symphony Orchestra plays the score as the tale is enacted on the screen.

Lovers of fine music will more than appreciate this film, but its appeal to the average audience is slightly doubtful.

Reviewed without production code seal. Running time, 10 mins. "G."

"Hayseed Romance"

(Educational)

Buster Keaton clowns and cavorts through two reels of good comedy that should more than please audiences.

Keaton answers an advertisement for a helper on a farm and after being accepted proceeds to do everything wrong. In the meantime he has fallen in love with the niece of the woman who owns the farm and is desperate, thinking he has to marry the old woman. The windup finds him getting the young girl.

Keaton fans should get a particular kick out of this short. Production Code Seal No. 624. Running time, 21 mins. "G."

"The Old Grey Mayor"

(Vitaphone)

Those who have seen Bob Hope perform in person will probably be greatly disappointed in the comedy he presents in this short. It is far below the average entertainment he usually hands out.

Cast as the suitor for the hand of a mayor's daughter and refused permission to marry by the mayor, Hope takes it upon himself to win the girl despite the objections. The dialogue and jokes that follow border more on the silly side than on the comical.

Production Code Seal, No. 326. Running time, 21 mins. "G."

"All-Star Vaudeville"

(Vitaphone)

Pat Rooney and Pat Rooney, Jr., sing and dance; Blossom Seeley and Benny Fields do a song routine in the manner that made them well known in old time vaudeville; the On-Wah troupe, Japanese acrobats, exhibit some surprising contortions, and The Runaway Four, a comedy acrobatic quartet, wind up the reel.

It's only midly entertaining. Production Code Seal No. 192. Running time, 11 mins. "G."

U. A. Handling Westerns

Guaranteed Pictures, Inc., foreign distributors of the current series of Bob Steele westerns, has closed a deal with United Artists whereby the latter will distribute the series in Latin America, Mexico and the West Indies.

Hold "Black Fury"

"Black Fury" will be held at the Strand for a third week.

Zanuck Would End B Films, Halve Output

(Continued from page 1)

when a good one comes along is by word of mouth advertising."

Zanuck warmed up to his subject and chewed the end of a cigar a foot long. He's emphatic and outspoken when he gets started.

"I don't blame exhibitors for dualing and cutting scales," he went on. "Some of the stuff they have to show isn't worth a quarter for two of them."

Zanuck admitted 20th Century had tried a couple of B pictures, but declared he soon found out they weren't worth making.

"We're the only company absolutely concentrating on A product," he declared. "We have no budget. If the idea is good and we have faith in it, we keep at it until its finished—whether it costs $400,000, $500,000 or a million. And we don't try to chop it down to 7,000 feet, if it holds up naturally at a greater length."

He paused to light a match. "Personally," he went on, "I'm in favor of the longer ones, if they're good. Exhibitors won't dual them; they'll stick in a newsreel and a couple of shorts."

The system has its drawbacks, he admitted. "We can go broke or make a fortune quicker than any other concern. We have no theatre commitments to absorb the weak ones. They stand up or fall on their individual merits."

Calls Legion Drive Aid

Zanuck is convinced the Legion of Decency has been a good thing for the industry. Some great pictures have been turned out in the last eight months, he insisted. The Legion, educators and women's organizations are rallying to the support of "Les Miserables," he says.

Guessing the basic idea and its timeliness is the biggest production problem, he says.

"'House of Rothschild' was timely," he declared, "because it treated an old problem that has developed anew. We've got the same thing in 'Les Miserables.' Any man who thinks he's taking some hard knocks now will look at Jean Valjean and get a new mental uplift out of it."

After he takes an Alaskan vacation and gets his next three in work, Zanuck is going to experiment with a new idea on audience reactions. He will make a three-week tour by plane in August, with the south especially favored, for the purpose of studying audiences in theatres in small and large towns. He doesn't intend to introduce himself to exhibitors in getting their likes and dislikes and those of their audiences.

Zanuck thinks color has a future; that Technicolor is advanced further than any other and will eventually reach perfection, but he says he hesitates about using it on dramatic subjects. A flick of Charles Laughton's eyes can mean a lot to a scene, he says, and any pronounced color that diverts attention can damage the effect. In musicals and spectacles where pictorial results are the principal requirement he is strongly for it.

Looking 'Em Over

"The Youth of Maxim"

(*Amkino*)

Although "The Youth of Maxim," a Lenfilm production, was one of three films to win first honors at the Russian film festival recently held in Moscow in celebration of the 15th year of the Soviet industry, it is no better suited for American consumption than the rest of the Red propaganda pictures.

The film covers familiar ground, which is something not to be unexpected in a communist production. Its unrelieved grimness exerts a most depressing effect, although there can be no denying that it is a powerful, realistic and earnest attempt to place on celluloid the story of the laboring classes under czardom.

For its material "The Youth of Maxim" goes back to the days when the Russian workers started to become class-conscious and implanted the germ that was to become the Bolshevist revolution.

The Maxim of the tale is a young worker who turns to the cause of revolution when he sees his two bosom friends sacrificed to the brutality of the czaristic system. Much of the film, which has been well photographed, records his difficulties with the authorities and his work in spreading the gospel of Lenin.

The title role is played by Boris Chirkov, who is supported by Stepan Kayukov, V. Kibardina and M. Tarkhanov. All do good work. Gregory Kozintzev and Leonid Trauberg directed.

The film has English subtitles.

No production code seal. Running time, 80 minutes. "G."

"Song of Happiness"

(*Amkino*)

Produced by Vostokfilm, this is another Soviet reminder of what is being done in Russia today to develop the culture of the people.

To illustrate its point, the film tells the story of a toiler in a Russian province with a consuming love for music. The time is 1924. A homemade flute is all the boy can afford. There seems no hope for him to develop his musical talents. His love for a peasant girl only makes him sadder and more dissatisfied. Believing he has killed his employer, he flees from home.

Ironically enough, he doesn't get the opportunity he has always wanted until he lands in a reformatory as the accomplice of a petty thief. When the prison head learns the youth's ambition, he arranges to have him study at a conservatory.

While he is obtaining a musical education the lad's sweetheart is learning to read and write. In five years he is a full-fledged flutist and he returns to his people, who receive him with honor and acclaim, and his romance with the peasant girl is resumed.

The film has been splendidly photographed, with the Volga as a background, and the acting is good. V. R. Gardin, M. Victorov and J. Zheimo are the chief players. M. Donskoy and V. Legoshin directed.

American audiences may find this moderately entertaining. There are English subtitles aplenty.

No production code seal. Running time, 86 minutes. "G."

"On Probation"

(*Hollywood*)

This is pretty dull stuff even for the neighborhoods. Built of old material, it blunders along stupidly and uninterestingly to the end. The film offers the cast little opportunity to rise above the level of the story.

The picture brings Monte Blue to sight again. He plays a big-shot racketeer who is involved in a city contract. Lucille Browne, his ward, falls in love with William Bakewell, a society chap, who is willing to overlook the girl's background. This burns up Blue aplenty, for his interest in the girl is more than philanthropic. So he goes about making things hot for Bakewell.

Blue tries to use force to have Miss Browne accompany him to the Orient when the police get the goods on him. In struggling with him she smacks him over the head with a bronze lion. The girl thinks she has killed him. In fact, even the audience thinks Blue has been croaked It isn't revealed until the last minute that he survived the lion's attack. Of course Bakewell and Miss Browne are married at the fadeout.

Barbara Bedford, Matthew Betz and King Kennedy are other players. Charles Hutchison directed this Peerless production.

No production code seal. Running time, 62 minutes. "G."

Norris on the Coast

Hollywood, April 18. — Marshall Norris of Principal Pictures Distributing Corp., has been transferred from the New York to the Hollywood office by Lewis Hyman.

"Marietta," Rogers Film K.C. Smashes

Kansas City, April 18.—"Naughty Marietta" and "Life Begins at 40" literally wowed 'em, the result being $14,500 for the first at the Midland and $8,400 for the second, at the Uptown. Those grosses are far above the normal takes. "Marietta" was held for a second week, and it looks like an extended run for the Will Rogers opus.

"Gold Diggers of 1935" turned in a very good $9,000 at the Mainstreet in eight and one-half days, the picture opening Wednesday night. Not in years has Kansas City had such a swell Lenten week.

Total first run business was $42,000. Average is $31,700.

Estimated takings:

Week Ending April 11:

"GOLD DIGGERS OF 1935" (F. N.)
MAINSTREET—(3,100), 25c-40c, 8½ days. **Gross:** $9,000. (Average, 8½ days, $7,200)

"NAUGHTY MARIETTA" (M-G-M)
MIDLAND—(4,000), 15c-25c-40c, 7 days. **Gross:** $14,500. (Average, $8,000)

"ROCKY MOUNTAIN MYSTERY" (Para.)
NEWMAN — (1,800), 25c-40c, 7 days. **Gross:** $3,500. (Average, $6,000)

"LET'S LIVE TONIGHT" (Col.)
TOWER — (2,200), 25c, 7 days. Stage: "Anniversary Antics," with Red Donohue & Uno, Condos Bros., Sara Ann McCabe, Jordan Trio, others. **Gross:** $6,600. (Average, $7,000)

Week Ending April 12:

"LIFE BEGINS AT 40" (Fox)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $8,400). (Average, $3,500)

Ruth Etting Plans To Retire at Ampa

Ruth Etting has "graciously consented to appear at this benefit ball (meaning the Naked Truth Dinner) as a last gesture to the amusement world," states the Ampa publicity committee.

Then she will retire "definitely and forever."

"Many of the outstanding personalities of screen, stage and radio will be present at this gala event," the committee goes on. The committee forgot to mention the party would be held at the Astor, April 27.

Lazarus Off on Tour

Paul N. Lazarus, western sales manager for United Artists, left by plane yesterday on an extended tour of the 11 branch offices under his supervision. Detroit was his first stop, and from there he will visit Chicago, Milwaukee, Kansas City, St. Louis and Denver, winding up on the coast. Lazarus expects to be back here in six weeks.

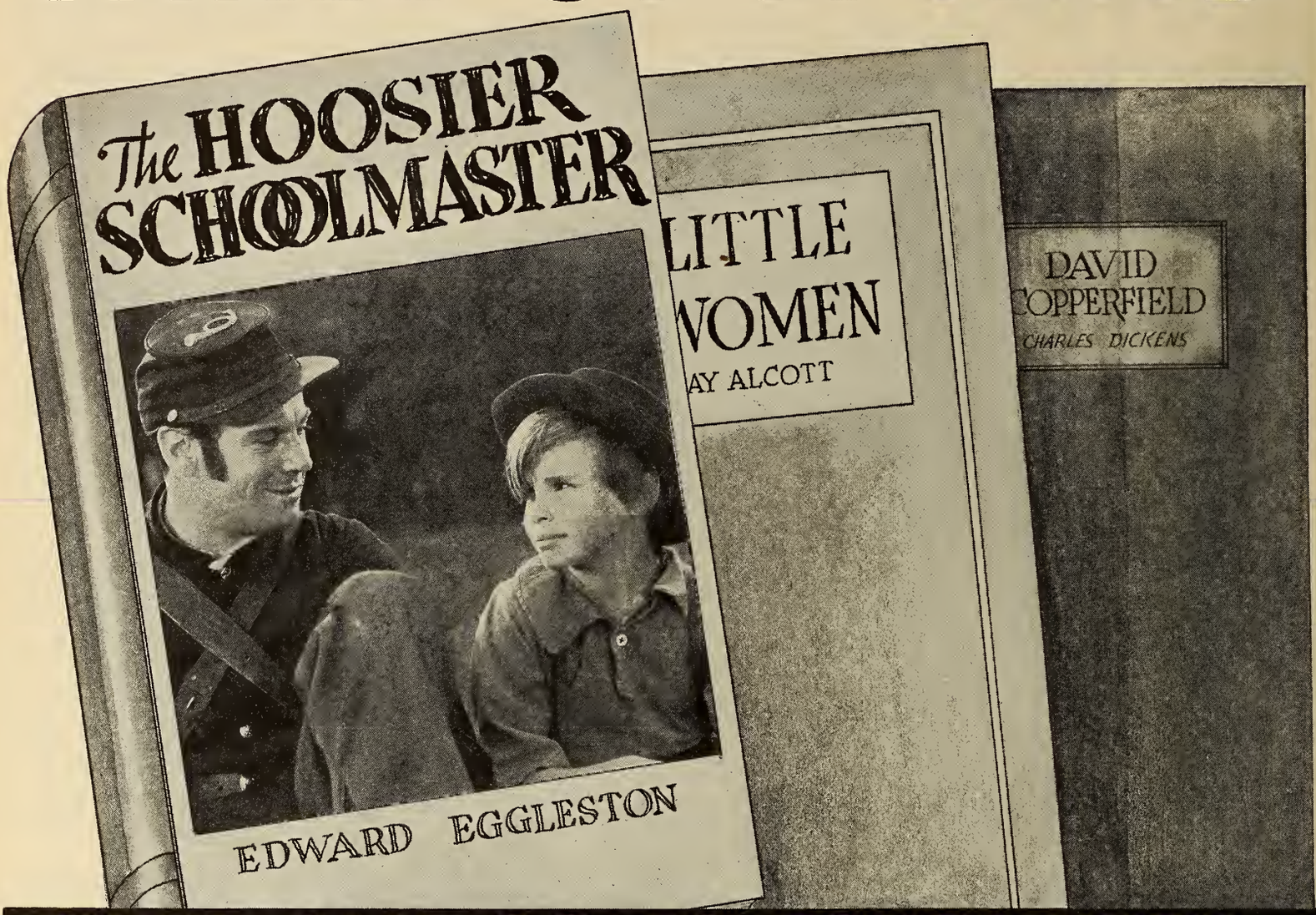
Republic Signs Mrs. Reid

Hollywood, April 18.—The first signature to a contract with the newly formed Republic Pictures is that of Mrs. Wallace Reid, who will get a post as story editor, terminating a year as a Monogram producer.

Ascap Seizes Theatre

New Orleans, April 18.—Ascap has taken possession of the Seagall at Monroe, La., to satisfy a judgment.

THREE OF A KIND



"YOU CAN GO TO TOWN WITH THE HOOSIER SCHOOLMASTER"

—The Film Daily



"Vivid... An all family attraction."
—Motion Picture Herald

with
NORMAN
FOSTER
and
CHARLOTTE
HENRY



"Genuine and pleasing entertainment..."
—Showmen's Trade Review



"3½ stars...Fine quality...excellent performance."
—Screen Book

Directed by Lewis D. Collins
From the novel
by Edward Eggleston
Screenplay by Charles Logue



"Unusually good entertainment..."
—Motion Picture Daily

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 93 NEW YORK, SATURDAY, APRIL 20, 1935 TEN CENTS

Balcon Feels British-U. S. Entente Begun

Says Coast Trip Helped "Cement Good Will"

Michael E. Balcon, executive production head of Gaumont British, left for London on the *Berengaria* last night in the belief that, while here, he had started to accomplish what he described as his mission of "cementing good will between the American and British industries."

Denying his visit to Hollywood, where he spent a number of weeks, had been converted into any "raid" on talent, he stated the players and writers he had signed were for specific tasks in specific pictures. The group

(*Continued on page 2*)

Tax Reports Show Box-Office Gains

WASHINGTON, April 19. — Improved box-office takes were disclosed today by the Internal Revenue Bureau in its reports of admission taxes for March. The total is $1,283,595, compared with $1,267,375 for the corresponding month last year.

For the first nine months of the fiscal year collections totaled $11,666,261, a gain of $783,893 over the $10,882,368 collected for the same period last year.

Simon Rowson Made Head of P.D.C. Board

LONDON, April 19.—Simon Rowson, formerly joint managing director of Ideal Films, Ltd., recently absorbed by Gaumont British, has become associated with Producers' Distributing Corp., serving as chairman of the board and sharing the managing directorship with Reginald Smith. It is learned at the same time that P.D.C. plans to increase its capitalization and extend its production and distribution activities.

Faralla Quits F. D.; May Join Paramount

Dario L. Faralla has resigned as a director and treasurer of First Division, effective Monday. It is reported, but unconfirmed that he will join Paramount a week later on the coast as assistant to Henry Herzbrun who, with Ernst Lubitsch, is now in charge of that company's production.

Balcon Likes Production Code; Expects British to Cooperate

"I am keen for the production code and foresee any subscribing to it by British producers as a progressive step," said Michael E. Balcon last night. The executive production head of Gaumont British made the comment as a personal, not as an official, expression of opinion.

"I was very much impressed by my talks with Will H. Hays and Joseph I. Breen, Production Code Administrator, while I was in Hollywood. They explained the machinery to me and I became convinced of its practicability. After all, the code is in work here; pictures made in Hollywood and under it have improved. If we in England want distribution in this market, it is entirely logical that we should be prepared to observe the code principles."

Allied Sets Program for Atlanta Meet

WASHINGTON, April 19.—Allied has completed plans for the annual convention to be held at Atlanta, May 21, 22 and 23 and has decided to transfer it from the Robert Fulton to the Piedmont Hotel in order to get more space, according to the latest bulletin.

Appointment of regional committees is urged in the bulletin.

Sentiment will have been crystallized on the extension of the NRA and

(*Continued on page 3*)

Liberty Starts Its New Series June 15

HOLLYWOOD, April 19.—With 12 set for the production schedule next season, Liberty plans to put "Hollywood Hotel" first of the series, into production June 15.

Ths current lineup of 12 has been completed and M. H. Hoffman is working on stories and casts for the new dozen. Production costs on the 1935-36 pictures will be increased.

Fabian Buying Of Met Notes Up at Hearing

Disclosures of trading in Fox Metropolitan Playhouses' securities by members of the Fox Met bondholders' committee in association with Si Fabian during the period of the latter's service as advisor to the Fox Met receiver and as the "highest paid" employe of the circuit, established a high point of interest during an all day hearing yesterday on the Joseph M. Schenck-Fox Theatres reorganization

(*Continued on page 4*)

Thompson Picks NVA Fund Drive Leaders

Major Leslie E. Thompson has named eight committees to handle details of the drive for the N.V.A. Fund which gets under way May 18 in all key cities and will be followed by the donation of 10 per cent of the receipts on May 20 by participating theatres.

The funds are used for support of the N. V. A. Sanitarium at Saranac

(*Continued on page 3*)

Charge That Code's Unfair Denied by Sol Rosenblatt

By CLARENCE LINZ

WASHINGTON, April 19.—Detailed denial of the charges made before the Senate Finance Committee April 8 by Abram F. Myers, general counsel of Allied, and Melvin Albert as representative of Harry Brandt of the I.T.O.A. of New York City is contained in a brief filed with the committee by Compliance Director Sol A. Rosenblatt, it was learned today.

Accompanying the brief were several documents, including Rosenblatt's report to former Administrator Hugh S. Johnson on the code in October, 1933, never made public, to-

(*Continued on page 3*)

Daylight Time Shift Spreads In New Areas

Takes in 263 More Towns; To Start April 28

Daylight saving shows decided gains this year in tabulations compiled by the Merchants' Ass'n. of New York. A total of 794 communities in the United States will move their clocks this year, a gain of 263 over last year.

In all the places in this country where the change is to be made the new time becomes effective next Sunday at 2 A.M. and continues to Sept. 29. Canada has no uniform starting time. Some start it May 1, 2, 5 and 20; others delay the change to June 1, 11, 29 and 30. The length of time it remains in effect also varies.

Great Britain, Northern Ireland, France, Belgium, the Netherlands and Portugal also shift their clocks.

For the first time, the time change has made inroads in the south, the association states. Atlanta, Jackson, Miss., and other spots have adopted

(*Continued on page 4*)

California Tax Plan Now on New Slant

SACRAMENTO, April 19.—Indications are that the Governor's control over his tax program is fading and that sentiment is veering toward a gross transactions tax of one per cent designed to raise $250,000,000 biennially. This would replace the proposed per-

(*Continued on page 4*)

Huey Says "No" in N. O. for His Film

The Huey Long sequence in the third release of "The March of Time" has been deleted in its entirety in New Orleans, it was reported in New York last night. "The Kingfish's" political influence was the unconfirmed reason behind the step.

NEW ORLEANS, April 19.—The "March of Time" reel came through without the Long shots, according to Loew's State officials.

WHN Amateur Hour Taken by Schenley

Louis K. Sidney, temporarily in charge of WHN for Loew's, has sold the Tuesday night amateur hour to

(*Continued on page 3*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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"Vanessa" Grosses $21,000 at Capitol

"Vanessa" garnered about $21,000 at the Capitol last week. "Star of Midnight" at the Music Hall grossed nearly $64,000 and "The Little Colonel" at the Palace took in about $10,000.

Opening day's receipts of "Cardinal Richelieu" at the Music Hall were $13,000, indicating that the U. A. film will approximate around $100,000 for the week.

"Laddie" goes into the Roxy starting May 3.

Hoffberg Gets Westerns

J. H. Hoffberg has closed with Willis Kent for the world rights of "Outlaw Rule" and "Range Warfare," featuring Reb Russell and "Circle of Death" with Monte Montana. The deal does not include American distribution.

Joan Bennett Re-Signed

HOLLYWOOD, April 19.—Joan Bennett has been signed by Walter Wanger to a new four-picture contract. Her next will be with Bing Crosby in "Two for Tonight."

May Knight Maxwell

LONDON, April 19.—John Maxwell may be knighted when the king's list next appears.

Street Closed Friday

Wall Street and the Stock Exchange were closed yesterday in observance of Good Friday.

Purely Personal

BILL GOETZ called most of the numbers and so coughed up most of the dollar bills to meet the check at "21" yesterday with JOE MOSKOWITZ a swell runner-up. What was launched as a modest affair developed into a real one as the afternoon grew older. The attendance included ARCHIE MAYO, LOU IRWIN, ARTHUR W. KELLY, HARRY BRAND and NORMAN HERRINGTON, of the Northern Transport Co., who is visiting from London. DARRYL ZANUCK and LOU SCHREIBER annexed an adjoining table which made the third floor practically a 20th Century exclusive. ZANUCK leaves for Hollywood by air Monday to preview "The Call of the Wild" and then off to Alaska for bears. He has hired a yacht which he will pick up at Vancouver. His wife and two children go along.

Quip of the Day

Sam, the barber and an attache of some importance in Darryl Zanuck's establishment on the coast, will be one of the hunting party the producer embarks on shortly in Alaska. Coaching Sam on equipment, Zanuck told him recently an essential something was fur-lined shoes, as the days in the field were very apt to prove wearing.

"Fur-lined shoes?" snorted Sam. "What for? When you get home at night, you're still outside."

Sam is the same guy who was asked what he thought of a recent 20th Century preview:

"I'm not looking for advancement. I didn't like it so much."

HAL ROACH took the air lines to Culver, Ind., yesterday to visit his son. Due back Monday. He may produce one of the two amateur shorts he plans in the east before heading for the coast.

•

TRAVIS BANTON, Paramount style creator, who has been abroad for the past two months, arrives Tuesday on the *Aquitania*. He'll spend a few days in town before leaving for the coast.

•

ARTHUR HORNBLOW, JR., arrives Wednesday from the coast. He will stay here a short time before sailing for Europe May 3 on the *Majestic* for a vacation.

•

HANNAH HOLTZMAN, who has been on the Fox reading staff for some time, has sold the company an original, "Deuces Wild," as a vehicle for SHIRLEY TEMPLE.

•

TITO GUIZAR, radio tenor who recently completed his first picture for Fox, is expected here some time next week for a short vacation away from the studios.

•

ELISSA LANDI, seen walking on Fifth Avenue, all decked up in a little red Easter chapeau, but hiding her Easter finery under a mink coat.

•

NATE L. MANHEIM, foreign sales manager of Universal, is back from production conferences with CARL LAEMMLE. Hollywood was the scene.

•

HENRY ROTTBERG, JR., chief tear sheet man in the RKO publicity department leaves today for a week-end in Atlantic City.

•

LEON SCHLESINGER, producer of cartoon shorts for Warners, is on his way here from the coast for home office conferences.

•

JIMMY GRAINGER is the latest recruit to patronize "21." WILLARD MCKAY, who is in Florida over the week-end, brought him over.

•

MORRIS KUTINSKY came in from Lakewood for a few hours yesterday to wind up some pending theatre business.

•

AL JOLSON is back from a short personal appearance tour of Albany, Pittsburgh and Philadelphia.

•

FLORINE MCKINNEY is due at the Warwick Monday for a vacation. It will be her first New York visit.

•

WINIFRED COOPER, film critic of the *Utica Observer Dispatch,* arrives in town today for a short stay.

•

ARCHIE MAYO, just in from Europe, will be in town about three weeks.

•

JOHN EBERSON, the architect, paid the M. P. Club a visit yesterday.

•

BEN GOETZ takes the birds' route to the coast today.

•

HERMAN ZOHBEL of RKO hies back to Hollywood this afternoon.

•

TOM CONNORS has returned from a Canadian trip.

•

LILY PONS sails at noon today on the *Paris* for the continent.

U. S. Nearer to Place In Copyright Union

WASHINGTON, April 19.—The Senate today paved the way for entry of the United States into the International Copyright Convention by ratifying the Berne Convention as revised at Rome in 1928.

The convention gives to American authors the right to authorize the filming of their works in all foreign countries which have joined the convention and gives full protection to pictures.

A feature of the agreement is the granting to the author, independently of his copyright and even after its assignment, of the right to object to deformation, mutilation or other modification of his work which may be prejudicial to his honor or reputation.

To Caricature Diners

Arthur "Bugs" Baer and a flock of cartoonists are to make caricatures of diners at the Naked Truth Dinner of Ampa at the Astor next Saturday night, according to the committee's latest outpouring.

Sniping on "Reckless"

DiAngelis Ad Service is sniping the town on "Reckless" posters.

Balcon Feels British-U. S. Entente Begun

(*Continued from page* 1)

includes Walter Huston, Helen Vinson, Richard Dix, Madge Evans, C. Aubrey Smith, Boris Karloff, Noah Beery, Peter Lorre, Maureen O'Sullivan as well as Arthur Caesar and Rian James, writers.

G. B.'s 16 planned for American release next season will be drawn from the parent company's 52. Of that total, Gaumont itself will produce between 22 and 26 and acquire, as usual, the remainder from outside producers. Balcon added he had not abandoned his plan of making a comedy in Hollywood with Jack Hulbert, although decision on that point will be made later in London. "I am convinced, particularly after seeing 'Ruggles of Red Gap' that a Hulbert picture made on the coast is entirely feasible," he said.

The British executive was enthused over his coast-made deal whereby Gaumont British will have made available M-G-M contract players when such players are not working. In turn, G. B. personalities will be made available to Metro when they are available.

Golding Resignation Causes RKO Changes

With the resignation yesterday of Lou Golding, manager of Proctor's, Newark, to join Si Fabian as division manager of upstate houses, the independent has taken over, RKO has made sereval changes in the managerial lineup.

Robert Ungerfeld, formerly of the Franklin, Bronx, succeeds Golding in Newark and Mike Edelstein of the Apollo is transferred to the Franklin. Murray Lafayette of the Alhambra takes over Edelstein's former house, and Frank Howard, assistant manager of the Alhambra, is now in complete charge.

Patrons Seek Punch, Says Albert Warner

HOLLYWOOD, April 19.—Exciting pictures with punch are demanded by theatre patrons today, says Major Albert Warner, here on his semi-annual visit. He adds it is a mistake to think the public is slated for a milk-and-water film diet.

"We are dealing in subjects with tremendous dramatic interest in the most exciting possible way," he asserts.

Getting Arliss Set

Rufus LeMaire, casting director for M-G-M, sailed last night on the *Berengaria* to spend four weeks in London getting George Arliss set on his next production for Gaumont British. In addition to his M-G-M post, Le Maire is Arliss' manager. While abroad he may sign some talent, Le Maire stated prior to his sailing.

F. P. Canadian Pays 50c.

Famous Players Canadian has declared its first dividend of 50 cents since June 25, 1932. The dividend is payable April 27.

Charge Code's Unfair Denied By Rosenblatt

(*Continued from page* 1)

gether with the reports of the several advisers, the reply to the Darrow board report and various NRA office orders regarding code administration and amendment.

In his brief Rosenblatt referred to the testimony of Lowell Mason, who served as counsel for the Darrow board, that the standard contract form is contrary to the Supreme Court decision in the Paramount case.

Explaining that the opinion prohibited the use of a form which would produce "material and unreasonable restraint of interstate commerce," Rosenblatt declared that the provision in the code "was advocated without a dissenting voice by the code-formulating committees in the industry.

"It is a fair and non-oppressive agreement," he asserted. "The provision of the code states that such agreement 'shall be the form of license contract to be used by distributors for licensing the exhibition of motion pictures unless the parties mutually agree that a different form be used.' The only criticism that I have ever heard of this provision of the code is that the provision is not strict enough in compelling the exclusive use of such form of agreement."

With respect to arbitration, he continued, there is nothing mandatory and the optional method provided for "is the customary one, in which each side to the controversy appoints its representative. In case of disagreement, the matter is submitted to an impartial umpire."

Answers Charges One by One

The charges made by Myers and Albert were taken up one by one by Rosenblatt. With respect to the procedure in drafting the code, naming the code committees and naming the Code Authority, he said his report on the code as deputy administrator covers the question of procedure.

"The review of the draftsmanship of the code as originally presented was done and the code in its final form was prepared by Mr. Rosenblatt, with the assistance of his advisers, and particularly his legal advisers," the committee was told. "The innuendoes made with respect to the participation of Nathan Burkan in the drafting of the code are declared to be unequivocally erroneous. Mr. Burkan had no more to do with the draftsmanship of the motion picture code, as approved by the President, than did any of the pages of the Senate.

"Myers' statement that the code was signed in secret is not correct. It was an open secret, since the signature and assents to the code at the time the code was approved by the President on Nov. 27, 1933, represented the overwhelming majority of the exhibitors of the United States."

Rosenblatt also reviewed the investigation by Col. Robert W. Lea, assistant administrator for industry, of complaints filed with General Johnson by the independents and the interpretation of the executive order, which, Myers charged, had nullified it and which the compliance director declared followed a conference at the White House and was at the direction of the President.

He challenged Myers' statements that the votes of the Code Authority are against the interests of the independent exhibitors, declaring that from Dec. 20, 1933, when Campi was created, to the end of last February, a total of 1,091 votes were cast, of which 1,019 were unanimous, and that therefore "of the total votes cast, 93.9 per cent were unanimous; that is, by the action of all the members of Code Authority, including those designated by Myers as representative of the independent exhibitor's interest."

Dissecting the letter from Nathan Yamins, read into the record by Myers, Rosenblatt declared that over 3,000 nominations were received for local board appointments.

"The statement made that practices have occurred tending to avoid strict conformity with the standard form of exhibition contract makes no reference to the fact that a brief is now before the National Recovery Administration for consideration on the question of whether or not the practices complained of amount to code violations."

The NRA official reviewed the attendance records of Campi members to show that they were alert to their responsibilities and met the charge that only Campi could recommend amendments to the code by submitting NRA office orders showing that "any interested party, including the National Recovery Administration, may propose amendments to any code."

Denies Relief Withheld

"The Myers statement that it is impossible for exhibitors to get relief before the code boards is not borne out by the facts," Rosenbatt asserted. "Considering exhibitors' problems alone, the code provides three chances to one for relief through local grievance boards, which consider fair trade practices only. Relief has been granted to exhibitors in 75 per cent of cases tried. Out of 1,020 cases tried by local grievance boards, 771 cases brought relief to exhibitors. In only 24 per cent of cases, or in 237 complaints, was relief denied. In 205 of the cases appeal was taken to Code Authority as a court of appeals and in 85 per cent of the appeals the local board was sustained; in 30 cases, or 15 per cent, the local board's decision was reversed.

"Until the code was achieved, there was no such thing as relief for clearance and zoning problems generally. The clearance and zoning boards are in operation to pass wholly upon those questions. In the first 289 cases brought to these boards, relief has been granted to 172 exhibitors, 59 per cent of the complaints filed. Appeals were taken to Code Authority in 78 of these cases. Eighteen per cent of the appeals heard were reversed and sent back to the zoning boards; judgment was affirmed in 82 per cent of the appeals."

Most of the statements made by Albert were held by Rosenblatt to be answered in his discussion of Myers' testimony.

"One statement made by him particularly stands out," he commented. "Albert stated that the code provides 'that no exhibitor may complain that a distributor has given advantage to a theatre operated by a distributor.' There is a fair sample of the worth of Albert's testimony. The code provides nothing of the kind and such is not the fact.

"The code does provide that a local grievance board shall not have jurisdiction to hear any complaint based upon the fact that a distributor has licensed the motion pictures distributed by it for exhibition at its own affiliated theatres. It would indeed be anomalous for a distributor to be deprived of its right to show its own pictures in its own thetares as the law now stands."

The fact that all labor organizations employed in the industry signed the code was held to cover the statements made by Albert concerning the labor provisions, while his statements concerning the operators in New York "are unfair, to say the least."

"The foregoing is adduced, not by way of complete answer to the innumerable petty, irrelevant and immaterial matters touched by the foregoing witnesses with respect to the motion picture industry code," Rosenblatt concluded, "but should serve to advise the committee generally of the inaccuracy and inadequacy of the testimony given by such witnesses."

Travelers

To Hollywood by air late yesterday:

Ned E. Depinet, Jules Levy, who arrived from Canada over the airline earlier in the day; Herbert J. Yates and John Hay Whitney.

To Europe last night on the *Berengaria*:

Michael and Mrs. Balcon, William and Mrs. Goetz, Helen Vinson, Rufus Le Maire and the Beerys—Noah, pere et fil.

Thompson Picks NVA Fund Drive Leaders

(*Continued from page* 1)

Lake. No collections are to be made this year among theatre audiences.

The committees follow: Honorary —Will H. Hays, Adolph Zukor, Harry M. Warner, S. R. Kent, Carl Laemmle, Harry Cohn, Charles C. Moskowitz; M. H. Aylesworth, Joseph M. Schenck and Arthur A. Lee; executive, Thompson, general chairman, and Harold Rodner, executive chairman; actors', Eddie Cantor, chairman; William Morris, Jr., vice-chairman; advisory, A. P. Waxman, chairman; Ben H. Serkowich, vice-chairman; directors', Pat Casey, Rodner, Sam Dembow, Jr., Thompson, Edward L. Alperson, Sam Scribner and Harry Chesterfield; theatre, Joseph Vogel, Nate Blumberg, Joseph Bernhard, Alperson, Leon Netter, Charles Skouras; distributors', Felix F. Feist, Abe Montague, Neil Agnew, Jules Levy, Al Lichtman, J. R. Grainger, John D. Clark, George W. Weeks and Albert Warner; exhibitors' associations, Ed Kuykendall, Charles O'Reilly, Abram F. Myers, Sidney E. Samuelson and Harry Brandt.

Complain on Liberty Ads

Consolidated Amusements has brought a second complaint against Harry Brandt's Liberty on premature advertising. The case is on the local grievance board calendar for Tuesday. On the same day, the board will hear a second protest filed by Loew's Rio against Brandt's Audubon on reduced admissions.

Allied Sets Program for Atlanta Meet

(*Continued from page* 1)

the Pettengill bill by the time the convention is held, the bulletin states, and both subjects will be acted upon. Other subjects to be discussed include sales tax policies and the proposed Loew invasion of Chicago.

Included in the three-day entertainment program outside of the afternoon business sessions are a golf tournament at the East Lake Country Club, tea for women guests at the Governor's Mansion, bridge, a Negro play, sightseeing tours.

The tentative program follows:

May 20:
7:00 P.M.—Informal reception for National Officers (refreshments).

May 21:
9:00 A.M.—Registrations, Piedmont Hotel.
9:30 A.M.—Golf Tournament, East Lake Country Club, Bobby Jones, director.
3:00 or 4:00 P.M.—Directors' Meeting, Piedmont Hotel.
4:00 P.M.—Ladies' Tea at Governor's Mansion.
9:00 P.M.—Informal dance, including old fashioned barn dance, Peach Tree Gardens.

May 22:
10:00 A.M.—Continuation of golf tournament, if necessary.
1:00 P.M.—Bridge - Luncheon for ladies, Piedmont Driving Club.
1:00 P.M.—Luncheon, delegates and visitors, Atlanta Athletic Club.
2:00 P.M.—Business session, Atlanta Athletic Club.
8:00 P.M.—Heaven Bound, play, Big Bethel Negro Choir, Atlanta Athletic Club.

May 23:
9:30 P.M.—Sightseeing tour of city.
12:00 Noon—Barbecue, Stone Mountain.
2:00 P.M.—Business session, Atlanta Athletic Club.
8:00 P.M.—Banquet - dinner dance, East Lake Country Club.

Committees and their chairmen are: Atlanta Convention and Tourist Bureau, Mrs. Betty Peelee; badges and registration, W. G. Browning; banquet and entertainment, Mrs. Fay Ellis; distinguished guests and exhibits, Ike Katz; finance and program, N. H. Waters and A. Jules Benedic; golf, John Mangham, Jr., and A. C. Bromberg; hotels and housing, Frank H. Dowler and W. W. Anderson; meeting, Louis Bach; printing and decorations, M. M. Osman; publicity, Ted Toddy; railroad and bus fare, A. Jules Benedic; refreshments, Frank Roach; sightseeing, Charles Lester; special screening, S. H. Borisky; transportation, A. B. Abercrombie; general chairman, Sam Borisky.

WHN Amateur Hour Taken by Schenley

(*Continued from page* 1)

Schenley's, liquor concern, under a year's contract. Jay C. Flippen is being retained as master of ceremonies by the commercial account. The first sponsored broadcast starts Tuesday.

Although WHN has an arrangement with WMEX, Boston; WPRO, Providence, and W1BX, Waterbury, the broadcast under the sponsorship of Schenley's will be confined to WHN. Pending deals to tie in with several other out-of-town radio stations have been dropped for the present.

Des Moines Club to Meet

Des Moines, April 19.—Another meeting of Variety Club will be held Monday for the purpose of completing the organization.

Fabian Buying Of Met Notes Up at Hearing

(*Continued from page* 1)

plan for Fox Met before Federal Judge Julian W. Mack.

The disclosures were preceded by a charge made in open court by Isidor Kresel, counsel for Schenck and the Fox Theatres receiver, that Fabian's reorganization plan for Fox Met was not presented in good faith, but "for an ulterior motive," and, therefore, should not be considered by the court as a basis for comparison with the Schenck-Fox Theatres' plan. Without disclosing the alleged "ulterior motive," Kresel stated that Fabian "was tied up with Max Horwitz," a member of the Fox Met bondholders' committee and a partner in Hallgarten & Co., and proceeded to develop the trading in Fox Met securities engaged in by these principals and by William M. Greve, also a member of the Fox Met bondholders' committee.

In disclosing the securities' trading link between Fabian, Horwitz and Greve, Kresel completely reversed the anticipated procedure of the day by placing the critics of the Schenck-Fox Theatres' plan on the defensive, rather than being placed himself in the position of defending that plan against the proponents of the Fabian plan.

$44,000 Bought by Horwitz

It was brought out that Horwitz had purchased $44,000 face amount of Fox Met notes at prices ranging from $6.25 to $11.75, from March to Oct., 1932, and later had sold $31,000 face amount of notes at $13.25 and $10,000 face amount at $21.75, for a profit of $2,768. Horwitz retained $3,000 face amount of the notes. The trading was done through Hallgarten & Co. in Horwitz's own name. Another Hallgarten account, known as "No. 158," was identified by Frederick Pizor, Hallgarten partner and former head of the company's statistical department, as a joint account maintained by Fabian, Greve and Hallgarten & Co. for trading in the Fox Met notes. This account bought a total of $358,000 face amount of notes, with each of the three principals participating equally with $119,500 face amount of notes.

In answer to a question put to him by Kresel, Horwitz said that when the joint account was formed he knew that Fabian was "the highest paid employe in the Fox Met receivership," drawing $1,000 a week, and that he had access to all the books and records of the company. Horwitz said that he had traded in the securities because he "believed in the future of Fox Met and, consequently, bought at prices ranging from $6 to $16 Fox Met notes that his company, Hallgarten, had originally sold to the public at $100." In reply to another question Horwitz said that he considered Fabian's proposal for reorganization of Fox Met to "look better on the face of it" than either the bondholders' committee's own plan, advanced last spring, or the Schenck-Fox Theatres' plan. He added, however, that the Fox Met bondholders' committee "hasn't had time to consider the Fabian proposal yet."

Counsel for Fabian succeeded in having the latter excused as a witness yesterday when Kresel revealed his intention to question Fabian in an effort to show that the Fabian proposal was submitted "in bad faith." Judge Mack held that this procedure was not necessary now, as the Fabian proposal is not in any form which could be given consideration by the court. Judge Mack stated, however, that all records pertaining to trading in the Fox Met notes and to the bondholders' committee and their activities "were of very vital concern and would be open to the fullest investigation."

Sam Rinzler, one of the Fox Met operators, was recalled to the stand to give additional testimony as to operating costs and charges. Asked why he believed the addition of Schenck as an "over-manager" would be beneficial to Fox Met, Rinzler replied that Schenck "wouldn't want to be associated with a failure" and that he didn't believe Schenck "had any use for the theatres except as a source of additional profit."

George Skouras, another of the Fox Met operators, testified that while grosses for the houses operated by them for Fox Met had declined from $8,086,000 in 1932 to $6,300,000 last year they had been able to show an average profit of about $25,000 annually since taking over operation in 1931. Skouras stated that Fox Met "couldn't survive without the Fox Film franchise" and the importance of the franchise was also emphasized by Rinzler. Fabian's proposal would do away with the franchise.

Blumberg Resumes Stand

Nate Blumberg, general manager of RKO theatre operations, resumes the stand today in the arbitration hearings of the M. & S. leasing complaint against RKO.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Scoundrel"

(*Hecht and MacArthur-Paramount*)

Hollywood, April 19.—Brilliant dialogue and perfect casting, direction and photography make "The Scoundrel" an outstanding offering for ultra-sophisticated audiences.

Noel Coward makes an enormous appeal in his first screen role as a sex-crazed book publisher conducting innumerable affairs with a cold, calculating detachment.

Julie Haydon surprises with a vivid, emotional power as a young poetess. She throws over Stanley Ridges for Coward, believing her love strong enough to break the latter's pose of heartless philanderer. She fails. There is an immense scene when she warns no one will weep over his death.

Lost at sea chasing another woman and given a month to find one regretful friend, Coward returns to hear his epigram-spouting circle say: "When a man dies one weeps. When a pose does, one shrugs one's shoulders." Great emotional tension is built during his search for Miss Haydon and understanding tears.

Alexander Woollcott, not given screen credit, plays an important part. Rosita Moreno, Martha Sleeper, Hope Williams, Ernest Cossart, Everly Gregg, Edward Cianneli, Helen Strickland, Lionel Stander, Harry Davenport, Isabelle Foster and Madame Shushkina are perfectly cast.

Lee Garmes' photography and special effects are spectacular. The macabre, sophisticated theme rates critical nipups, but is baffling for suburban audiences in spite of its great emotional appeal.

Production Code Seal No. 758. Running time, 68 minutes. "A."

California Tax Plan Now on New Slant

(*Continued from page* 1)

sonal income, admission, sales and other so-called nuisance taxes.

A steering committee has been named to decide on revenue measures.

In the meantime the Assembly has furnished another exhibitor worry by passing a dog racing bill with parimutuel betting. It has an amendment calling for local option.

Hague Bids for Studios

Hollywood, April 19. — Mayor Frank Hague of Jersey City, Democratic leader of New Jersey and a figure in national politics, conferred here yesterday with all the principal producers, except Warners, on a proposal to establish production in the Hudson County metropolis opposite downtown Manhattan.

Hague is said to have told the majors they could write their own ticket on tax matters.

After listening to the proposals the producers decided to engage John Milton as their attorney and representative. Milton is a former corporation counsel of Jersey City, a former judge and close associate of Hague.

Engineers will be sent to Jersey City to study locations, it was stated after the meeting.

Those present were Harry Cohn, Winfield Sheehan, Irving Thalberg, Henry Herzbrun, Fred Beetson, Pat Casey and Louis B. Mayer.

Another meeting is planned for New York at which, it is expected, Harry M. Warner, Nicholas M. Schenck and Adolph Zukor will be present.

A number of sites are available in Jersey City, it is understood, among them being "Boyle's 30 Acres" where a huge boxing stadium was erected several years ago.

Daylight Time Shift Spreads In New Areas

(*Continued from page* 1)

it and it is expected this will affect surrounding communities.

In a number of communities where display of anything but standard time is prohibited, the association finds, industrial establishments will move the working hours of their employes up an hour. Three states will go on daylight time in their entirety for the first time. These are New Jersey, Rhode Island and Massachusetts. Connecticut, Maine and New Hampshire continue their laws forbidding display of the changed time.

The status of daylight saving time in this country and Canada by communities is as follows:

	1934	1935	Net Change
Canada	62	73	+ 11
Connecticut	33	33	.....
Delaware	3	8	+ 5
Georgia	0	1	+ 1
Idaho	0	3	+ 3
Illinois	21	90	+ 69
Indiana	19	14	— 5
Maine	36	59	+ 23
Mississippi	0	1	+ 1
New Hampshire	20	23	+ 3
New Jersey	60	118	+ 58
New York	204	276	+ 72
Pennsylvania	72	93	+ 21
Vermont	1	2	+ 1

Republic Acquires Three

Republic Pictures have acquired the film rights to "Women With A Past" by Frederick and Fanny Hutton, "The Big Show" by Dorothy Reid and "The Gentleman From Louisiana" by Tristram Tupper for its 1935-36 lineup.

Open Hungarian Film

"Huszarszerelem" (Emmy), a military operetta, claimed to be one of the outstanding Hungarian films of the year, opens at the Tobis, First Ave. and 78th St., tomorrow. It is being handled by Danubia Pictures.

May Robson 70 Years Old

Hollywood, April 19.—May Robson's seventieth birthday was celebrated today with a reception at M-G-M. She has been on the stage and screen for 52 years.

"Marietta" Portland Hit

Portland, April 19.—"Naughty Marietta" was seen by 56,700 persons in the first two weeks at the United Artists, it is claimed, and the picture is to be held for a third week.

Franklin "Legit" Again

Hollywood, April 19.—Harold B. Franklin, now operating Standard Theatres Inc., also has plans to return to stage production on Broadway next season.

Flash Reviews

Ladies Love Danger—. . . cleverly contrived comedy mystery. . . . The entertainment value is all right for most spots.

The Phantom Fiend—On dual bills and in small-town houses the picture should do well if exhibitors concentrate on its mystery angles. . . .

These films will be reviewed in full in a later issue of Motion Picture Daily.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 94 NEW YORK, MONDAY, APRIL 22, 1935 TEN CENTS

Future of NRA Seen Drifting Toward Rocks

Report Roosevelt May Call Extra Session

By BERTRAM F. LINZ

WASHINGTON, April 21.—Recovery legislation yesterday appeared to be drifting toward dangerous shoals with the disclosure that 12 of the 21 members of the Senate Finance Committee are opposed to extension of the NRA.

Strengthened by an arraignment of the recovery operation in a report published last week by the Brookings Institute, opponents of the NRA are seen for the first time in a position effectively to block an Administration measure.

Faced with the repudiation of one of the most important steps in his recovery program, President Roosevelt,

(*Continued on page 7*)

Production Drops; 32 Features Going

HOLLYWOOD, April 21.—Production continued to fall slowly last week. Short subject production gained slightly. The weekly checkup showed 32 features and 10 shorts before the cameras as compared to 36 features and seven shorts for the preceding week.

M-G-M continued to lead, having six features shooting, none preparing and nine in the cutting room. Fox had five, two and eight; Paramount, four, four and three; Columbia, four, two

(*Continued on page 7*)

Old Timers to Talk At M. P. Club Forum

Forty years of theatre history will be reviewed at the Motion Picture Club forum tomorrow. Daniel Frohman will be one of the principal speakers.

Miss Victoria, the "Waiting at the Church" girl of the London stage, who is in this country visiting her

(*Continued on page 7*)

Fulton Blocks K. C. Dual Releasing Plan

KANSAS CITY, April 21.—In serving a warning on distributors that he will resist the projected double bill releasing plan for Kansas City, W. D. Fulton, operator of five suburban houses, has thrown a monkey wrench into exhibitors' efforts to secure twin

(*Continued on page 7*)

GB Plans 'Changes In South America

Next step in the penetration of world markets with its own distribution machine will be taken by Gaumont British in establishment of exchanges throughout South America. That market is viewed as a productive one with musicals of which GB has and, it is understood, will continue to have, a generous quota in its program.

A story department at New York headquarters is also planned.

Wisconsin Showmen Fight 4% Tax Plan

MADISON, Wis., April 21.—The Carow bill, which would place a four per cent tax on the gross receipts of theatres, was assailed by exhibitors from all over the state at a committee hearing on the measure held here.

Speaking for Wisconsin Amusement Enterprises, Inc., Attorney Benjamin Miller, Milwaukee, asserted the circuit could not afford to pay a tax of

(*Continued on page 4*)

Senate to Retrace Move on Copyright

WASHINGTON, April 21.—A Senate which usually takes its own good time stepped out briskly Friday and ratified the copyright convention without knowing just what that document contained. As a result, it will be asked Monday to reconsider its vote, in order that legislation writing into our own copyright law some of the

(*Continued on page 4*)

Want Ruling Clear Before Servicing

Local exchange heads are demanding a clarification of the recent Campi decision on the Leonia, Leonia, N. J., clearance issue before serving Julius

(*Continued on page 7*)

Most Annoying

Kansas City, April 21.—Said one Kansas City exhibitor to another: "I don't mind when you pass out free tickets in my neighborhood, but when you left one at my home that burned me up."

Survey Shows 4,994 Houses In U.K., Erin

By BRUCE ALLAN

LONDON, April 12.—On April 1 there were 4,994 film theatres in the United Kingdom and Ireland, according to a survey completed by the statistical department of W. E. Of the total, 4,638 were active, including one silent house, and 356 were closed.

This is a net reduction of 199 houses since the last survey was completed in 1930, but the many new super erections in the period more than balance the seating capacity of disappeared smaller houses.

The distribution of houses, according to W. E.'s analysis, is:

	Sound	Silent	Closed
England ...	3,549	1	173
Scotland ..	514	0	68

(*Continued on page 8*)

Blind Booking Still Intrigues in England

LONDON, April 12.—Walter Runciman, president of the Board of Trade, stated in the House that he intends to consider very carefully any suggestions for the more effective prohibition of blind booking made by the Advisory Committee of the Films Act.

A question by Lieutenant Commander W. G. Agnew had asserted the booking restrictions imposed by the Act were being increasingly evaded as a sequel to "the development of large theatre circuits."

Cuts Looming Next Season In 2-Reelers

Duals to Force a Jump In Single Subjects

Increases in single reel subjects and decreases in the number of two-reelers made by producers this season will be the trend in 1935-36 announcements by major distributors.

The reason for the demand for one-reel shorts is due to persistent objection by exhibitors throughout the country to playing two-reel subjects. Theatre owners contend that because of duals there is no room for a two-reel subject on a program with two features and a newsreel.

The newsreel is considered more or less necessary to every program, as is a short comedy, but because of

(*Continued on page 4*)

Omaha Worries Over New Outdoor Sports

OMAHA, April 21.—Exhibitors are looking forward to a dismal summer as far as competition is concerned. Besides a night baseball league, this summer will see a night kittenball league for which a new park with lights has been equipped. Horse races have been legalized by the legislature and a month's running is due in May.

Outdoor night clubs spotted in the hills all around the city are springing up faster than spring violets. Last year, the first of legal beer, was tough, but this year liquor is legal, too.

Detectives Watching Theatres Hereabouts

Fearing trouble as a result of renewed picketing by the three local operators' unions, independent exhibitors are reported to be spending $1,000 a week for employment of special detectives in theatres.

The special officers maintain a steady watch for persons entering theatres with packages and also see to it that the sandwich men parading in front of the various houses do not foment trouble, it is stated.

L. A. Zoning Verdict Seen by Berinstein

Ben Berinstein, who came from the coast to attend the Campi hearings on the Fox West Coast application for changes in the Los Angeles schedule, feels that Code Authority will

(*Continued on page 7*)

A 1935 Carrie Nation

Kansas City, April 21.—In Kansas some years ago a crusader named Carrie Nation sprung from the prairie soil to lead a fiery assault on the saloon. Now there's a new crusader in Kansas City who is being compared to hatchet-wielding Carrie, only her efforts are directed to smashing not the saloon but the lotteries operated by theatres under the name of bank night.

The modern crusader is Mrs. Abe Baier, who owns and operates the Lindbergh. She believes bank nights and premiums are a bad

(*Continued on page 7*)

MOTION PICTURE DAILY

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Wall Street

Most Rise on Big Board

	High	Low	Close	Net Change
Columbia, vtc.....	43⅝	42½	43⅝	+1¾
Consolidated	5⅛	4⅞	5⅛	+ ⅜
Cons., pfd. (1v)...	18¼	18	18½	+ ½
Eastman 134¼	133	134	+1	
Eastman, pfd.....154¾	154¾	154¾	+ ¾	
Fox "A".....	9¾	9⅝	9¾	+ ⅛
Loew's	38¼	37⅞	37⅞	+ ⅛
Paramount Publix.	2⅞	2¾	2¾	.....
Pathe	¾	⅝	⅝	.....
Pathe "A".....	9	8⅝	9	— ½
RKO	1⅝	1½	1⅝	+ ⅛
Warner	3¼	3⅛	3¼	+ ¼
Warner, pfd.....	19¼	19	19¼	.....

Technicolor Off ⅝ on Curb

	High	Low	Close	Net Change
Technicolor	19½	18⅞	19	— ⅝
Trans-Lux (.10K)..	2½	2⅜	2½	+ ¼

Paramount Publix Bonds Drop ¼

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf.	8½	8½	8½	.....
Keith 6s, '46.....	76	76	76	.....
Loew's 6s '41 ww deb rights.....104¾	104½	104¾	+ ¼	
Paramount Broadway 5½s '51.....	53¾	53¾	53¾	.....
Paramount Publix 5½s, '50.....	78¾	78¾	78¾	— ¼
Warner 6s '39 wd..	53	53	53	.....

(*K and v*) *Paid this year.*

(Quotations as at close of April 20)

Fineman Rejoins Para.

HOLLYWOOD, April 21.—B. P. Fineman has returned to Paramount as a producer. He left the company five years ago for M-G-M. His first film will be "Rich Man's Son."

Insiders' Outlook

By RED KANN

THE faithful reader may feel he is being imposed on, so lengthy runs the published account of the obstacle race which Fox Met is running. He should be told, as he is now and as he was several times earlier, that the way this bankrupt circuit, originally put together by Bill Fox with the aid of A. C. Blumenthal and William Brandt, goes is the way the dominance of the Greater New York situation may go. The future of the richest territory in the United States is something to conjure with. Also to write about. . . .

▼

Loew and RKO, for years, have viewed the metropolitan area as their meat. The two dominant circuits with perhaps as much as $75,000,000 to $100,000,000 invested in theatre properties, have had their tussles and, no doubt, will continue to do so. While the exigencies of each season's problems have often loomed as barriers not easily surmountable, somehow or other the two outfits have worked out their destinies as far as competitive endeavor has allowed. . . .

▼

While a particular problem, such as duals, and a particular situation, such as product, often have proven troublesome and always competitive, both groups have never been apart on the issue of their collective control of the area. That brings the tale to its latter day aspects which is where Fox Met enters the picture like the lovely heroine on whom covetous eyes are being cast. For the spoils in the case are sufficiently rich, although latent, to launch a third and powerful chain in this sector. Obviously, this is not to be desired by Loew any more than it is by RKO. Important as a consideration from the Loew angle is to keep Fox Met in hands friendly. If Joe Schenck's offer wins out, the ownership obviously will be. What then, in so far as RKO is concerned? . . .

▼

RKO, acting through KAO, its most lusty theatre subsidiary, realizes the eventuality and thereby arises the explanation, likewise obvious, for its keen interest in the disposal of Fox Met. Whether or not a middle ground can be reached is speculative, beginning and ending with this department, so far as it knows. A Fox Met somehow divided between Loew and RKO, or KAO, is a more sensible conclusion to the fracas than a Loew and an RKO divided into sharply drawn camps with blood in eye and theatre warfare raging up and down the city's five boroughs. . . .

EDDIE CANTOR, who is nothing if he is not versatile, proved the point with conclusions various in a recent interview in *Advertising Age.* It all had to do with sincerity in advertising copy. Cantor feels strongly and, it is to be hoped, sincerely although what a lot of theatremen across the nation will think is something else. Kid millions talking:

> "The greatest fault of advertising today is its insincerity. The next is lack of showmanship. Given these two qualities and an honest value and advertising cannot fail to sell merchandise at a profit. In my contacts with some professional advertising men I have been dumfounded at the way they ponder headlines, type faces, illustration and so on, while they ignore the factor of sincerity, which is many times more important than all these details put together. I would rather back a sincere advertisement, though it be ungrammatical, as to text and cock-eyed as to layout, than put my money in a perfect example of advertising art which lacks the vital spark of sincerity."

Even when applied to your own pictures, Eddie? . . .

▼

If Marlene Dietrich's discretion were only matched by her pulchritude, there you'd have something. On her return to Hollywood the other day, she told a United Press reporter this:

> In comparison with Broadway, Hollywood is a paradise of virtue. I can't understand why motion pictures are attacked when nothing is done about plays which so flagrantly defy the conventions.

Since Miss Dietrich openly admits she is treading on matters she cannot understand, it is suggested to her that she leave them alone. . . .

▼

Reaching New York from across the Jersey meadows and, perhaps, inspired by up-and-going realtors who have been known to do such things are reports Metro has purchased a country club and golf course at Rumson for a proposed studio site. Arthur and Dave Loew, "Lep" Friedman and Bob Rubin, the story continues, have been buying adjacent property on the quiet for two weeks or more now. This is in case the much-publicized exodus from Hollywood ends in Jersey. Declares Rubin: "We haven't yet." Meaning, of course, no buys yet. . . .

▼

Odds and Ends: At Loew's Rio, "Naughty Marietta" and "Ruggles of Red Gap" on one bill with an "early bird" admission as low as a thin dime. . . . "West Point of the Air" being dualed in some of the same circuit's theatres. Which proves again the Loew fellows, more often than not, run a theatre enterprise, twin-billing their own Metro pictures with others when those Metro pictures don't hold up, in the opinion of the booking department. . . . In many ways, this is the smartest quip of the week: Blank Company has engaged Ely Culbertson to bridge its hurdle from the minor to the major division. . . . The dots and dashes which precede the main title of all Radio Pictures merely spell out, in code: "It's a Radio Picture." . . .

FitzPatrick Setting Next Season's Plans

Having completed production plans for his first feature, "David Livingstone," which will be made in partnership with Gaumont British, James A. FitzPatrick has also set his short subject lineup for next season.

The producer's shorts plans call for 10 Traveltalks and six Highlights of New York, the first series to be made in three-process Technicolor and the other in black and white. FitzPatrick currently has eight Technicolor Traveltalks. Both new groups will be released by M-G-M.

First of the New York series will go into work late next month with Myron Nast directing and Bert Dawley photographing. The series will take in educational highlights as well as "hot spots" of the city. FitzPatrick's idea is to make the group an eastern edition of "Snapshots of Hollywood," which are released by Columbia.

"Los Angeles, Wonder City of the West" and "Guatamala," last of the eight on this season's releases, are now being edited. "Mexico" is the first of the new group. FitzPatrick's wife is now in Japan with a Technicolor unit of five and from there will go to Shanghai, Peiping and Hong Kong to get material for future travelogues.

Klein Explains Quitting

HOLLYWOOD, April 21.—Julius Klein, who has resigned as a Universal supervisor, claims he has a high regard for the Carl Laemmles, that his difficulty was his inability to get along with Stanley Bergerman. Meanwhile the studio has shelved his picture, "Whistler's Mother."

Sears and Smith Coming

HOLLYWOOD, April 21. — A. W. Smith and Gradwell Sears left for New York by plane yesterday. They are making stops in Dallas and other southern spots. Albert Warner will remain here for the present.

'Chi' Suits Up Wednesday

CHICAGO, April 21.—Hearing on the Roder-Rubin suits against local exchanges and circuits involving 10-cent admissions and double features was yesterday continued to next Wednesday.

AND NOW "LIBERTY" JOINS THE 36* FAMOUS CRITICS WHO HAVE CHEERED WARNER BROS. FOR RESTORING MANHOOD TO THE MOVIES!



*3 "Four Stars. — Warner Bros. have shown a great deal of courage in making . . . . this superb film

PAUL MUNI in 'BLACK FURY'

It is certain to be included in the best of the year . . . To miss it is to miss an unforgettable picture." (Warner Bros., Producers . . . A First National Picture)

Purely Personal

EDWARD BELL, New Jersey branch head for Paramount, left on a vacation Saturday. He is visiting his brother in Syracuse for a few days and then will make a short tour by automobile.

•

LOUIS HYMAN, personal representative for SOL LESSER, leaves tomorrow for a tour of all Fox exchanges. He plans to arrive on the coast in three weeks.

•

I. E. CHADWICK expects to close a deal he is working on the latter part of the week when he plans to go back to Hollywood.

•

Compliance Director SOL A. ROSENBLATT was in town over the week-end. His visit had nothing to do with business.

•

WILLIAM DORIANI, European tenor and star of La Scala Opera in Milan, will make his first appearance here at the Naked Truth Dinner April 27.

•

FAY WRAY has completed her two pictures for Gaumont British and is on her way back here. She docks May 2 on the *Washington*.

•

The DUKE and DUCHESS OF RICHELIEU will be the guests of W. G. VAN SCHMUS at the Music Hall today to see "Cardinal Richelieu."

•

Leo Abrams, Universal local sales head, returns today from Pittsburgh where he has been visiting his in-laws.

JOE FRIEDMAN of the National Screen office in Buffalo is in town for the holidays and visiting local exhibitor and exchange friends. FRIEDMAN formerly hailed from this territory.

Quip of the Day

Harry Brand, making a pass at catching checks at "21":
"Remember how I used to grab checks when I was at Fox? Now I do it for 20th Century."

EMILIO AZCERRAGA, president of XEW radio station in Mexico City, left yesterday for home after conferring with JOE HORNSTEIN for several days on equipment for a new 3,000-seat house he will build.

•

FAYBELLE STREIMER, CHARLES O'REILLY's secretary, Saturday resigned due to a rundown condition. She denies all other stories concerning her quitting.

•

SAMMY COHN, foreign publicist for United Artists, leaves on the *Aquitania* next Friday for a short stay in England.

•

ROY H. HAINES gets back from a vacation today.

HERMAN WEINBERG and MIKE RUDIN, local theatre men, are at the Laurel-in-the-Pines at Lakewood, where golf is the order of the Easter holiday.

•

ADAM ADAMS, New Jersey exhibitor, has recovered from a tonsil operation which laid him low for several days.

•

MORT SINGER has gone back to the Windy City after a few days here conferring with RKO home office officials.

•

BUSTER WEST is back in town after a vaudeville tour with TOM PATRICOLA.

•

OMAR KIAM has arrived back on the coast after a vacation here and in Mexico.

•

GELETT BURGESS has sold his story, "Two O'Clock Courage," to Radio.

•

MARY BRIAN is in town after touring the Middle West for two weeks.

•

GEORGE RAFT and VIRGINIA PINE seeing the sights along Broadway.

•

RACHEL FIELD'S "Time Out of Mind" has been acquired by Universal.

MARVIN SCHENCK, who is now assistant to CHARLES C. MOSKOWITZ at Loew's, will be given a stag dinner in the Florentine Room of the Park Central Thursday night. Various agents booking acts into Loew theatres are the sponsors.

•

GREGORY RATOFF due in from London shortly. MONTY BANKS may be with him.

•

DAVE CHATKIN is in town. Looking and feeling as chipper as ever.

•

WILLIAM T. POWERS plans to go to the coast shortly.

•

MARK OSTRER is slated to sail from London May 15.

•

. . . *Vancouver*

ALLEN JENKINS, comic, likes Vancouver's climate, scenery and fishing, but wishes people would go to bed earlier. Here on a vacation, he was hauled out of bed at 3 A. M. by a bird who wanted him to speak at a Service Club dinner.

IVAN ACKERY, manager of the Strand, meeting with success with his weekly amateur nights which are broadcast and receive favorable publicity, not to mention good houses.

CHARLES RAMAGE burned by the newspaper previewer who dismissed Laurel and Hardy's "The Fixer-Uppers" with "one of their last, we hope" and thus caused LARRY BEARG to switch it from the single-feature Capitol to the double-billed Strand.

Wisconsin Showmen Fight 4% Tax Plan

(*Continued from page* 1)

$2,000 a week on its 34 houses. Carow asked Miller if the property tax now being paid on the theatres, which would be repealed by the bill, did not more than equal what the new gross receipts tax would amount to, but Miller declared he had no figures on that.

Opposition to the measure by the Independent Theatres Protective Ass'n. was led by F. J. McWilliams, Madison, chairman of the organization's legislative committee. The bill would also oblige all theatres to secure a license at an annual fee of $5.

Wisconsin exhibitors also are fighting a bill to legalize pari-mutuel betting on horse racing.

The measure has the support of the Wisconsin Ass'n. of Fairs directors and provides that license fees and percentages would be paid into the state general fund, from which $50,000 would be paid out to the state fair and $300,000 to counties, agricultural societies, dairy and livestock associations with surplus above these appropriations to be retained in the general fund.

La Hiff's Tavern

A chop house of exceptional merit

156-8 West 48th St., N. Y. C.

Ohio Racing Bill Dies

COLUMBUS, O., April 21.—The Handley dog racing bill, which passed the Senate several weeks ago, was reported out of the House committee, seems to have gone the way of all flesh, temporarily, at least.

The measure was on the House calendar for a vote last week, but Speaker J. Freer Bittinger is responsible for the statement that it will not see the light of day during the present session. It now is so far down on the calendar that only the House Rules Committee can lift it to a point where it would be brought to a vote. That body is not disposed to do any lifting it is understood.

Bay State Boiler Bill Out

BOSTON, April 21.—Leave to withdraw a measure introduced in the State Legislature which would require the employment of licensed engineers instead of janitors to operate certain types of boilers has been accorded sponsors of the measure. The bill, which was strenuously opposed by theatre men, would have increased theatre costs appreciably.

Publicity Men to Confer

HOLLYWOOD, April 21.—A publicity committee meeting has been called by the Producers' Ass'n. for next Thursday.

Myrna Loy Gives Up Role

HOLLYWOOD, April 21.—Myrna Loy has been relieved of her role in M-G-M's "Masquerade" at her own request. She felt she was miscast.

Cuts Looming Next Season in 2-Reelers

(*Continued from page* 1)

the time consumed with the two features and the news the comedy must be cut down. Trailers, also a necessity with every theatre, take up from seven to 10 minutes and the only opening for a cut in the running time of the entire program is in the short.

Paramount during the current season started out with a number of two-reelers scheduled, but when the opposition to the length of the shorts continued, it was decided to drop them, and to release single reel subjects in their stead. The new season's program will call for 100 one-reelers only.

M-G-M is now mulling over the lineup for next season and is understood to be leaning toward the single reel idea. Hal Roach, who returns from Culver, Ind., today will resume conferences with Fred Quimby on his program. His two-reel "Our Gang" comedies may be reduced to one reel next season. However, this is not yet definite, but will be decided before he goes back to Hollywood.

James A. FitzPatrick, who has just set his new schedule, will make two series of single reelers. One will consist of 10 Technicolor Traveltalks and the other six Highlights of New York.

RKO Radio, Universal, Columbia and other major distributors are now huddling over the advisability of reducing the number of two-reelers in favor of the one-reel releases.

"Fury" Gets $42,321

"Black Fury" at the Strand in its opening week tallied $42,321, according to Warners.

Senate to Retrace Move on Copyright

(*Continued from page* 1)

provisions in the convention may be first enacted.

Blame for the contretemps really belonged to the Foreign Relations Committee, which reported the treaty in advance of the bill, on which hearings will be held by the Patents Committee, probably next week.

Changes Numerous in New England States

BOSTON, April 21.—A number of theatre changes have taken place in New England. In Whitman, Ralph Snider has sold the Empire to George Husson. The Pastime in Marlboro has been transferred from William Preston to Arnold Berger, the former continuing as resident head.

The Satuit in Scituate has been reseated. The RKO Boston will soon add another feature and drop vaudeville for the summer, leaving the Metropolitan the first run solo in stage and film fare.

The Lyric in White River Junction, Vt., went into lights yesterday. It is part of the circuit of Allard Grave, Allied executive, who reportedly has signed up for bank nights.

MacDonald Gets Role

HOLLYWOOD, April 21.—J. Farrell MacDonald has replaced Warren Hymer in the cast of "Our Little Girl" at Fox. Studio executives decided that Hymer was too young for the part. Shirley Temple and Joel McCrea have the top spots.



"Did someone drop a pin?"

An exhibitor said to us:
"My audience was spellbound. Their attention was galvanized by the drama of that 2-reel subject. You could hear a pin drop during the screening of 'Buried Loot.' I'm looking forward to the entire 'Crime Doesn't Pay Series' next season."



WE'RE GETTING COMPLIMENTS FOR "BURIED LOOT"!
A *new* dramatic idea in short subjects that has captivated andiences. Play "Buried Loot" now and we'll guarantee your patrons will ask for more! Leave the rest to M-G-M! Next season's tallest shorts!

"Ruggles" Is Washington's Repeat Smash

WASHINGTON, April 21.—"Ruggles of Red Gap," in a return engagement at the Metropolitan, was a sensation. It went $4,000 over par to a smash gross of $8,100. Second week of the return engagement of "The Little Colonel" at Loew's Columbia went $1,100 over a par $3,100.

Among the first runs "Mississippi" at Loew's Palace did the best business with $18,000, or $3,500 over the par $14,500. Loew's Fox, with "West Point of the Air" and Cab Calloway's band on the stage, clicked off the above-par gross of $25,000, the best total money of the week.

Total first run gross was $81,000. Average, Belasco excluded, is $71,200.

Estimated takings, exclusive of tax:

Week Ending April 10:

"EVERGREEN" (Gaumont British)
BELASCO—(720), 25c-65c, 7 days. **Gross:** $1,700.

Week Ending April 11:

"TRAVELING SALESLADY" (Warners)
EARLE—(2,218), 25c-77c, 7 days. Stage: Hugh Herbert, Gracie Barrie, Bob Ripa, Keen Twins & Vic & LaMarr, Gil Lamb & Marion Bellett. **Gross:** $17,000. (Average, $17,600)

"THE LITTLE COLONEL" (Fox)
LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days (second week, return engagement). **Gross:** $4,200. (Average, first week, $3,100)

"WEST POINT OF THE AIR" (M-G-M)
LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Cab Calloway and His Cotton Club Orchestra, with Chuck & Chuckles, Dynamite Hooker, Elma Turner, Aida Ward. **Gross:** $25,000. (Average, $20,500)

"MISSISSIPPI" (Para.)
LOEW'S PALACE—(2,370), 35c-77c, 7 days. **Gross:** $18,000. (Average, $18,000)

"RUGGLES OF RED GAP" (Para.)
METROPOLITAN—(1,591), 25c-40c, 7 days (return engagement). **Gross:** $8,100. (Average, first week, $4,100)

"ROBERTA" (Radio)
RKO-KEITH'S—(1,836), 25c-55c, 7 days, 5th week. **Gross:** $7,000. (Average, first week, $11,400)

"Gold Diggers" Is Denver's Big Noise

DENVER, April 21.—Even in its second week "Gold Diggers of 1935" was the best comparative draw in town. It kept the Aladdin $500 above average for a total of $3,000.

"Traveling Saleslady," another First National, was good for $5,000, up by $1,000, at the Paramount. All other spots were in a bad way, although "Mississippi" grabbed $1,500 in a four-day holdover.

Total first run business was $20,500. Average is $24,000.

Estimated takings for the week ending April 18:

"GOLD DIGGERS OF 1935" (F. N.)
ALADDIN—(1,500), 25c-35c-50c, 7 days. 2d week. **Gross:** $3,000. (Average, $2,500)

"THE WINNING TICKET" (M-G-M)
BROADWAY—(1,500), 25c-35c-50c, 6 days. **Gross:** $800. (Average, $1,500)

"MISSISSIPPI" (Para.)
DENHAM—(1,500), 25c-35c-50c, 4 days, following full week. **Gross:** $1,500.

"LOVE IN BLOOM" (Para.)
DENHAM—(1,500), 25c-35c-50c, 3 days. **Gross:** $1,000. (Average for week, $4,000)

"GEORGE WHITE'S 1935 SCANDALS" (Fox)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $5,250. (Average, $6,000)

"WEST OF THE PECOS" (Radio)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $4,000. (Average, $6,000)

"TRAVELING SALESLADY" (F. N.)
PARAMOUNT—(2,000), 25c-35c-50c, 7 days. **Gross:** $5,000. (Average, $4,000)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Ladies Love Danger"

(Fox)

HOLLYWOOD, April 21.—This is a cleverly contrived comedy mystery that holds the interest, defies solution, yet works out logically.

Henry Kolker is murdered just before he is to announce his engagement to Adrienne Ames, an actress. Mona Barrie, passing his apartment when the fatal shot is fired, wanders into the quarters of Gilbert Roland, a playwright. Roland appoints himself her custodian until the mystery is solved, the two setting out to find the murderer with the assistance of John Wray, a police lieutenant, and Herbert Mundin, Roland's butler.

The trail leads from Donald Cook, a stage manager, to Miss Ames, but runs against a blank wall when these characters are murdered. Suspicion then runs to Roland and Miss Barrie and ends when the crimes are pinned on Hardie Albright, stage juvenile and Kolker's son-in-law, who has logical reasons for the killings.

Director Bruce Humberstone has paced the action for real chills and plenty of laughs. The screen play by Samson Raphaelson from Ilya Zorn's story gives no misleading clues, but cleverly conceals the culprit until the last few minutes.

The production, which introduces some backstage business, is unusual scenically, with the novel penthouse apartments of Kolker and Roland out of the ordinary.

The entertainment value is all right for most spots.

Production Code Seal No. 779. Running time, 69 minutes. "G."

Looking 'Em Over

"Congo Raid"

(London Films—United Artists)

LONDON, April 12.—Spectacular values of a highly original kind predominate in this London Films production. It is a pageant of African native life, emphasizing tribal customs and rituals, with a strong connecting story and several good characterizations to maintain dramatic interest.

There is a notable use of sound. The reproduction of native dances, war chants and of the jungle signal drums is an integral part of the pageant, immeasurably increasing its realism. Interpolated songs for Paul Robeson are of a markedly popular type without clashing too obviously with the genuine native music. They are magnificently rendered.

Altogether, box-office values have been blended with an authentic and impressive picture of primitive life in a strikingly successful way and the picture should please music lovers without offending those attracted by its more important and authentic pictorial qualities.

From an early series of Edgar Wallace stories, the plot concerns the activities of Sanders, British commissioner in a large area of Central Africa, where the prestige of his name maintains peace among countless hostile tribes. "Lord Sandi" appoints an escaped native convict chief of a tribe whom he has, unauthorized, brought to order and Bosambo becomes his chief ally against slave traffickers and "the Old King" over the mountains, who fears nothing in the world but the white man.

"Congo Raid" was covered by a flash cable from London on April 3

Sanders goes on leave. A false report of his death is started by gin-runners and spread throughout the country by drum signals. The King takes heart, kills Sanders' deputy and captures Bosambo's wife, Lilongo, in order to lure Bosambo into his hands. Sanders returns by aeroplane and effects a last minute rescue.

Outstanding among the scenes showing native ceremonial are the wedding dances and war chants, each with their actual native music. An impressive river procession of warrior-laden canoes is magnificently done. Plane shots of veldt and jungle introduce effective pictures of herds of big game.

Robeson, physically well fitted to the part of Bosambo, is the outstanding individual. In "The Song of the Spear" and other specially written numbers he has musical material for his followers. Nina Mae McKinney is not given much chance. Leslie Banks, as Sanders, the

(*Continued on page 8*)

"Roberta" Is Boston Draw In 5th Week

BOSTON, April 21.—What this town will do for good grosses after all the "Roberta" prints wear out is beginning to be a source of worry. In its fifth downtown week and its second at the RKO Boston, the Radio musical made the best showing of 'em all, getting $12,000. This is over a first week normal take by $1,000 at this house.

The only other above-par attraction was a dual at the Fenway, "Case of the Curious Bride" and "Hold 'Em Yale," which garnered $5,000. The same bill took a par $7,000 at the Paramount. "The Scarlet Pimpernel" fell off to $10,000 in its second week at Keith's Memorial.

Total first run business was $63,000. Average is $66,500.

Estimated takings for the week ending April 19:

"CASE OF THE CURIOUS BRIDE" (Warners)
"HOLD 'EM, YALE" (Para.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,000. (Average, $4,500.)

"THE SCARLET PIMPERNEL" (Radio)
KEITH'S MEMORIAL—(2,907), 25c-65c, 2nd week, 7 days. **Gross:** $10,000. (Average, $12,000)

"ONE NEW YORK NIGHT" (M-G-M)
"I'LL LOVE YOU ALWAYS" (Col.)
LOEW'S STATE—(3,537), 25c-55c, 7 days. **Gross:** $9,000. (Average, $10,000)

"TRAVELING SALESLADY" (Warners)
METROPOLITAN — (4,332), 35c-65c, 7 days. Stage: "April Foolies" with Bob Hall, the Four Trogans, Micky Conte, the Three O'Hea Sisters and the Elida Ballet. **Gross:** $20,000. (Average, $22,000)

"CASE OF THE CURIOUS BRIDE" (Warners)
"HOLD 'EM, YALE" (Para.)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"ROBERTA" (Radio)
(5th Boston Week)
RKO BOSTON—(3,246), 25c-50c, 7 days, 2nd week. Stage: Buck and Bubbles, Toto, Jack Eddy & Co., the Three Kanes and Eleanor Sherry. **Gross:** $12,000. (Average, $11,000)

Wins DeMille Award

NEW HAVEN, April 21.—Lawrence S. Cruikshank, 21-year-old Yale student, won third place and $500 in the essay contest launched last year by Cecil B. DeMille on "Cleopatra." Cruikshank is from Brooklyn. He was turned down in the tryouts for *Yale News* reporting.

Lawrence S. Cruikshank is a son of Herbert Cruikshank, well known writer on film topics.

Adds Pair of Admirals

COLUMBUS, April 21.—Gov. Ruby Laffoon's annual Derby list of honorary aides, just released, contains 52 Kentucky colonels and two admirals.

The regiment of colonels includes J. Real Neth, local circuit operator, and William Bien of the National Theatre Supply Co., Cincinnati.

One woman and two pastors received appointments.

Col. Re-Signs Langdon

HOLLYWOOD, April 21. — Harry Langdon has been signed for a new series of shorts by Columbia. The comedian finished his first series several weeks ago, and will start the new ones within 10 days. No titles have been announced.

Future of NRA Seen Drifting Toward Rocks

(Continued from page 1)

who has been kept advised of the situation, is reported ready to call an extra session of Congress should the present session adjourn without taking action on the legislation.

Should failure of the measure appear to be inevitable, it is understood he will ask the adoption of a resolution giving a temporary extension to the present law until a special session could convene.

It is considered probable that the Administration would be able to secure such a resolution without great difficulty, but should it fail the NRA and the codes would collapse June 16.

Want Ruling Clear Before Servicing

(Continued from page 1)

Charnow films in compliance with the ruling.

Branch managers contend that if they follow the Code Authority ruling contracts with Adam Adams of the Park Lane, Palisades Park, and George Skouras of the Pascack, Westwood, would be breached.

According to pacts entered into with the Westwood and Palisades Park, both houses involved play 14 days after Englewood. The Campi decision gives Leonia the right to play seven days after Englewood with the arbitrary right to play a week ahead of the Park Lane and Pascack, which have always run before Leonia.

Charnow has been around the exchanges for bookings under the code decision, but branch managers are refusing to concede to the edict unless the ruling is clarified so that they are cleared in the event a breach of contract suit crops up.

L. A. Zoning Verdict Seen by Berinstein

(Continued from page 1)

definitely hand down a decision tomorrow when it convenes to deliberate on the testimony of April 11.

What action coast exhibitors will take on changes, if any are made by Campi, depends on whether or not anyone is hurt by the decisions reached. If changes are made for the benefit of all parties, they will naturally be accepted without hesitation, he says. Berinstein hopes to return tomorrow night with Harry Vinnicoff, who accompanied him east.

During the April 11 hearings F.W.C. suggested several changes in the proposed schedule which all parties agreed would not affect anyone. It is understood that some of the changes will be adopted by Code Authority.

Brandt Bookers Shift

With the resignation of Joe Schwartz as chief booker for the Brandt circuit of around 30 houses, Arthur Schwartz, formerly his assistant, assumes the vacated post. Joe Ingbar, who has been with the local Universal exchange, has been named assistant to Arthur Schwartz.

A 1935 Carrie Nation

(Continued from page 1)

commercial influence and unfair competition. She is assertive enough, but unlike berserk Carrie's, her methods are entirely peaceful even if forceful.

Last fall Mrs. Baier waged a campaign against bank nights and as the result of her complaints the local grievance board, supported by Campi, drove them from the city after a tussle with a couple of persistent exhibitors. With resumption of the stunt at two theatres recently, Mrs. Baier sniffed the smoke of battle again and once more plunged to the fray, this time declaring a "war to the finish."

Armed with an opinion from the offices of the attorney general of Missouri to the effect that bank nights, cash nights and similar devices are lotteries any way you look at 'em, Mrs. Baier is seeking the prosecution of bank night distributors and exhibitors on a charge of criminal violation of the lottery laws of the state. When she applied for warrants, the Jackson County prosecutor here suggested it would be only fair if she agreed to a preliminary hearing for the alleged violators. "Being a lady," said Mrs. Baier, she acceded, but when the scheduled hearing was postponed a week and then set over for another week she smelled a rat and announced her suspicions that one of the exhibitors she seeks to prosecute, Rube Finkelstein of the Belmont, "had a drag" with the politicians.

Prior to the second postponement, bank night proponents warned her she "better be careful what she tells the prosecutor," whereupon Mrs. Baier retorted: "I'm a lady and always careful."

Mrs. Baier is convinced the prosecutor's office is giving her "the run-around" and is determined to get action this week if she has to warm a bench all day in the office where they issue warrants. "When the attorney general tells them they're running a lottery and still they persist then they're inviting nothing but trouble," she asserts.

Meantime, her complaints against Finkelstein of the Belmont and F. L. Scovill of the Prospect were dismissed by the grievance board which agreed with counsel for the bank night group that the distance between those theatres and the Lindbergh and the price variations between respondent and complainant houses precluded any element of competition. But Mrs. Baier insists that when a theatre in any section of the city sends its ballyhoo truck into other neighborhoods to advertise bank night it is a plain case of unfair competition and is telling her story in an appeal to Campi.

Fulton Blocks K. C. Dual Releasing Plan

(Continued from page 1)

bills charges against Emanuel Rolsky, designated I. T. O. member on the proposed duals releasing committee.

The independents and Fox Midwest have agreed on a plan whereby certain product will be periodically selected for dualling, but Fulton maintains since some of the major companies permit dualling of all their product at affiliated theatres in other cities, the same privilege should be extended independents here and all product unreservedly should be released for duals at subsequent run houses.

Old Timers to Talk At M. P. Club Forum

(Continued from page 1)

daughter; Gus Edwards, producer; Annie Hart, who wrote and first sang "The Hat Me Father Wore"; Joe Weber; Mike Bernard, pianist at Tony Pastor's; Eddie Leonard, the minstrel man; Dave Genaro, who created the cakewalk; James Thornton, Gus Hill, Bill Swan, Lizzie Wilson, Grant Gardner and Harry Von Tilzer will be among the speakers.

Blackton to Lecture

HOLLYWOOD, April 21.—Commodore J. Stuart Blackton will talk on the history of films as the first of a series of lectures sponsored by Central Casting. The talk is scheduled for next Tuesday.

Production Drops; 32 Features Going

(Continued from page 1)

and three; Warners, four, one and nine; Radio, three, three and five; Universal, two, zero and one, and the independent group, four, four and nine.

In the short subject field M-G-M had three shooting, one preparing and two editing; Roach, one, zero and three; Columbia, one, one and one; Warners, one, zero and zero; Universal, zero, one and one; Radio, zero, two and one, with the independents checking up with four, three and four.

Hague Goes to Honolulu

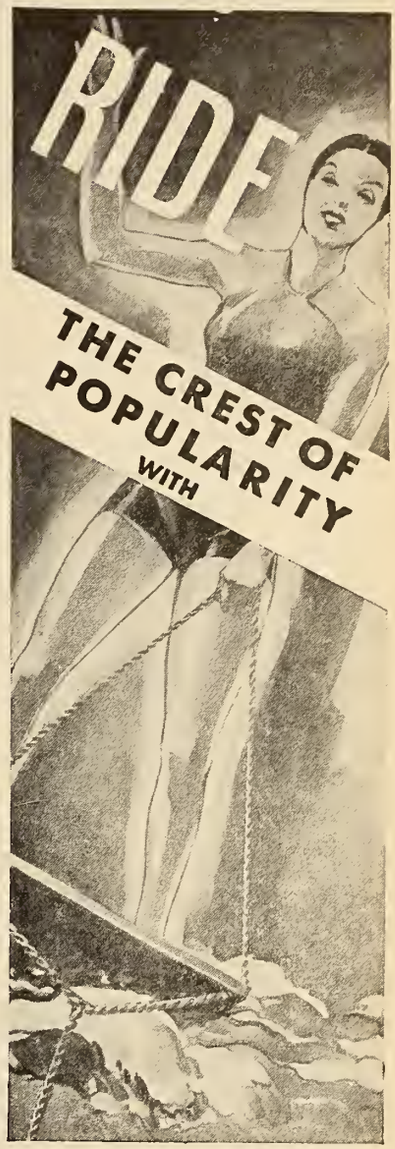
LOS ANGELES, April 21.—Mayor Frank Hague and Mrs. Hague of Jersey City have left here for Honolulu on a vacation trip after declining the invitation of several producers to sit in on a conference on his return to discuss the proposed removal of the industry to New Jersey.

To Study Technicolor

HOLLYWOOD, April 21.—Sir Adrian Baillie, Bombay producer and studio owner, has arrived here to investigate Technicolor with the view of purchasing the British rights to the Technicolor patents.

"U" Re-Signs Jones

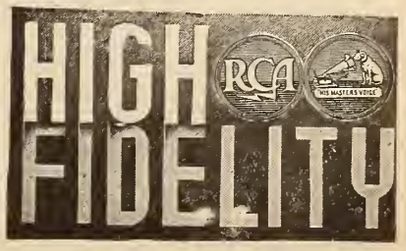
HOLLYWOOD, April 21.—Buck Jones has signed a new contract with Universal.



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Survey Shows 4,994 Houses In U.K., Erin

(Continued from page 1)

Wales	340	0	52
Ireland	234	0	63

* * *

Members of the Council of the Cinematograph Exhibitors' Ass'n. have conferred with the five newsreel editors on ways and means of remedying the confusion arising from the present system of bidding for "exclusive" rights at big events.

Stating that all newsreels secured pictures of all events, the C.E.A. suggested the abandonment of competitive bidding, which merely put up the price of news films without giving either the producer or the exhibitor the exclusive rights for which they pay.

Discussion is believed to have turned on two alternatives—a refusal to bid for exclusive rights under any conditions or an agreement among newsreels to respect such rights when obtained by a competitor.

Although GB held exclusive rights for the Grand National, Movietone working with them, Pathe, Paramount and Universal combined to "pirate" a picture. The next "exclusive event will be the football cup final, and it is safe to say all reels will carry scenes of the event.

* * *

H. & G. Kinemas, Ltd., will proceed immediately with the erection of a new deluxe house at Kilburn, London. The largest capacity in the U.K. is planned. The Kilburn house was announced in connection with the booking agreement between H. & G. and GB, now abandoned. At that time it was stated the capacity would be 4,700 and the cost £350,000 ($1,750,000). The nominal capital of H. & G. (Kilburn), Ltd., is £30,000.

* * *

Sam Peffer of Manchester, originator of a new organization of British exhibitors, from which circuits will be excluded, says representatives of 250 independent theatres have affirmed support.

The Peffer organization is planned "to act as the representative of independent exhibitors in their dealings with manufacturers and renters. . . . The organization will undertake bookings for its members and the advantage gained by booking for a large number of halls will be passed on to the members."

* * *

At a press lunch preceding the presentation of A.B.P.'s "Royal Cavalcade" at the Regal, John Maxwell announced a gala performance would be given on May 3 in aid of the King George V Jubilee Fund. He hopes to raise £10,000, and would contribute £5,000 of this amount, he said. First night receipts of the film in British overseas territory would also go to the fund, he added.

Ed. McGann Honored

Boston, April 21.—A military funeral was accorded Edward McGann, projectionist at the Uptown, who died last week, by the Motion Picture Post of the American Legion. He was a brother of John McGann, assistant manager for Warners here.

Looking 'Em Over

"Congo Raid"

(Continued from page 6)

traditional British administrator, half-autocrat, half sportsman, is well cast. It is difficult to overpraise the whole-heartedness and complete lack of self-consciousness of the thousands of natives employed.

There is plenty of exploitable material in this film which shows primitive life as a drama and spectacle. Another angle is its illustration of the extent to which white rule in Africa depends upon personal prestige.

Running time 95 minutes. "G."

"The Morals of Marcus"

(Twickenham-Gaumont British)

London, April 12.—W. J. Locke wrote the original of this as a novel way back in pre-war days; later it became a considerable theatre success. That is rather a long time ago and so the material looks pretty thin today. It cannot be said that much advantage has been taken of opportunities of modernizing and speeding it. Even Lupe Velez, with a sent-from-heaven spit fire part, is afflicted with Edwardian demureness.

The story is that Sir Marcus Ordeyene, who has just succeeded to his title and a fortune after a half-lifetime spent in schoolmastering, gives refuge to a girl fugitive from a Syrian harem, who stows away in his steamer cabin. In London, there is scandal when the news of the one-time woman hater's "ward" gets round. Carlotta's unconventional behavior, in performing harem dances on a restaurant floor and similar escapades, increases the sensation.

Judith, English woman, who loves Marcus, gets her divorce and, in order to get Carlotta out of the way, persuades her that she is an obstacle to Marcus's happiness. Carlotta goes to Paris with Pasquale, a friend of Marcus, but leaves him to earn her living singing in a cafe. In due course Marcus finds her.

Incidental humorous scenes are good, but there is very little conviction in the story. Miss Velez's restraint is foreign to her and to her part and Ian Hunter, in the world's worst suit, is more hick than bookworm. Noel Madison's professional seducer part is cut to pattern, and the same applies to Adrienne Allen's plaintive widow.

Neither a period piece nor a modern version, "The Morals of Marcus" will scarcely get by critical audiences although its sentimentality may recommend it where the Victorian mentality lingers. It is scheduled for distribution in America.

Running time, 75 minutes. "G." ALLAN

Short Subjects

"Screen Snapshots No. 7"

(Columbia)

An excellent member of the series. It should more than please audiences that like to see what their stars do on their days off.

The reel opens with a shot of the Hotel Ambassador Dog Show and almost every big name in pictures is caught showing his prize animal. From there things shift to a fashion show, with Helen Vinson and Marian Marsh as the chief models. The reel winds up at the new Santa Anita track.

Highly recommended. Production Code Seal, No. 647. Running time, 10 mins. "G."

"Roumania"

(Van Beuren-Radio)

Here is a beautifully photographed and interesting travelogue showing cities in Roumania with intimate scenes of Budapest, Hungary, and its environs winding up the reel. Peasant life is also covered as well as industries. Dowager Queen Marie is shown in the reel in several intimate scenes.

Recommended. No production code seal. Running time, 10 mins. "G."

"The Singing Silhouette"

(Vitaphone)

Because his wife, Olga Baclanova, stays away from home every Tuesday night under the pretense of playing bridge, Charles Lawrence falls in love with a mysterious radio singer in whom he becomes interested. The mysterious singer turns out to be Miss Baclanova and all ends well.

On the strength of the musical numbers of Miss Baclanova, this short can be recommended. Production Code Seal, No. 330. Running time, 22 mins. "G."

"Hold That Shark"

(Columbia)

The latest of the World of Sport series here presents a fight between fishermen and a shark. It is pretty obvious that most of the scenes are faked, but fishermen, in particular, will get a kick out of the scenes where the monsters are harpooned. Several shots of fishing off the Grand Banks open the reel.

Fairly entertaining. No production code seal. Running time, 10 mins. "G."

"Life Begins" Leads Detroit With $18,400

Detroit, April 21.—"Life Begins at 40" and "Naughty Marietta" did the bulk of the business here last week, with the former having an edge by going over normal $3,400 for a total of $18,400 at the Fox. The take on the M-G-M musical at the Michigan was $22,800.

Total first run business was $64,400. Average is $60,000.

Estimated takings for the week ending April 11:

"GREAT HOTEL MURDER" (Fox)
"GIGOLETTE" (Radio)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $4,600. (Average, $5,000)

"LIFE BEGINS AT 40" (Fox)
FOX—(5,100), 15c-55c, 7 days, 2nd week. Stage, 5 acts vaude. **Gross:** $18,400. (Average, $15,000)

"DAVID COPPERFIELD" (M-G-M)
(Second Run)
FISHER—(2,975), 10c-40c, 7 days. **Gross:** $4,100. (Average, $5,000)

"BEHIND THE GREEN LIGHTS"
(Mascot)
"SHADOW OF DOUBT" (M-G-M)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $6,100. (Average, $5,000)

"NAUGHTY MARIETTA" (M-G-M)
MICHIGAN—(4,100), 15c-55c, 7 days. Stage, vaudeville. **Gross:** $22,800. (Average, $20,000)

"SEQUOIA" (M-G-M)
UNITED ARTISTS—(2,070), 15c-55c, 7 days. **Gross:** $8,400. (Average, $10,000)

Extras Form a New Coast Organization

Hollywood, April 21.—Cinema Players, Inc., an extra organization working independently of any other film player group, has been started here. Incorporation papers have been filed by Carlton E. Griffin, secretary and treasurer.

The group is being organized for the purpose of amicably settling disputes between players and others through the mediation process.

J. Buckley Russell is president of the group with the other officers including Harris Gordon and William Boardway, first and second vice-president, respectively; Maud Louis, chairman of the women's advisory board, and Esther Hoch, secretary.

The board of directors includes Wallace Dean, Herbert Howard, King Lockwood, Alec Novinsky, Harry Strathy, Elmer Serrano, Fred Williams, Bert LeBaron, Jerry Rousseau, Victor Delinsky, Charles Meakin and Thomas MacDonald.

Edna Altenus, Jean Houghton, Ester Hoch, June LeVere and Dina Smirnova complete the Women's Advisory Board.

Al Woods on the Coast

Los Angeles, April 21.—Stage Producer Al Woods has arrived here from New York to cast two plays, "Abide With Me" and "The Night of January 16," with Hollywood players. He is also scheduled for several conferences with producers late this week.

Services for Godfrey

Hollywood, April 21.—Funeral services are being arranged for Sam Godfrey, 43, who died here late last week from a brain tumor. Godfrey was a stage producer before coming to Hollywood about four years ago.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 95 NEW YORK, TUESDAY, APRIL 23, 1935 TEN CENTS

Producers-Exhibitors Out Of Code Seen As Possible

Hays Office Moves to Hit Ads in Films

Resolutions Adopted and Study Will Be Made

Advertising on the screen came up for discussion at the session which completed the annual meeting of the M.P.P.D.A. yesterday when it was decided to make a study of the problem because "much concern" is felt over its possible effects.

The sentiment of the meeting was that screens should be reserved exclusively for entertainment and that advertising should not be allowed to creep in directly or indirectly.

The session was a completion of the one adjourned from March 25.

Resolutions covering advertising were adopted as follows:

"Much concern is felt over the reports that various projects are now

(*Continued on page 2*)

Delay Expected for M. & S.-RKO Ruling

No decision from the board of three arbitrators which heard the Meyer & Schneider breach of lease charges against RKO is expected for at least a month, it was stated yesterday, because of the extensive testimony taken

(*Continued on page 8*)

National Theatre Is Aim of Senate Bill

WASHINGTON, April 22.—Incorporation of the American National Theatre and Academy is provided for in a bill

(*Continued on page 2*)

$60,000 to $65,000

"Les Miserables" grossed $11,200 on Saturday, its opening day, and $10,006 on Sunday at the Rivoli. At an anticipated average of $8,000 for the remaining five days, the first week's gross is expected to land at $60,000 to $65,000. Figures were supplied yesterday by United Artists.

Eight shows are scheduled daily at a price scale starting at 40 and ending at 99 cents.

New York critical appraisal of "Les Miserables" appears on page 4.

Pennsylvania Sunday Show Hope Gaining

PHILADELPHIA, April 22.—Sponsors of Sunday shows here took heart today at the news that the State Legislature was taking up six different bills in its Law and Order Committee to permit films on the Sabbath by local option.

At least two of the bills are expected out on the floor of the Legislature within a week.

New Taxes Loom in Ohio

COLUMBUS, April 22.—In answer to Governor Davey's demand for slashing of the state budget "to the bone" to take care of old-age pension requirements for the year out of the state's operating fund, Julian H.

(*Continued on page 2*)

More of Fabian's Fox Met Deals Out

Additional disclosures of trading in the notes of Fox Metropolitan Playhouses by Si Fabian, whose proposal for reorganization of the circuit has been presented informally to the Federal court, and by William Greve, a member of the Fox Met bondholders' committee, were made at yesterday's hearing on the fairness of the Fox Met reorganization plan being offered

(*Continued on page 8*)

Shirley 50 Times

With "The Little Colonel" playing day-and-date in all local RKO houses in addition to a number of independent theatres, Fox has a total of 50 prints in work this week. The usual quota is 28, but for specials, 32.

CampiUpholds Boards on 58 Bank Rulings

Within the past seven and a half months Campi has upheld local boards on 58 bank night appeals. All decisions of the lower boards have held that bank nights are code violations in competitive situations with Code Authority upholding previous verdicts on appeal.

First bank night case to come to the attention of Code Authority was

(*Continued on page 4*)

Mirisch Resigns to Take Standard Post

MILWAUKEE, April 22. — Harold Mirisch has resigned as district manager for Warner theatres here to become financially interested in the Standard Theatre Co., newly formed to operate houses in Wisconsin. It is reported Lester Krieger will succeed him. He, at one time, was assistant to Clayton Bond at the home office.

Upholding of Decision in Denver Might Be Deciding Factor

By BERTRAM F. LINZ

WASHINGTON, April 22.—Possibilities that the film code might be stripped of provisions applicable to producers and exhibitors and left with its terms touching only distributors were seen by observers here today in the recent Denver decision holding exhibition to be intrastate commerce.

Should the decision be upheld by the Supreme Court, it is said, producers would be eliminated from the code because they do not sell in interstate commerce and exhibitors would not come under the code provisions because they do not buy in interstate commerce.

Precedent for elimination of the producers might be found in the Supreme Court decisions which have held mining to be in intrastate commerce and in other opinions that in some instances manufacturing also is an intrastate activity.

It is pointed out in support of the opinion that producers might be elim-

(*Continued on page 4*)

Gluckman to Take On Republic Sales

The Republic franchises for New York and Philadelphia territories go to Herman Gluckman, head of the Capitol and Majestic exchanges here. The new contracts call for Gluckman

(*Continued on page 2*)

Spring Brings in Theatre Activity Like a Floodtide

Advent of spring this year has brought with it more activity in reopened and refurnished theatres than has prevailed in several seasons, in the opinion of observers.

Yesterday's developments included these:

Building Three in Minnesota

Three new theatres are now being built by Minnesota Amusement Co. and will be opened in the early summer, John J. Friedl, president and general manager, stated yesterday upon his arrival from Minneapolis. The new additions will make a total

(*Continued on page 8*)

Mae Seems Surprised

Hollywood, April 22.—"I've had a lot of things come my way on Easter—colored eggs, flowers and candy rabbits," Mae West says, "but this is the first time I ever got a husband for a present."

This was her comment on a report from Milwaukee that relief workers reindexing old Milwaukee records had found that Mae West married Frank Wallace, an actor, in that city on April 11, 1911.

"How old do you think I am?" she asked.

Nobody answered.

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B. & K. Net for 1934 Goes Up to $425,447

Balaban & Katz Corp., and subsidiaries, showed a net income for 1934, after expenses, depreciation, amortization, interest and other charges, of $425,447. This is equal to $16.28 a share on 26,126 preferred shares, compared with $95,191, or $3.64 a preferred share in 1933.

Over 96 per cent of the common stock is owned by the Paramount-Publix Corp.

Supply Dealers to Gather in Chicago

CHICAGO, April 22.—The annual convention of the Independent Theatre Supply Dealers' Ass'n. will be held at the Edgewater Beach Hotel June 15-18. Inter-organization policies will be discussed.

MITCHELL MAY, Jr. COMPANY

INC.

SPECIALISTS IN FILM and THEATRE INSURANCE

75 Maiden Lane New York

Los Angeles 510 W. 6th St. Cal.

Gluckman to Take On Republic Sales

(*Continued from page* 1)

to handle the Republic product for the next six years.

It is contemplated that other independent exchanges in the Philadelphia and local territories will be taken over by Gluckman and combined with the new setup.

Gluckman has also been added to the Republic advisory committee.

In commenting on his new organization, W. Ray Johnston again stated that Republic franchises are being given only to those exchanges which handle that product exclusively. On the other hand, Gluckman says Majestic does not contemplate disbanding its exchanges or production unit.

Merger in Cincinnati

CINCINNATI, April 22.—First Division and Majestic exchanges here will merge on April 27 under supervision of Lee L. Goldberg. Maurice Chase will be financially interested with Fred Levy and Goldberg and also will act as sales manager.

Levy and Goldberg jointly own Big Feature Rights Corp. which has been operating as independent exchange in Louisville for 20 years. Kentucky towns east of Louisville, however, will be handled by the new merged exchange. Frank Decker will handle the latter territory, but work out of Cincinnati. Abe H. Kaufman is being transferred back to Big Feature Rights as sales manager while Joseph Goldberg and Israel Landau continue as office manager and shorts manager, respectively. Sam H. Abrams has been named sales manager of Big Feature's Indianapolis office.

The merged exchange probably will be known as First Division-Majestic and use the Majestic quarters.

Golden in Toronto

TORONTO, April 22.—Edward Golden, general sales manager of Monogram Pictures, is expected here Tuesday to discuss sales conditions with Oscar Hanson, president of Empire Films, Ltd., Canadian distributors for Monogram. It is reported Golden will close with Hanson to handle Republic.

Republic Plans One Here

Republic will produce one of its 1935-36 productions in the east this summer. The picture, "Manhattan Merry-Go-Round," will go before the cameras at Biograph. Ellery Queen's "The Spanish Cape Mystery" has been bought by the same company for coast production.

Two More Units Started

BOSTON, April 22.—Following the formation of Republic Pictures Corp. of Texas, with former Monogram franchise holders in the territory, William G. Underwood and Claude Ezell, named as president and vice-president, respectively, Republic Pictures of New England has been formed here under Massachusetts law with Herman Rifkin as president.

Rifkin is the former Monogram franchise holder in this section.

Republic Buys Story

HOLLYWOOD, April 22.—Robert Eden's story, "Dancing Feet," which was syndicated in 55 daily newspapers and published in book form, has been bought by the newly formed Republic Pictures.

Mrs. Wallace Reid has been signed to the first contract of Republic Pictures. She will be story editor. She formerly was a supervisor for Monogram.

Hays Office Moves To Hit Ads in Films

(*Continued from page* 1)

under way aimed at injecting advertising films into entertainment programs, and the association will conduct a study of the matter. A report and recommendations will be presented to the board at a later date.

"The motion picture theatre is and should be reserved exclusively for entertainment. The motion picture theatre screen is not a proper medium for advertising, whether this be by direct presentation of outright advertising films, or by some indirect effort to present advertising films under the guise of entertainment."

Resolutions were also adopted praising the work of Louis Lumiere on this the 40th anniversary of his work on films.

The legislative situation in California was discussed, but no action was taken, it was stated.

Major Sales Forces To Help NVA Drive

Plans whereby major companies' sales forces will cooperate with the N.V.A. Fund committee were mapped out yesterday when distributors' representatives met with Leslie E. Thompson at the M. P. Club.

Eddie Cantor will make a trailer for the drive and National Screen will handle the distribution. About 4,000 theatres will show the trailer.

Sales forces of the various companies will contact exhibitors throughout the country for pledges for 10 per cent of the receipts on May 20.

Attending the session yesterday were Felix F. Feist of M-G-M, William Kupper of Fox, Joseph J. Unger of Paramount, Sam Dembow of National Screen, Robert Mochrie and Harold Rodner of Warners, Paul Burger of United Artists, Abe Montague of Columbia and A. P. Waxman of Gaumont British. Waxman is in charge of publicity and advertising.

Millard Webb to Be Laid to Rest Today

HOLLYWOOD, April 22.—Funeral rites for Millard Webb, the director, who died in a hospital here yesterday from an intestinal disease in his 43rd year, will be held in Hollywood on Tuesday.

Webb, who was taken ill after he returned from Europe nine months ago, is survived by his widow, the former Mary Eaton; a daughter, his parents, two sisters and a brother, all resident in Los Angeles.

The director, who was also known as a writer, was born in Clay Center, Kan.

F. A. Dahme Is Dead

F. A. Dahme, for years a leader in the title printing field, died suddenly over the week-end from a heart attack. He was 56.

Funeral services will be conducted at 1 P. M. today from his home, 316 W. 101 St. His widow and a son, Jerome, survive.

Pennsylvania Sunday Show Hope Gaining

(*Continued from page* 1)

Scweller, chairman of the House Finance Committee, has proposed a state tax on services such as professional, taxicab, garage, barber service and similar items.

The state's budget is understood to be balanced, except for $6,000,000 for old-age pensions.

No action has been taken on the new proposal as yet.

Bans Washington Betting

SEATTLE, April 22.—Wagering of any kind on dog races will be prohibited again this year in Washington, Gov. Clarence D. Martin has assured theatre interests who visited his offices.

The governor's statement came as a result of a report that California interests were planning to operate dog tracks in Seattle and Vancouver, Wash. Without legalized betting, the tracks cannot be operated profitably.

James M. Hone, executive secretary of the Allied Amusements of Washington, was assured by Governor Martin that the state police would handle the situation if the sheriffs of the counties involved failed to prohibit wagering.

Says Catholics Back Pettengill Measure

Catholic organizations are lining up behind the Pettengill anti-block booking bill, according to a bulletin sent out by the M. P. Research Council.

Those that have indorsed the measure, the council states, are: Knights of Columbus, National Council of Catholic Women, Catholic Central Verein (National Federation of German-American Catholic Women), Catholic Order of Foresters, Catholic Boys' Brigade of the U. S. and the Detroit Council of Catholic Organizations.

Other organizations and individuals that have taken similar action, according to the council, are: American Ass'n. of University Women, National Committee on Education by Radio, W.C.T.U., National Education Ass'n., National Congress of Parents and Teachers, Y.W.C.A., Y.M.C.A., Dr. S. Parkes Cadman and Dr. A. Lawrence Lowell.

National Theatre Is Aim of Senate Bill

(*Continued from page* 1)

introduced in Congress today by Senator Robert Wagner of New York. The academy is to be a non-profit organization to present theatrical productions of the highest type, with the best actors, at minimum cost.

Names as incorporators are Mr. and Mrs. Leopold Stokowski, Mrs. George H. Lorimer, Mrs. Stanley McCormick, Miss Anne Morgan, William Green and Mrs. Felix Du Pont.

"U" Meet Set Back

Universal has set back its annual sales convention originally set for May 25 to June 1-3 at the Stevens, Chicago.

4★★★★ FINAL

UNITED STATES EAGLE

4★★★★ FINAL

Vol. 1. Warner Bros.' Studio, Hollywood, Calif. No. 1.

'G-MEN' WIN U.S. CRIME WAR





GANGSTER'S WIFE TIPS G-MEN in breath-taking nation-wide search for underworld's most notorious kidnappers.

UNCLE SAM'S SECRET AGENTS RUB OUT LAST OF MOBSTERS in first dramatization of amazing exploits of fearless Federal Men. "Grand tribute to Dept. of Justice," says Louella Parsons.



"PUBLIC ENEMY" BECOMES SOLDIER OF THE LAW as Jimmy Cagney leads the "G-Men" on greatest man-hunt in history in the bullet-streaked story of Gangdom's Waterloo — the screen's greatest novelty of the last 5 years!



GATS BLAZE ON THE MID-WESTERN FRONT as cameras show gangland's last stand in northwest woods hideout, the hunt for the Central Station killers, and unrevealed details of other headline cases!

Lead the Field!—Play Warners' "G-MEN" Next Week!

A First National Picture

Boards Upheld on 58 Bank Rulings

(*Continued from page* 1)

the appeal of the Family and Ritz, La Grange, Ga., on Aug. 23, 1934. The complaint was brought by the Gablex, LaGrange. The last decisions were handed down April 4 and about 25 appeals are pending for disposal.

Only 14 of the 32 boards have been countenancing the practice. In Kansas City and Milwaukee 10 appeals were filed, in Los Angeles, eight. Dallas had seven. Chicago is credited with four. Atlanta, San Francisco, Omaha and Des Moines had three. In Oklahoma City and Denver there were two. Seattle, Indianapolis and Minneapolis has one each.

Lotteries in the form of screeno, country store, gift night, food night, prosperity night and money night totaled 34. Unlike bank night, Campi ordered four rehearings by local boards and reversed one lower verdict.

Indianapolis leads the list of 15 boards where appeals have been taken. This board chalked up seven appeals while Chicago and Minneapolis had four. Milwaukee, Omaha and Denver had three and Buffalo two. Charlotte, Los Angeles, Kansas City, Oklahoma City, New York, Portland, St. Louis and Cleveland had one.

Appeals brought on decisions handed down in connection with reducing admissions below prices stipulated in contracts totaled 18. The 13 boards and cities from which appeals were taken are: Kansas City, four; Charlotte and Philadelphia, two; Atlanta, San Francisco, Los Angeles, Dallas, Oklahoma City, Milwaukee, Cleveland, Detroit, Pittsburgh and Albany, one.

Yesterday a committee comprising Dan Michalove of Fox, Charles Moses of Century circuit and Roy H. Haines of Warners heard 20 appeal cases involving bank night, cash night, cash novelty gift night, premiums, prizes, purse night, jack-pot night and throwaways.

Producer-Exhibitor Out Held Likelihood

(*Continued from page* 1)

inated as in most instances distribution is handled separately. If a producer who sold his output to a distributor was held to be outside the code, the natural result would be the setting up of separate distribution organizations by all producers.

All this, however, it is added, is dependent upon a final adjudication of the Denver decision.

Expect L. A. Changes

Several changes in the Los Angeles schedule will be made by Campi today, it is understood. Harold S. Bareford of Warners will be chairman of the session.

Alterations will be made on the 13 points protested by Fox West Coast at the Campi hearing on April 11. At the hearing both Al Hanson, city manager for F. W. C., and Ben Berinstein, representing Associated Exhibitors, held that if certain changes were made it would be agreeable to them.

These undisputed shifts in zones are expected to be approved by Campi. The changes suggested are in the record and, because the testimony could not be transcribed for a few days, Code Authority decided to postpone the session until it could go over all the various recommendations.

However, it is said that the Forum-Uptown decision declaring the houses non-competitive will not be changed.

"Les Miserables" Accorded Unanimous Critical Praise

New York critics yesterday went all the way in coining phrases and applying adjectives to "Les Miserables" which had its world premiere at the Rivoli Saturday morning. Consensus of their opinions follows:

American—At last a picture has come to town to lift the screen from its forty days of doldrums, and burst, brilliant as an Easter sun, upon a public drenched in movie mediocrity. Such is "Les Miserables." And after more than a decade of loving labor in the cinematic vineyards of the metropolis, this star-gazer forecasts that when the roll is called out yonder, this magnificent achievement will be listed large as one of the major accomplishments of the present season. Or any other.

Daily Mirror—It is an ambitious, brilliantly acted, elaborately staged film version of the Victor Hugo novel, faithful, sober, stately and impressive.

Daily News (****)—impressively transported to the screen. . . . To Richard Boleslawski's masterful direction of the picture, which had its world premiere at the Rivoli yesterday, have been added superb performances by Fredric Marcb in the leading role, by Charles Laughton as the implacable Javert, by Sir Cedric Hardwicke as the benevolent Bishop and by little Marilynne Knowlden in the role of young Cosette.

Evening Journal—Producer Darryl Zanuck has made an impressive picture of "Les Miserables," a richly mounted, splendidly acted version of the Victor Hugo classic. * * * While a liberal translation of the book, follows it arrestingly in general outline, and meaning. The episodes selected were taken with an eye to pictorial as well as dramatic value, thus uniting spectacle and melodrama with the action demanded by the screen.

Herald-Tribune—The great and tragic story of Jean Valjean is told once more by the cinema in a handsome, well acted and earnestly loyal screen version. With Fredric March providing the best performance of his Hollywood career as the noble fugitive, and Charles Laughton offering a brilliant interpretation of the human bloodhound, Javert, Mr. Zanuck's production of the mastodomic Hugo work has an excellent head start to dramatic success. If the photoplay seems episodic and possesses a trace of heaviness, then the insistence on fidelity to the original is responsible.

Post—Here, indeed, is a superlative effort, a tbrilling, powerful, poignant picture, produced on a tremendous scale, yet retaining all the color, passion and intimacy of Hugo's fiercely dramatic tale of nineteenth century France.

Sun— * * * a picture so fine that it will be many years before anyone dares attempt another production of the Hugo classic. * * *

"Les Miserables" has drama enough for a dozen pictures. Somehow it flows along easily, subordinating its backgrounds of melodramatic and elaborate costumes to the undiscussed, never forgotten central theme.

This is a picture of power and hope. It is the perfect picture for Easter. Or perhaps it is just the perfect picture.

Times— * * * unbelievably thrilling in all the departments of its manufacture, and it makes for a memorable experience in the cinema. You will surely be hearing about it for a long time.

In a work which represents the perfect collaboration of many talents, it is difficult to award the laurel adequately. But we can come pretty close by applauding Richard Boleslawski for his direction, Gregg Toland for his remarkable photography, W. P. Lipscomb for a screen play which is a model of telescopic rewriting and the distinguished performances of Fredric March and Charles Laughton. * * * "Les Miserables" bulks impressively among the most notable contributions to the talking screen and it is sure to be remembered when the time comes to appraise the 1935 cinema. It deserves to run for months at the Rivoli.

World-Telegram— * * * deserving of rank among the cinema's finest achievements. Acted witb fine feeling by a superior cast and beautifully directed by Richard Boleslawski, it flashes across the screen without losing a whit of its power and forcefulness. * * * "Les Miserables" may soften once or twice, or it may slacken its pace here and there, but it never relaxes its emotional power and strength.

Rosenblatt Gets $8,948

WASHINGTON, April 22.—Compliance Director Sol A. Rosenblatt, who entered the NRA in 1933 as a deputy administrator at $6,000 a year, now has a salary of $8,948, it is shown by the official register just published by the Civil Service Commission. Only nine others in the NRA, one of them Donald R. Richberg, receive more than Rosenblatt.

Expect Compromise On Cleveland Duals

CLEVELAND, April 22.—The single feature situation for the coming season is still an unknown quantity. The committee of the Cleveland M. P. Exhibitors' Ass'n. has not completed a report, but it looks as though single features are doomed, or, if not entirely doomed, at least subjected to a compromise which will permit duals on specified days of the week. The report is expected within a week.

Return Copyright Treaty

WASHINGTON, April 22.—The Senate today reconsidered the vote whereby last Friday it ratified the copyright convention and returned the treaty to the calendar pending action on the copyright bill which is soon to be introduced.

Plan Television in Nine Key Spots Soon

Television stations in New York, Philadelphia, Boston, Washington, Chicago, Los Angeles, San Francisco and either Portland or Seattle are planned within the very near future, it is learned. Each of the stations will cost in the neighborhood of $250,000.

The first of the eight stations is reported near completion in Philadelphia, and, according to the plans, one studio will be used for sending out films and a second studio for variety entertainment.

Each station will have a useful radius of 75 miles with a non-interfering radius of approximately 60 miles. It is believed that the combined stations will reach more than half of the population in the country if, and when, this population has television sets installed. The price of a set is figured at about $200.

Jersey Unit, IEPA Will Meet Together

Members of Allied of New Jersey and the I.E.P.A. of Eastern Pennsylvania, Southern New Jersey and Delaware will hold a joint meeting in Philadelphia on Thursday to discuss topics of mutual interest. As a result, the regular Tuesday meeting of Allied has been called off today and instead Sidney Samuelson will confer this afternoon with a few members of his unit at a special session.

About 15 exhibitors from northern New Jersey are expected to attend the Quaker City meet.

Short Subjects

"Fish from Hell"

(*Syndicate Exchanges*)

With the coming of spring this featurette is good entertainment, particularly since many people will have their minds on fishing. The fare presented here is virile, however, and its appeal to women is a bit doubtful.

A California fishing boat takes a camera crew down to the game waters off Mexico. With the aid of an underwater camera swordfish, sharks, tuna, octopi, giant mantas and even a fight between a whale and a swordfish are shown as they are captured.

The film is conventional material for the most part, distinguished only by the excellent photography, except for the fight between the whale and a swordfish. These scenes alone should be enough to satisfy any audience.

Max Stengler's photography is exceptionally good and the narration of Wilfred Lucas is clear and interesting. Marine Prod. produced.

Recommended. Production Code Seal, No. 0398. Running time, 30 minutes. "G."

Union Will Picket In Orchestra Drive

Picketing of all theatres not employing orchestras is expected to get under way shortly unless musicians are installed, according to a bulletin issued yesterday to members of Musicians' Local 802.

"If the bosses will not yield, we must call upon all the craftsmen in the entertainment field to go out on a general strike," the bulletin reads, "unless our demands are granted."

The bulletin urges solidarity within the ranks and shorter hours of employed musicians for the distribution of work.

Wall Street

Warner Pfd Gains 1⅞ on Big Board

	High	Low	Close	Net Change
Columbia vtc	43¾	42¾	42¾	— ⅞
Consolidated	5⅛	5⅛	5⅛	.....
Cons. pfd (1v)	18½	18	18½	+ ⅜
Eastman	135¾	133¾	135¾	+1¾
Fox "A"	10⅛	9⅞	9⅞	+ ⅛
Loew's	39	38⅜	38½	+ ⅝
M-G-M	28	28	28	.....
Paramount	2⅞	2⅞	2⅞	+ ⅛
Pathe	⅝	⅝	⅝	.....
Pathe "A"	10	9	9⅞	+ ⅞
RKO	1⅝	1½	1½	— ⅛
Warner	3⅜	3⅛	3⅜	+ ⅛
Warner, pfd	21½	20½	21⅛	+1⅛

Technicolor Rises on Curb

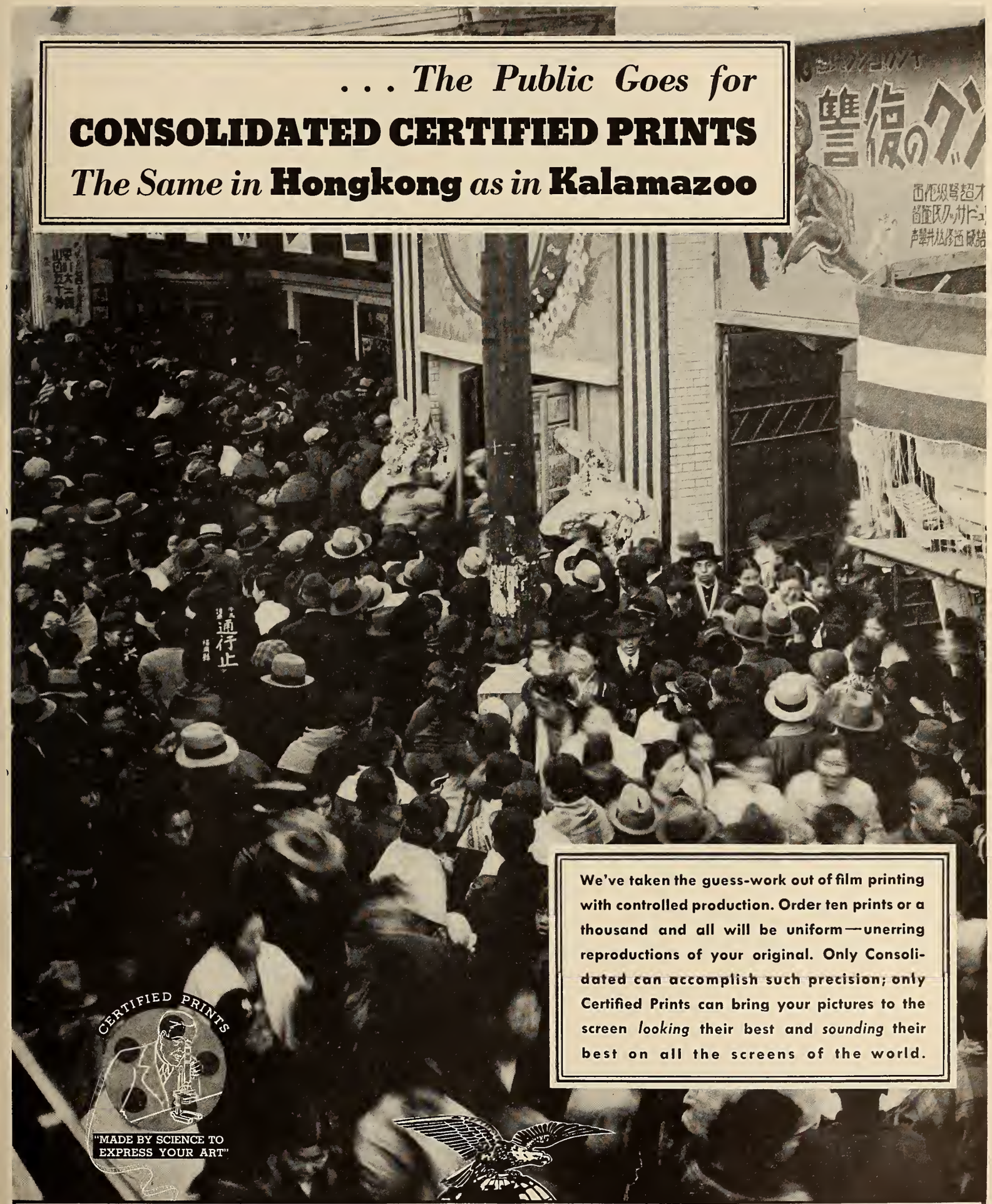
	High	Low	Close	Net Change
Sentry Safety	¼	¼	¼	.....
Technicolor	19½	19	19⅜	+ ⅜
Trans-Lux (.10 K)	2⅝	2½	2½	.....

Para. F. L. Bonds Up ¼

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	8⅝	8	8	— ½
Keith B. F. 6s '46	75½	75	75½	— ½
Loew's 6s '41 ww deb rights	104½	104½	104½	— ⅛
Paramount B'way 5½s '51	53½	53½	53½	.....
Paramount F. L. 6s '47	77¾	77¾	77¾	+ ¼
Paramount Publix 5½s '50	79	79	79	.....
Warner Bros. 6s '39 wd	55	54¼	54¼	+ ¼

(*K and v*) *Paid this year.*

(Quotations as at close of April 22)


. . . The Public Goes for
CONSOLIDATED CERTIFIED PRINTS
The Same in Hongkong as in Kalamazoo
We've taken the guess-work out of film printing with controlled production. Order ten prints or a thousand and all will be uniform—unerring reproductions of your original. Only Consolidated can accomplish such precision; only Certified Prints can bring your pictures to the screen looking their best and sounding their best on all the screens of the world.
CERTIFIED PRINTS
"MADE BY SCIENCE TO EXPRESS YOUR ART"
CONSOLIDATED FILM INDUSTRIES, INC.
NEW YORK
HOLLYWOOD

JOSEPH E. HOWARD, composer, and KATHRYN PARSONS, radio star billed as "The Girl of Yesterday," headline the stage show at the Roxy beginning Friday.

•

RALPH I. POUCHER of Consolidated is mourning the passing on Saturday of REFINE BEECHER POUCHER, Jr., his brother, who died at the age of 45.

•

MAURICE RENARD'S novel, "The Hands of Orlac," and WALTER NOBLE BURNS' "Robin Hood of El Dorado" have been acquired by M-G-M.

•

LES WHELAN, eastern exploitation and publicity man for HAROLD LLOYD for several years, takes RUSS MOON'S exploitation post with Fox.

•

JOSEPH SHEINMANN, of the 86th St. Casino Theatre, has been invited to attend the International Film Congress next month in Berlin.

•

DAVE APOLLON, for years a vaudeville headliner, is celebrating his 20th anniversary this week. He's at the Capitol, it so happens.

•

MARK BLOCK, Newark exhibitor, returned yesterday from a three-weeks vacation in Hot Springs, where he lost 15 pounds.

•

KAY FRANCIS is in town for a few days before sailing for that long awaited European vacation.

•

SAM SONIN of the T. O. C. C. is confined to his home with a bad leg.

•

MYRON SATTLER of Paramount returns next Thursday from a cruise.

Purely Personal

AL SHERMAN is now American correspondent of the British General Press, a London newspaper syndicate. He isn't giving up his duties on the *Morning Telegraph* or with the General Press Bureau, however.

•

WILLIAM SAROYAN, who wrote a series of short stories grouped as "The Daring Young Man on the Flying Trapeze," is writing a play. He has also been in Hollywood.

Quip of the Day

Lou Schreiber got hoarse the other night listening to Al Jolson sing mammy songs.

WILLIAM MURPHY has joined Republic Pictures as editor of press sheets for the new company. He's working along with ED FINNEY.

•

LAURA BENHAM has become a member of the Warner home office publicity department. She'll handle fashion stuff.

•

ED FINNEY is up to his old tricks again. This time it's a book of matches which explode after lighting.

•

J. H. HOFFBERG is contemplating a trip to Mexico within the near future.

•

ALBERT WARNER has arrived in town from Hollywood. By air.

•

CRANE WILBUR has been signed by Paramount as a writer.

ALVIN ADAMS, of the United Artists press department, celebrated Easter by getting himself married to FRANCES MAYER. The ceremony was performed at St. Anne's Church in Garden City. HAL SLOANE acted as best man at the wedding.

•

HERB BERG is training to qualify as a member of FRANK BUCK'S next expedition into the jungles of Malaysia by trying to capture several cats that haunt the court of his apartment house.

•

IRENE DUNNE, JOAN BENNETT, VIRGINIA CHERRILL, A. C. BLUMENTHAL and JOSEPH M. SCHENCK at the Central Park Casino on one party and later at Pancho's Saturday night.

•

JAMES PADEREWSKI CUNNINGHAM denies that he intends to get his wavy locks shorn. "Remember what happened to Samson when Delilah got busy with the shears," he says.

•

LOU R. GOLDING is being tendered a farewell dinner tonight by his RKO friends at the Robert Treat Hotel in Newark.

•

TYREE DILLARD, JR., is going in for sun baths. He takes week-end trips to the Berkshires for his new open air sport.

•

GEORGE DEMBOW is in Seattle. He will return to New York on Friday.

•

HAL HORNE refuses to discard that derby.

TOMMY ATKINS' "Hi Gaucho" has been purchased by Radio. ATKINS, aside from occasional authoring, is an assistant director at the company's studio.

•

GEORGE JESSEL, BEN BERNIE and SALLY RAND are among those heading for places on the council of the American Federation of Actors.

•

HARRY M. GOETZ of Reliance Pictures is in from the coast. His plane was forced down at Amarillo.

•

LOUIS DENT, southwestern theatre operator, is visiting.

•

SIDNEY R. KENT has returned from Hollywood.

•

. . . Des Moines

CLIFFORD L. NILES, former president of Allied of Iowa and Nebraska, lost his house, the Niles, at Anamosa by fire the other day.

BILL BECKLEY is again manager of the Strand, which reopened April 20.

•

. . . Baltimore

STERLING RILEY is making up the pages and ALEXANDER GIFFORD is writing reviews for NORMAN CLARK on the *News-Post*, while CLARK, with his wife, LOUIS AZRAEL, columnist on the same paper, and MORRIS A. MECHANIC, president of the New Theatre are on a trip to Hollywood.

J. LOUIS ROME has been in bed for several days with a bad case of grip.

GENE FREELAND and WALTER SCHWARTZ of the Avenue Theatre, won $3,875 on the Irish Sweepstakes. They bought ticket for $2.60 on horse named Ready Cash.

Famous Canadian to Restore Dividends

TORONTO, April 22.—So satisfactory was the financial showing of Famous Players Canadian for the year ending Dec. 29 that the directors voted to resume dividends at 50 cents a share, payable April 27 to shareholders of record April 24. Earnings were at the rate of 80 cents a share on the 378,790 common outstanding. Earnings were $302,625, compared with $104,885 for the previous year. This will be the first dividend since Sept., 1932.

In connection with this announcement, it was stated that an additional 18,940 shares of common had been offered at $10 per share to holders of record April 25, the right to subscribe being available until June 1 at the rate of one new share for every 20 held.

A substantial improvement was shown in working capital, the net working total being $1,539,648 as against $875,362 one year previously.

The balance sheet, which revealed total assets of $23,100,616, indicated a surplus of $3,762,036 at the end of 1934 as compared with $3,459,411 one year before. The total income for the year was $1,639,372 or more than $300,000 greater than in 1933. Fixed assets were listed at $10,572,815 and depreciation was $679,486. Investments in subsidiary companies not included with fixed assets totaled $2,071,000. Total capital stock at present is $8,991,725.

Announcement was made that George J. Schaefer of New York, vice president of Paramount Publix Corp., has been elected a director of Famous Players in Canada.

Act Against Blumenthal

A complaint was filed against A. C. Blumenthal in Supreme Court here yesterday by Charles D. Hilles and Eugene W. Leake, who have been Paramount Publix trustees, in an attempt to recover $36,000 and interest since Sept. 29, 1932. Blumenthal is charged with obtaining unfair preference in the redemption of his 20-year 5½ per cent debentures of Paramount Publix.

Midwest Takes "Time"

KANSAS CITY, April 22.—Midwest Film Distributors has effected a deal for distribution of "March of Time" in Kansas City, Omaha and Des Moines territories.

First Division operates no offices in the above territories.

Melbert Gets 3-Reeler

Melbert Pictures, Inc., have acquired the world wide distribution rights of "Fish From Hell," a three-reel special feature.

Murray Beier of Preferred Pictures with exchanges in Philadelphia and Washington has bought it for his territories.

Registration List Passes

HOLLYWOOD, April 22.—The extras' registration list died a natural death today with the standing committee asking Compliance Director Sol A. Rosenblatt to return it for a checkup for possible errors.

Edward Sloman to M-G-M

HOLLYWOOD, April 22. — Edward Sloman has been signed to a long term contract to direct by M-G-M.

Schrader Leaves Firm

SEATTLE, April 22.—Byron G. Shrader has disposed of his interest in Cinema Screen Service to Robert E. Gumm and Harold A. Zell, his associates in the business. The company will be incorporated with Gumm as president and general manager and Zell as secretary and treasurer in charge of production. Gumm was manager of National Theatre Supply Co.'s Chicago branch before coming here.

Another Cut in Frisco

SAN FRANCISCO, April 22.—Another drop in admission price has occurred here. The United Artists, long standing 55-cent downtown house, has gone down to 40 cents with the opening of "Cardinal Richelieu." It followed the move of the Warfield, topnotch first run spot, which skidded from 65 cents to 55 cents.

"Mutiny" Company Back

HOLLYWOOD, April 22.—The "Mutiny on the Bounty" location unit has returned to the M-G-M studios after a tour of more than 14,000 miles, mostly in tropical waters of the Pacific. Frank Lloyd, who is directing the film, was leader of the company, which was away two months.

Ford Signed by Zanuck

Darryl F. Zanuck has signed John Ford to direct Ronald Colman in the forthcoming 20th Century production, "The Man Who Broke the Bank at Monte Carlo."

Option Ginger Rogers

HOLLYWOOD, April 22.—Radio has lifted its option on Ginger Rogers.

Tippy Making Series Of Indiana Speeches

INDIANAPOLIS, April 22.—Dr. Worth M. Tippy, executive secretary of the Commission on Church and Social Work of the Federal Council of Churches of Christ in America, with headquarters in New York, opened a speaking tour throughout Indiana here today under the sponsorship of the Indiana Council of Federated Church Women Conferences "in the interest of better motion pictures." Exhibitors have been invited to attend.

Dr. Tippy will also speak in Lafayette and Crawfordsville today, in Richmond, Tuesday; in Elkhart, Wednesday; South Bend, Thursday; Marion, Friday; here again, Saturday, and Fort Wayne, Monday.

The Federal Council of Churches of Christ in America here told MOTION PICTURE DAILY yesterday that no future trips were planned by Dr. Tippy and that this was the first such excursion he has made in six months. Dr. Tippy has long been campaigning for clean pictures and at one time crossed the continent on a lecture tour, but this is the first time he has left the New York area since the start of the Legion of Decency drive.

Takes Over Irish Film

"Norah O'Neale," produced in Ireland by Clifton-Hurst Prod., has been acquired by Guaranteed Pictures Co., Inc., for American and Canadian distribution. The Abbey Players are featured.



COME, YOU LUCKY TWO HUNDRED AND TWENTY-SEVEN!

And *only* you lucky 227 people can come! The rest of the tickets for AMPA'S speechless party have been sold! So if *you* expect to mingle with filmdom's finest on the 27th, you'd better tell Paul Benjamin about it right away.*And Paul can't hear a word unless it's accompanied by $7.50, the ridiculously low price of tickets for the . . .

NAKED TRUTH DINNER

A. M. P. A.

APRIL 27, 1935 • HOTEL ASTOR

* *Tickets may be obtained from Paul Benjamin, National Screen Service, 630 Ninth Avenue.*

Typography by Royal Typographers, Inc. • Engraving by City Photo Engraving, Inc.

More of Fabian's Fox Met Deals Out

(*Continued from page* 1)

by Joseph M. Schenck and Fox Theatres.

Isidor Kresel, counsel for the proponents of the Schenck-Fox Theatres' plan, drew from Frederick Peyser, a partner in Hallgarten & Co., the information that Fabian and Greve had each had an account with that brokerage house for trading in Fox Met bonds in addition to the Hallgarten accounts in which the two were shown last week to have participated to the extent of $119,500 of par value notes each. With Greve on the stand later yesterday before Federal Judge Julian W. Mack, presiding, Kresel drew admissions from the latter of his interest in five additional accounts which dealt in Fox Met notes.

Percival Jackson, counsel for a Fox Met noteholder and believed to be friendly to the prospective Fabian plan of reorganization, charged that the disclosures were being made "to force Fabian out of the picture" and to enable Schenck-Fox Theatres to acquire the Fox Met assets "as cheaply as possible" and "without increasing the payment to Fox Met bondholders" above the 75 cents on the $1 proposed in the Schenck-Fox Theatres' plan.

Greve admitted that in addition to his account with Hallgarten, he had dealt in Fox Met notes through Wood, Low & Co., through Isaac Roshalsky, an investor, and through other houses either in his own name or in that of relatives, friends or corporations he controls. He said the total extent of his dealings was $280,100 face amount of notes.

Admits Schenck Stock Offer

An admission that Schenck had offered a block of stock in the new Fox Met company proposed under the plan to Skouras Bros. was made by George Skouras, on resuming the stand yesterday. Skouras said the proposal had been discussed by Schenck, Spyros Skouras and the late Richard Hoyt of Hayden, Stone & Co., but had not been resumed with anyone since the recent death of Hoyt. When MOTION PICTURE DAILY published this information in its issues of March 16 and 21, it drew a written denial from Milton C. Weisman who, as receiver for Fox Theatres, is one of the proponents of the Schenck plan of reorganization. It is now understood that the stock selling proposal to Skouras has been withdrawn by Schenck, at least for the present.

Skouras testified that he believed the Schenck plan "to be better for both the operators of Fox Met (Skouras and Randforce) and for Fox Met bondholders than the reorganization plans for the circuit presented earlier." He also gave additional testimony as to the value of the Fox Film franchise to Fox Met, which would be retained under the Schenck plan, but not under Fabian. It was also brought out that the Skouras and Randforce stock interests in the new Fox Met operating companies could be disposed of to Schenck or to Fox Theatres providing one of the latter first sold its stock interest in the parent company to the other.

Warners Start a Drive

Warners yesterday started a five-week sales drive.

Spring Brings in Theatre Activity Like a Floodtide

(*Continued from page* 1)

of 71 for the circuit which is in receivership. It is expected that it will take from six weeks to two months before the company will be taken out of receivership.

The new houses are: El-Jay, Mankato, Minn., seating 400; Gem, Winona, Minn., 400 seats; O'Klare, Eau Claire, Wis., 500 seats. The first two houses will probably be ready in June while the third house may be opened in May.

Recently, Minnesota Amusement Co. reopened its third house, the Orpheum, in Minot, N. D. A new lease was also closed some time ago on the Grand, Fargo, N. D.

Discussing conditions in territories under his supervision, Friedl declared that for the first time in years there is a healthy outlook ahead. Within the past few weeks, he says, there has been rain and snow, indicating good crops for the farmers, which will be reflected at the box-office.

Harvey Buchanan, partner with Minnesota in three houses in Superior, Wis., is accompanying Friedl. Buchanan also sees good signs ahead in his town, a shipping center.

"When the boats start moving oil, wheat and ore, Duluth and Superior feel the activity on the lake at the theatres," he said. The Palace and Peoples are the only Superior houses open, the Strand being closed for the present.

Buchanan plans to stay in New York a few more days. Friedl intends to leave Friday. Joseph W. Finley, attorney for Minnesota, in New York on several code appeals, left last night.

Reopen N. E. Theatres

BOSTON, April 22.—The Sharby Circuit has started its spring expansion with the opening of the Capitol in Hillsboro, N. H., to run on a single feature basis in opposition to the Opera House managed by Charles R. Marshall.

The Palace, in Jamestown, R. I., now operated by A. R. Commetti, will reopen April 27 after being dark some four months, and Jerome Parker Jerome is closing the Imperial in Pawtucket this month.

Maine Theatres Reopen

PORTLAND, Me., April 22.—Theatres in this state are on the upgrade with the return of warmer weather. The Opera House at Rumford has been reopened by Ed Pollard to show first runs in competition with the Maine and N. H. circuit. Hoart and Pollard have put Ricker Hall in Stratton back on the active list, also as a first run. Jack Marsh has commenced operation of the Opera House in Dixfield.

Remodel at Baltimore

BALTIMORE, April 22.—The New Theatre, Morris A. Mechanic, president, has closed to be extensively remodeled and to have the entire theatre reseated. A new first floor will be built in.

Mechanic has just returned from a trip to Hollywood with Norman Clark and Lonis Azrael, drama and movie reviewer and columnist, respectively, of the *Baltimore News Post*.

Form Oklahoma Concern

OKLAHOMA CITY, April 22.—Blue Moon Theatres, Inc., Oklahoma City, with branch offices at Lindsay, Okla., has been granted a charter by the secretary of state. Capital stock is listed at $5,000. Incorporators are Avece T. Waldron, Oklahoma City; Harry Waldron of Lindsay and Oklahoma City; Mary Hamet Hammet, Garber, Okla.

Will Build at Clinton

CLINTON, Conn., April 22.—A new theatre is to be built here in time for the summer trade. It will seat about 500, according to present plans of the Essex Square Theatre Corp., headed by P. L. Sampsell. The company already operates the Westbrook, Westbrook, and the Essex Square in Essex.

Gen'l Talking Suit Vs. Erpi Under Way

By CLARENCE LINZ

WILMINGTON, April 22.—Trial of the anti-trust action of General Talking Pictures and Duovac Radio, which is no longer an active organization, against Erpi, Western Electric and American Telephone and Telegraph, charging the defendants with having built up a monopoly in the industry through a series of contracts with exhibitors, opened in the U. S. District Court here today before Judge John P. Nields. The trial is expected to last about two weeks.

It is charged these restrictive agreements are tying agreements, licenses or leases of Erpi to exhibitors whereby exhibitors agree to purchase from Erpi all repair and replacement parts for reproducing apparatus and equipment leased by Erpi and exclusive agreements in contractual letters accompanying leases of Erpi to producers whereby producers agree to distribute films produced on producing apparatus only to exhibitors supplied with Erpi reproducing apparatus and equipment.

It is also charged that exclusive agreements in contractual letters require producers to refrain from distributing talking pictures to theatres which have not acquired reproducing equipment from Erpi.

Stanley Co. of America was a co-plaintiff in the case but has since settled its grievances with the defendants.

The defendants amended their answer to charges before the trial opened today by including the statement that Duovac, since the case was instituted has gone into bankruptcy and is no longer an active company and hence is not entitled to any injunctive relief. To this, Samuel E. Darby, New York, leading counsel for the plaintiff, said that had "the vice not existed Duovac might still be in the business" of manufacturing electrical devices including vacuum tubes and photo-electric cells.

The first day of the trial was spent entirely by both sides outlining their case.

Delay Expected for M. & S.-RKO Ruling

(*Continued from page* 1)

in the case and the voluminous exhibits which were filed.

The case, involving RKO's film playing policies at the Hollywood and Apollo, which it leases from M. & S., was concluded late Saturday and given to the board of arbitrators for a ruling. The proceedings were begun in February with Max D. Steuer as counsel for M. & S., and Bruce Bromley of Cravath, de Gersdorff, Swaine & Wood, representing RKO. Steuer relinquished any claim to money damages last week, but sought, thereafter, to require future compliance with the leases which he alleges were breached by RKO in reputedly failing to play all of the product day and date in the Hollywood and Apollo which is played in other RKO houses. Steuer sought to prove that this was not done because of an agreement by which Loew's released certain of its product to RKO houses not in competition with Loew's houses. The Hollywood and Apollo compete with Loew's Avenue B and Delancey.

"Frankenstein" Off To Big Coast Start

"Bride of Frankenstein" is getting off to a flying start, according to telegrams reaching James R. Grainger, Universal sales manager.

San Francisco, Los Angeles, Seattle and Portland are going for it in a big way, it seems. The Orpheum, San Francisco wired: "Frankenstein opened at 3 o'clock with a waiting ticket line a full block long." The gross for the opening day, Friday, was $2,165, "which was sensational," the wire stated. The Portland Orpheum wired that it was necessary to issue refunds as the lines continued all day.

Alexander Pantages sent this from Los Angeles: "Broke all records since we reopened the theatre two years ago." Hamrick's Orpheum, Seattle, wired that "critics ran away with themselves."

Universal to Make Six Spanish Films

Universal will produce six Spanish pictures for distribution abroad next season. They will be originals and not versions of vehicles designed for the American program. N. L. Manheim, foreign sales manager of the company, completed the arrangement while in Hollywood last week.

Plans for European production will be set following conferences here or abroad by Manheim with Universal's representatives.

O.K.'s Dropping Tri-Ergon Claim

The petition of the Paramount Publix trustees to have the American Tri-Ergon patent infringement claim against it expunged was approved yesterday by Special Master John E. Joyce in a report to Federal Judge Alfred C. Coxe. The claim was for an indeterminate amount.

Also approved was a petition for expunging a $1,000 claim against Paramount by W. E. Cannon based on promissory notes issued by the Cocoanut Grove Theatre, Miami, Fla.

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Atlas to Make Offer for All Of Para. Issue

Attitude of Groups on Board Not Clear

The Atlas Corp., large investment organization headed by Floyd B. Odlum, a director-elect of Paramount Publix, will submit an offer to underwrite alone the entire $6,500,000 of new Paramount stock subscription warrants to a meeting of the Paramount board today.

Odlum is identified with the so-called Fortington group of Paramount creditors and the offer is regarded in influential creditor circles as evidence of a threatened division of interests within the new board. It is pointed out in these circles that any underwriting offer which failed to include all financial groups interested would probably be considered as a

(*Continued on page 6*)

Ampa Set to Elect Gallup as President

With no opposition in sight, Bruce Gallup will be elected president of the Ampa at the annual elections tomorrow. He will succeed William R. Ferguson. Gallup heads both the official nominating committee's slate and a second ticket signed by seven qualified members.

From a consensus of opinion in the trade, it appears that the second ticket has a stronger lineup of names than the first slate. The elections are expected to be anything but serene and tranquil. The induction takes place Saturday night at the Naked Truth Dinner at the Astor.

Comerford Walking Again After Illness

WASHINGTON, April 23.—His improvement having been steady and sure, M. E. Comerford, who has been in the Emergency Hospital here since Feb. 22, is now able to leave his bed and move about, reports Dr. Walter A. Bloedorn, attending physician.

Dr. Bloedorn states that Comerford will not be fully recovered for several weeks yet.

Car Strike in Omaha Hits Theatre Takes

OMAHA, April 23.—Striking workers have surface transportation completely tied up. Theatre business has been

(*Continued on page 13*)

California's Corporations Tax Advanced

Assembly Votes 4% Levy After Rate Argument

SACRAMENTO, April 23.—The bill to raise corporation taxes from two to four per cent of net income was passed here today in the Assembly. Studios will be affected materially by this move. All attempts on the part of Democratic members to raise the tax rate to five or six per cent were resisted.

The Assembly Constitutional Amendments Committee has set out to pass a measure legalizing a state lottery that is expected to raise from $40,000,000 to $50,000,000 annually for an old age pension and for the construction of hospitals and asylums. According to the plan, 35 per cent of the money raised would be given

(*Continued on page 7*)

Publicity Lineup on Coast Gets Shakeup

HOLLYWOOD, April 23.—The publicity lineup in several studios is shifting and probably will continue to do so.

Effective Monday, Bill Thomas becomes executive assistant to Bill Pine who is now advertising and publicity director at Paramount with Tom Baily retaining the title of publicity

(*Continued on page 13*)

Suit Halts Sale of Fox Theatre Units

KANSAS CITY, April 23.—The scheduled sale of Fox Midland and Fox Rocky Mountain to National Theatres was halted here today in bankruptcy court by an unexpected suit filed by General Theatres Equipment bond-

(*Continued on page 16*)

Report NRA Tuesday

Washington, April 23.—The Senate Finance Committee expects to report the new industrial recovery bill next Tuesday, it was disclosed today by Chairman Pat Harrison of Mississippi.

The bill will be materially changed, Harrison said, but he declined to say in what particulars and announced that no details would be divulged until it is reported.

Independents On the Coast Win on Zoning

Southern California independents won a smashing victory yesterday when Campi adopted only one of the 13 recommendations in the petition of Fox West Coast for changes in the Los Angeles schedule proposed by the local board.

After previous decisions declaring Warners' Forum and Fox Uptown non-competitive and placing them in different zones, Campi yesterday reversed the lower ruling and put them in one zone. While Warners were defeated in this instance, Harold S.

(*Continued on page 6*)

First Division List Talks Up Next Week

First Division will launch discussions of its long-deferred production plans some time next week when Nicholas Ludington, now in New York, returns from a quick Hollywood trip which will eventualize the end of this week.

In the meantime, Harry Thomas, president of the company, leaves tomorrow or Friday on a two-week

(*Continued on page 13*)

Pages of Theatre History Flicked Lightly at Forum

By J. M. JERAULD

Turning back the pages of theatre history to those dim nights when Tony Pastor's was lighted by lanterns can be an exciting adventure into that mysterious emotional borderland where laughter and tears play hide and seek with each other.

Those who made the history flicked the pages lightly yesterday at the Motion Picture Club forum. Laughter predominated. It was a masterly exhibition of showmanship, but tears crept into the scene at the finish. Vesta Victoria furnished them.

Daniel Frohman, his measured diction coming from above the impressive altitude of white collar that

(*Continued on page 6*)

Kent's Stand Held Help to Schenck Plan

Against a Fox Franchise For Loew, RKO, Fabian

Fox Film would endeavor to cancel the franchise for its product held by the operators of Fox Metropolitan Playhouses if Loew's, RKO or Si Fabian became operators of the circuit, Sidney R. Kent, Fox Film president, testified yesterday before Federal Judge Julian W. Mack during the hearings on the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Met.

Kent declared, however, that despite the fact that he considered the Fox Met franchise a poor deal, financially, for Fox Film he regarded the Skouras and Randforce operation of Fox Met in a favorable light. His testimony was regarded by observers as the most favorable and impressive yet given in support of the Schenck-Fox Theatres' plan and led to predic-

(*Continued on page 7*)

New Sales Pushed In Chicago Areas

CHICAGO, April 23.—Prior to sales conventions and product announcements local exchanges have already accomplished a substantial selling job on 1935-36 product in the country territory. Among a half dozen distributors, new season deals running from

(*Continued on page 13*)

Radio Star Appeals For NVA Are Sought

Arrangements are being made to have practically all the leading radio stars appeal to the public to attend theatres May 20, for it is on this day that theatre owners will give 10 per cent of their gross receipts to the current N.V.A. Fund Appeal. Major L. E. Thompson, Harold Rodner, William Morris, Jr., and Eddie Cantor are lining up the various stars of the networks to make the appeals.

Franklin Reported After 15 Theatres

HOLLYWOOD, April 23.—Harold B. Franklin, whose latest venture in exhibition is Standard Theatres, Inc., is understood to have secret deals under way for 15 houses in Southern California.

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Wall Street

Issues Irregular on Big Board

	High	Low	Close	Net Change
Columbia, vtc	43⅛	43⅛	43⅛	+ ⅜
Consolidated	5⅛	5	5	— ⅛
Cons., pfd	18⅜	17⅞	17⅞	— ⅝
Eastman	135½	134⅞	134⅞	— ⅞
Eastman, pfd	154¾	154¾	154¾	.....
Fox Film "A"	10	9⅞	10	+ ⅛
Loew's, Inc.	39¼	38½	38½	.....
Loew's, Inc., pfd.	107	107	107	.....
M-G-M, pfd	28	28	28	.....
Paramount Publix	2⅞	2¾	2¾	— ⅛
Pathe	¾	⅝	¾	+ ⅛
Pathe "A"	10⅜	10	10⅜	+ ½
RKO	1½	1½	1½	.....
Warner Bros.	3⅜	3¼	3¼	— ⅛
Warner Bros. pfd	21⅛	20¼	21	— ⅛

Technicolor Up ¼ on Curb

	High	Low	Close	Net Change
Technicolor	19¾	19¼	19⅜	+ ¼
Trans Lux (.10K)	2½	2½	2½	.....

Gen'l Theatre Bonds Gain ¾

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	8¾	8⅛	8¾	+ ¾
Keith B. F. 6s '46	74¾	74¾	74¾	— ¾
Loew's 6s '41 ww deb rights	104⅝	104½	104⅝	+ ⅛
Paramount B'way 5½s '51	53⅞	53¾	53⅞	+ ⅜
Paramount F. L. 6s '47	78	77¾	78	+ ¼
Paramount Publix 5½s '50	79¼	79	79¼	+ ¼
Warner Bros. 6s '39 wd	54¾	54	54	— ¼

(K and v) Paid this year.

(Quotations as at close of April 23)

"Reckless" Holds Over

The Capitol will hold over "Reckless" for a second week.

Insiders' Outlook

By RED KANN

FIRST expressions from Hollywood tycoons on classics, near classics and this column's unshakeable belief they should be filmed as the authors or playwrights conceived them or left strictly alone.

Cecil B. De Mille: "If a classic is worthy of being screened, the producer should take no liberties with the plot. However, he should be allowed certain latitude as far as dialogue and costuming are concerned. For instance, costumes should only give the feel of a period, if the period happens to be one in which ugly clothes were worn. Also characters should not be made to speak pure Elizabethan English, but their speeches should rather be put in words which a modern audience can understand. This is absolutely necessary as they must not be made to lose track of the plot by missing dialogue.

"Unfortunately, many people believe that 'classic' is a Greek word for Shakespeare. But the Bible stories I have filmed and done very well with are classics, as are the works of many other English writers."

Samuel Goldwyn: "Dramatic license cannot be destroyed. An artist chooses his own medium of expression and, if his art is translated into another medium, the translator must be allowed to make such changes as fit the new medium. But such changes cannot destroy the original work any more than an ugly frame can destroy a beautiful painting."

▼

To De Mille: You subscribe to the argument the producer must not take liberties with plots, yet you argue he should dress up dialogue and costuming. Costumes, you maintain, should give only "the feel of a period." We suppose that, pursuing this theory, you conceivably would sanction dressing Julius Caesar in slacks and polo shirts.

To Goldwyn: Aren't you handing Hollywood a lot with the generally loose and usually abused convenience described as "dramatic license?" You say such license cannot be destroyed. But what about destroying the tempo and the mood of literary works which have developed from years of sweat and toil? You filmed "Nana" not as Zola wrote it, but as you wanted it filmed for commercial purposes, of course, and correctly so, too. The results were not Zola, but Goldwyn. Thereby, we argue you transgressed not only your rights, but your dramatic license as well. . . .

▼ ▼

Will H. Hays, talking on Monday:

"Much concern is felt over the reports that various projects are now under way aimed at injecting advertising films into entertainment programs and the association will conduct a study of the matter. . . . The motion picture theatre is and should be reserved exclusively for entertainment. The motion picture theatre screen is not a proper medium for advertising, whether this be by direct presentation of outright advertising films, or by some indirect effort to present advertising films under the guise of entertainment."

All of this seemed to present good and sufficient reason for investigation. The Hays association attitude reputedly hinges on current production efforts by General Electric and General Motors. The latter company reportedly is making two pictures, one to further sales on Chevrolet and another, sales on Cadillac, and is using Hollywood players for leading roles. This looks and sounds like a definite effort at encroachment by these industrial giants on a field in which they do not belong. Simple seems the answer. Hollywood professionals depend on regularly constituted producers for their livelihood and not on the occasional, advertising subject which this or that company determines to take. The answer to the appearance or no of regular players in industrial films, therefore, rests with studio employers. They need only act. . . .

▼

George White, who is so good he supervises, directs and acts in his own musicals, talking to Eileen Creelman in the *New York Sun*:

"They (the Fox studio or, maybe, it's Hollywood at large) say a picture won't go without a story. There seems to be no reason for it. But they all say that a straight revue won't get over. If it's good enough I think it would.

"Of course you don't have to write much of a story, just a frame-work. They're hard to write just the same. You see, you get the songs and numbers first, the comedy situations, too. Then you write a story that works them all in. And that's hard."

White's attention is directed to the fact that many factors might make a picture go. In such classification might be included star drawing power, treatment, situation and dialogue. But a story, nevertheless, is a pretty good thing to have. There was Shakespeare, for instance. . . .

▼

Fox selling demons in the local area are talking next season to resident theatre operators, their story running something like this: Fifty pictures. Eight in Group A; twelve in Group B; fifteen in Group C and a similar number in Group D. Shirley Temple, now as old as six, will appear in either four or five. Shorts will hit the same number as the current season's. Furthermore, exhibitors do tell, they are to be sold on the weekly payment plan. Which means exactly what it says. The agreed upon price for the year's abbreviated product, divided by fifty-two and payable each week, win, lose or draw. . . .

▼

Eddie Alperson upped to deny yesterday what he describes as an impression in the minds of Wisconsin exhibitors that Harold Fitzgerald was running a booking combine in that state until Sidney Kent squelched it. Alperson, who is chief film buyer for all Fox theatres, declares (1) the story is not true and (2) all that "Fitz" did was to buy for the thirty-two theatres which Fox either owns, operates or in which it holds partnerships. . . .

Miller to Mediate For Writers' Guild

HOLLYWOOD, April 23.—The Screen Writers' Guild board of directors met last night and elected Seton I. Miller chief conciliation commissioner, Joel Sayre chairman of the membership committee and E. E. Paramore vice-chairman of the membership committee. John Grey, Frances Goodrich and Ben Markson were also named members of the Finance Committee.

Skouras Men to Meet

LOS ANGELES, April 23.—Charles Skouras is planning a meeting of all district, division and house managers of Fox West Coast and subsidiaries either in May or June.

The session is contingent on Fox Rocky Mountain and Fox Midwest coming out of bankruptcy. The date set is May 4, but may be held up to May 10. Spyros Skouras is due from New York in two weeks for a general survey. The 10-year contract between the brothers and National Theatres has not yet been signed, but is expected to be as soon as the two remaining Wesco units are turned over to National.

Six Tri-Ergon Suits End

Six additional American Tri-Ergon patent infringement actions were withdrawn yesterday under leave granted by Federal Judge William Bondy as a result of the Supreme Court decision holding Tri-Ergon patents to be invalid. The actions withdrawn were those against Columbia, M-G-M, Universal, 20th Century, Reliance and Du Art Film Lab.

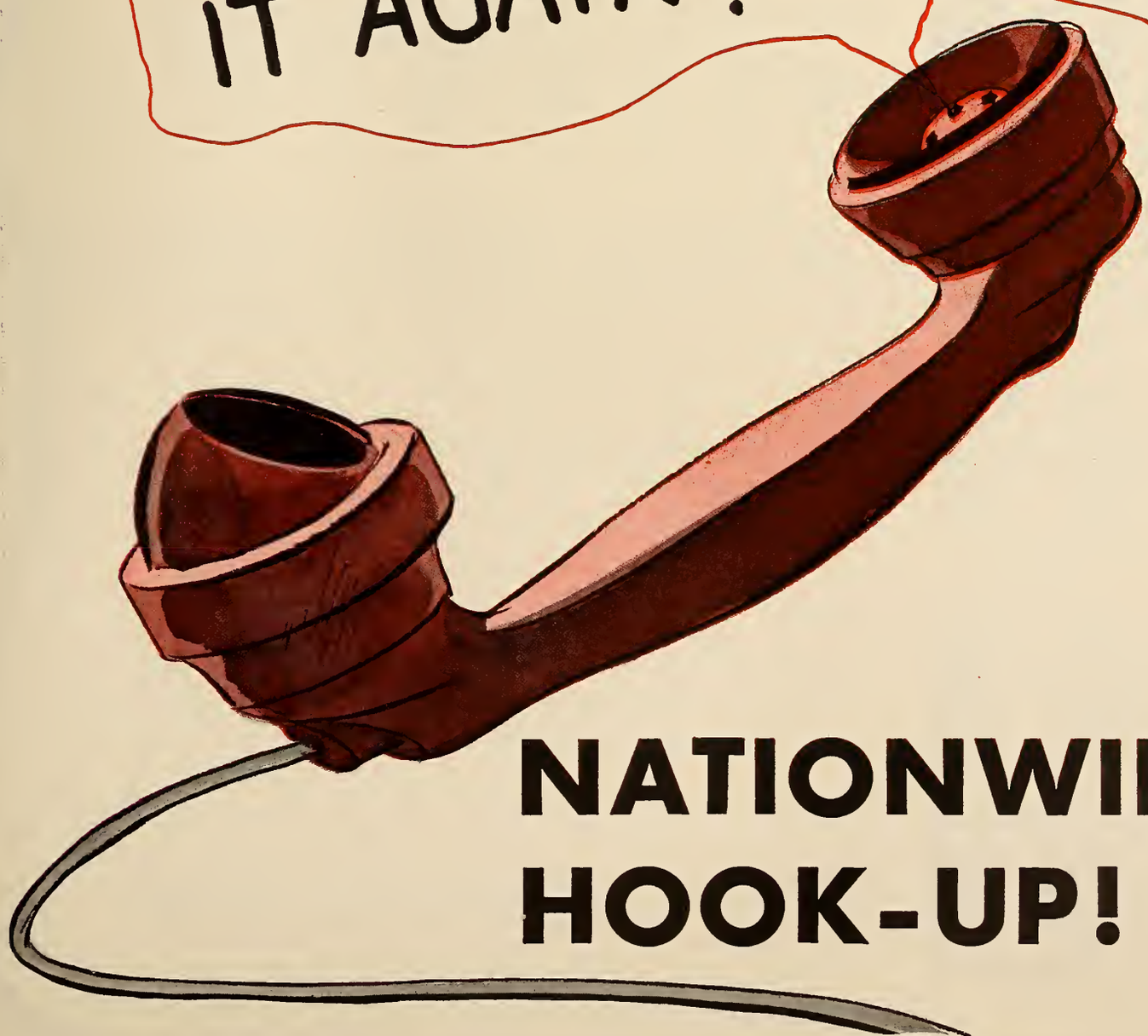
May Tour Loew Houses

The Loew circuit is considering a personal appearance tour of Anna Sten in some of its outlying theatres. The deal, discussed once before, is still undetermined.

Plans "Lorna Doone"

HOLLYWOOD, April 23.—Samuel Goldwyn has signed Merle Oberon for the title role of "Lorna Doone." Production starts in November.

RECKLESS! WOW! HARLOW POWELL TERRIFIC! ROAR LEO! YOU'VE DONE IT AGAIN!



NATIONWIDE HOOK-UP!

WHEN

WHEN

WHEN

WHEN

WHEN

WHEN

WHEN

Fred C. Kelly of Colliers' called *Black Fury* "the most powerful picture I have ever seen" . . . . . .

William Boehnel in the New York World-Telegram called *Black Fury* "melodrama at its best" . . . . .

Michael Jackson of Liberty called *Black Fury* "the greatest picture to come out of Warner Bros.' studio"

Andre Sennwald in the New York Times wrote that *Black Fury* "achieves a melodramatic vigor which is rare in the Hollywood cinema" . . . . . .

Martin Dickstein in the Brooklyn Daily Eagle said that *Black Fury* "easily surpasses anything that has come out of Hollywood for the last two years" . . . . . .

Al Sherman in New York Morning Telegraph promised that *Black Fury* "will stir you as you never have been stirred" . . . . . .

Regina Crewe in the New York American declared that *Black Fury* "possesses strength, suspense and daring seldom encountered in motion pictures" . . . . .

Mayme Ober Peake of the Boston Globe called *Black Fury* "the most stirring picture I have ever seen"



• • • THEY HADN'T SEEN

G-MEN

First Great Story of the Men Who Halted America's March of Crime!

Watch for preview critics' opinions of 'G-MEN' in trade papers tom'w!

Starring JIMMY CAGNEY, with Ann Dvorak,
Margaret Lindsay, Robert Armstrong, in huge cast.
Directed by Wm. Keighley. A First National Picture.

Another Cycle-Starter from Warner Bros.! – Play It Next Week!

Independents On the Coast Win on Zoning

(Continued from page 1)

Bareford, attorney for the company, told Ben Berinstein "we're not through with this situation yet."

Despite the Uptown-Forum reversal, F. W. C. was more vitally concerned with Harry Arthur's Balboa in Los Angeles. Campi adopted the coast board's recommendation to put the house in a separate zone outside of the city group so it can day-and-date with other Los Angeles theatres charging 40 cents. There are 12 40-cent houses in Los Angeles.

F. W. C. executives are up in arms over the Balboa verdict, claiming this house holds the key to all admissions in Los Angeles. Al Hanson, city manager for F. W. C., Edward Alperson and William T. Powers took time off last night to attend a birthday party in honor of George Skouras at his brother's house at Mamaroneck. George last Saturday received a certificate making him a Kentucky colonel. Several pictures were screened, but before the show the various circuit men took up the coast matter.

It is understood F. W. C. will file an appeal with the NRA in Washington. Powers last night asked Deputy Administrator William P. Farnsworth for quick action in the event an appeal was taken. Farnsworth promised to do so. Charles Skouras was called on the phone from Spyros' house and given details of Campi's actions.

Another F. W. C. Request Denied

Request by F. W. C. for a clearance of 14 days between nickels was also turned down in favor of the local board's price schedule. The board's schedule provides from 10 to 11 days between nickels for theatres after downtown first run. For houses charging 40 cents the clearance is 21 days; 35 cents, 31 days; 30 cents, 42 days; 25 cents, 56 days; 20 cents, 77 days; 15 cents, 119 days; 10 cents, 182 days; five cents, 365 days.

Hanson, who expected to be back on the coast today to celebrate his 25th wedding anniversary, will probably take a plane back today or tomorrow, depending on the outcome of the session last night at Skouras' home.

A resolution was passed by Code Authority that the schedule be put into effect not later than May 15. It is most likely the local board will make May 9 the effective date. Another resolution was passed covering the consent decree finding, so that if first run admissions are lowered the clearance is reduced in conformity with the schedule adopted.

During various stages of the Campi session, Hanson and Berinstein were called in to explain certain phases of the 13 points as they were being discussed. After one of the conferences, Hanson came out and charged Berinstein with acting as spokesman for Arthur. The F. W. C. executive declared that Arthur had paid Berinstein's fare east and that Arthur was "destructive." Berinstein denied the charges and objected to bringing personalities into the situation.

Berinstein early in the afternoon promised a sizzling statement, but when advised that practically all of the suggestions of L. A. were adopted, a few with modifications, he changed his mind. However, he was amazed at the reversal in the Forum-Uptown decision.

Prior to the close of the Campi hearing, Berinstein was somewhat disgusted with the whole affair and while waiting in the anteroom stated he was sorry he did not walk out of the April 11 session when F. W. C. was granted the rehearing. He had nothing to say on this after yesterday's hearing broke up.

Accompanied by Harry Vinnicoff, who represented 178 houses in the Southern California I. T. O., Berinstein left last night for Pittsburgh to visit his sister. They will hop a plane from the Smoky City today for home. Prior to leaving, Vinnicoff reiterated he will make every effort to eliminate duals on the coast. He said if he could line up 70 per cent of the independents the plan would go through. Fox West Coast, however, will not become a party to any agreement, an executive for the circuit stated last night.

Ed Kuykendall leaves tonight for Washington, where he will spend tomorrow and Friday, returning here Saturday. Nathan Yamins missed his last train for Fall River, Mass., and had to stay over until this morning.

No other business was taken up and the next Campi session will be held a week from Thursday.

Pages of Theatre History Flicked Lightly at Forum

(Continued from page 1)

distinguished the Beau Brummels of those days before Theodore Roosevelt had charged up San Juan Hill, told his hearers that an actor's business was to make people happy, but that his art vanished when he passed away.

Then Joe Laurie proceeded to demonstrate that much art which isn't even a memory to this generation of theatregoers has not passed away. Laurie was introduced by Louis Nizer as the man "who has outlived youth and age, the agent and boon companion of great artists of the past and present."

He promptly denied the "agent" designation.

"I haven't seen an audience like this in months," he said. "I gave up being an agent when I heard an argument down in the lobby. An actor met his agent and told him he wanted to pay him what he owed him.

"'Aw, don't bother,' the agent told him. 'Let it go a couple of weeks.'

"'No, I don't want to do that,' the actor replied; 'it'll run the bill up to 40 or 50 cents.'"

Joe was off to a flying start. The crowd howled.

"The last thing I think of is money —when I go to sleep at night," he went on.

It's Been Badly Sliced

"There used to be 35 weeks of vaudeville in New York; now there are only four or five—that is, there were four or five. I haven't been downstairs for the last 10 minutes. In those days they had vaudeville and a feature. Now they have two features, and not very good features at that. Loew's is the only good vaudeville circuit left. I see Louis K. Sidney here—I hope he remembers this."

Dave Genaro was introduced. He was the man who invented the cakewalk. His sister, Lizzie Wilson, the original "Schnozzelbaum," was presented. Fanny Vedder stood up. She was Leon Errol's original dancing partner.

Harry Cooper, restaurateur, was presented as a member of the original Empire State Quartet. He sang one of his compositions, but insisted it was his father who had been in the quartet.

"He can't get away with that," shouted Laurie. "There never were two noses like that."

"That's the reason I couldn't get into the movies," retorted Cooper.

"They could make a two-reeler of it," suggested Laurie. "It couldn't be done in a single."

Joseph E. Howard stalked to the microphone and called Mike Bernard to the piano. Mike played like a virtuoso and Howard sang some of the songs he composed in the days when the "90's" were just beginning to get gay. In a few moments the crowd was singing with him—"I Wonder Who's Kissing Her Now," "If I Can Take You From Someone," "It's Lonesome Tonight."

"Besides being a good composer Howard makes good clothes," said Laurie when he had finished. His name is still on Broadway.

Jim Thornton was introduced as the man who has seen half a century of the show business.

He's still seeing it with a laugh and a chuckle.

"I've been 50 years on the stage," he confided. "All I want is another 50 and then I'll retire. Most of the actors I used to play with are dead —they didn't drink. Alcohol is the greatest preservative known to medicine.

And Still They Come

"Some actors are born," he went on, "but they become stagehands and make more money. A bad actor is a ham, but a ham can be cured."

This kept up until Jack Harrower choked on his sliced chicken diet.

Tom Ward took a bow, and called Mike Newman back to the piano.

"Pick your key. You can do anything with a piano. I want to sing," he admonished. Newman hesitated on some of the numbers, but they got going quickly.

There were others. It was like a "Who's Who?" of yesterday, and if the program slowed Laurie broke in.

Vesta Victoria, the woman who made "Waiting at the Church" a classic, first came to this country in 1896, Nizer said. It didn't seem possible. She joined in most of the songs and seemed to have a hilarious time until called upon to speak. Her voice trembled as she thanked her audience.

As she resumed her seat she dabbed at her eyes. "Now you've made me cry."

Seated beside her was her daughter in an old-fashioned costume, with ringlets in her hair—seemingly a replica of her mother in her early days. She was introduced as Iris Victoria.

For once, Harry Hershfield was stopped. He paid a tribute to Laurie's handling of the gathering.

"Anything I might say would be an anti-climax now," he concluded.

Constant Reader

Arnold Van Leer got the idea for yesterday's show at the Motion Picture Club while reading a paper some time ago.

He should keep right on reading. It was a great show. He rates a bow.

Atlas to Make Offer for All Of Para. Issue

(Continued from page 1)

challenge to the groups ignored. Similarly, it was stated, an underwriting proposal which included a combination of all groups might be regarded as evidence of cooperation of all factions within the new board.

The Atlas offer is understood to be in a flexible form, adaptable to any direction whatever that might be given by the Federal court. Developments at today's board meeting, however, may result in its being altered or abandoned. The seven new nominees to the Paramount board, not yet formally elected, will be represented at today's meeting of the nine directors elected last December who now constitute the board.

It is also understood that the terms of the several directors who will comprise the full, initial board of 16, which were agreed upon recently, may be ratified at today's meeting.

Indications are that the Federal court hearing scheduled for tomorrow may be postponed because of the large amount of work requiring court approval which remains to be done. This includes the charter of incorporation of the new company, its new by-laws and the form of new indenture, all of which must be approved by the court.

Detroit House Gets Film

DETROIT, April 23.—In the first decision given by the local grievance board in which an independent exhibitor has scored against an affiliated theatre, A. C. Early's Royal and Grand at Kalamazoo have been given relief.

The board, after hearing a complaint filed by Early against P. C. Schram and the Butterfield houses in Kalamazoo, found that, although the exhibitor respondents were not guilty of conspiracy to prevent him from obtaining product, the distributor respondents, Columbia, Fox, Vitagraph and Universal, "independently or in collusion with the exhibitor respondents, on the basis of substantial circumstantial evidence, did without justification operate to prevent the complainant from securing their respective motion picture releases."

The board ordered the distributors to offer their product to Early within 10 days from date of the ruling.

Kent's Stand Held Help to Schenck Plan

(*Continued from page 1*)

tions that with the expected conclusion of the hearings today the court would give its tentative approval to the Schenck-Fox Theatres' plan subject to probable changes which may be recommended by the court.

Kent testified that the 10-year Fox Film franchise for a percentage of the Fox Met gross, which has more than six years still to run, was made with Skouras and Randforce prior to his, Kent's, entry into Fox and added that he would not have made the deal if he had been in the company at the time. He estimated that the franchise was costing Fox Film $215,000 to $400,000 annually as compared with the film rentals it might receive if pictures were to be sold today in a clear market to RKO or Loew's. He testified that he would endeavor to cancel the franchise if operation of Fox Met went to RKO or Loew's because he feared that under a producer-affiliated operation Fox Met would be made a "dumping ground" for poor product to the circuit's disadvantage and, consequently, to that of Fox Film.

Kent Approves of Schenck

Asked specifically what he thought of Schenck as the proposed head of a reorganized Fox Met, Kent replied favorably, pointing out that Schenck had no conflicting theatre interests which might receive preferential treatment to the detriment of Fox Met. In reply to a similar question as to his opinion of RKO operation, Kent replied that he considered the company to be a good operator "as far as its own properties were concerned," but added that he "would want to be out of it (Fox Met) if RKO came in." Of Fabian, who also has a proposal for reorganization of Fox Met which would make him operator of the circuit, Kent said he considered him to be "a good, average operator, but for these properties (Fox Met) not as good as the present operators."

Kent testified that he has consistently refused to agree to assign the Fox franchise to any of the sponsors of Fox Met reorganization plans who have requested him to do so. He said that the sponsors of the present Schenck-Fox Theatres' plan had made such a request and had been refused, as had Nicholas M. Schenck, head of Loew's and M-G-M, at the time that a joint bid for Fox Met was made by Loew's and Warners last summer. He testified that RKO had also made such a request recently and that the Fox Met bondholders' committee, which drafted a reorganization plan of its own last fall, under which it would have been authorized to dispose of Fox Met after May 1, 1936, had been told that Fox Film would not agree to an assignment of the franchise unless it was given the right to approve any proposed new operator of Fox Met.

Kent gave as his reasons for refusing to agree to an assignment of the franchise his satisfaction with the Skouras and Randforce operation and the fact that he had no assurance of what the operating policy for Fox Met would be in the event of a change of operators. When it was suggested to Kent yesterday by Attorney Archibald Palmer that Skouras and Randforce might be able to dispose of their stock in the new Fox Met operating companies and withdraw, Kent declared that "if they (Skouras and Randforce) left Fox Met by any device I would endeavor to cancel the franchise as soon as I could."

Kent remarked earlier that while he hadn't seen "any miracles of operation performed for Fox Met yet by Skouras and Randforce," he considered that, under the conditions of uncertainty which have prevailed in the situation "they have done at least as well as anyone else could." At another point, when questioned as to his opinion as to whether or not he believed Skouras and Randforce could achieve a 25 per cent improvement in Fox Met earnings, which would comfortably care for the interest and sinking fund provisions of the Schenck-Fox Theatres' plan, Kent said that in his 18 years' experience in the industry he "didn't know any one who could have done a better job in Fox Met than Skouras and Randforce and no one whom he considered would do a better one under improved, general conditions."

Holds Schenck Valuable

Kent also testified that he believed Schenck's association with the new company to be "of tremendous value" to it. "He has the reputation of a fighter and of one who looks after his own interests," Kent said. "Moreover, his position in the industry makes him a person who must be listened to and his acquaintances include every one in the industry who must be bargained with in the operation of Fox Met."

He also testified as to the value to Fox Met of the Fox Film franchise. The court later remarked that loss of the franchise would leave Fox Met bondholders "worse off," while loss of the operators (Skouras and Randforce) would be a misfortune but their removal couldn't be made impossible in a reorganization plan.

Kent was followed on the stand by William Greve, member of the Fox Met bondholders' committee, whose trading in the notes of the company was disclosed at earlier hearings. Greve testified that he had made a profit of $57,156 on his Fox Met bond tradings. It was also disclosed that Greve's Prudence Co. financed Fabian's theatre acquisitions at Albany, Schenectady and Syracuse, and that Greve, as a trustee of Allied Owners Corp., had voted in favor of the sale of the Brooklyn Paramount Bldg. to Fabian recently. Percival Jackson, also a trustee of Allied and identified in the Fox Met proceedings as an opponent of the Schenck-Fox Theatres' plan, likewise voted for the sale to Fabian. Greve denied, however, that he favored Fabian's Fox Met reorganization proposal.

Greve stated that he thinks Fox Met to be worth approximately the par value of the bonds outstanding, or about $12,500,000, and that a substantial part of the payment should be in cash. He also said he believes the Schenck-Fox Theatres offer to be insufficient and suggested that if the Skouras and Randforce operating contracts could be canceled both Paramount and Loew's would probably be in the field with a bid for the circuit in 18 months with the expiration of the product deal between the two.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"One Frightened Night"

(*Mascot*)

HOLLYWOOD, April 23.—This mystery comedy, played by a good cast and possessing a good story idea, is hampered by too much action taking place in the darkness.

Charles Grapewin, an eccentric millionaire, divides his fortune equally among his five hungry relatives and servants, explaining that all the money will go to his missing granddaughter if she is found. As he is about to sign a check, Clarence Wilson, the family lawyer, brings in Evalyn Knapp, claiming that she is the sought after heiress. Later Mary Carlisle, a vaudeville actress, arrives with her partner, Wallace Ford, and also claims that she is a granddaughter. Grapewin, about to confront the claimants with each other, finds Miss Knapp, murdered. The entire cast searches for the murderer. Lights go off and on. Ford and Fred Kelsey, as the sheriff, emerge as the comedy relief when the tenseness subsides. Eventually Lucien Littlefield is found to be the murderer with Grapewin solving the crime from clues not revealed to the audience.

Christy Cabanne's direction paces the chills and comedy alternately in routine manner. The picture will please where audiences like mysteries that are not too strong on logic.

Production Code Seal No. 815. Running time, 61 minutes. "G."

Reveals Why Extra List Was Recalled

HOLLYWOOD, April 23.—The story behind the passing of the extras' registration list yesterday, when the standing committee asked Compliance Director Sol A. Rosenblatt to return the list for a checkup for possible errors, is related by Eugene H. Marcus, attorney who represented extras' organizations in Washington recently.

The lawyer says that Rosenblatt, although not approving the list, hated to override the standing committee directly, asking that the proposed list be submitted to him for voluntary recall.

California's Corporations Tax Advanced

(*Continued from page 1*)

away as prizes, 55 per cent to the state and not more than 10 per cent to the administration. The measure would be self-executing upon the approval by the people and would make felonious all other lotteries now being conducted outside the law.

Lehman Signs Sunday Bill

ALBANY, April 23.—The Berg Bill authorizing a city, town or village to pass a local law permitting legitimate theatrical performances on Sunday in the same manner as Sunday movies are permitted was approved by Governor Herbert Lehman today as well as the Berg Bill providing for one day of rest in seven for employes and actors in legitimate theatres.

Defeat Mass. Licensing

BOSTON, April 23.—An attempt to force an act for licensing stage hands by the Commissioner of Public Safety through the present session of the legislature has failed.

Hits Choice of Spokesmen

LOS ANGELES, April 23.—The industry would have made more progress in its taxation fight if it had been wiser in its selection of spokesmen, according to Chester Rowell, editor of the *San Francisco Chronicle*, in an address at Town Hall yesterday.

He stated the drift toward high taxes was due to an absence of cooperation of state and local governments and added it was his opinion the industry had little to fear since it had sufficient political influence to ward off adverse legislation.

Ohio Endurance Bill to Governor

COLUMBUS, April 23.—The bill prohibiting endurance contests lasting longer than 12 hours was passed by the House today, 94 votes to seven. The measure has already been passed by the Senate. Governor Davey is expected to sign it. A penalty of $50 to $300 or 30 days in jail, or both, can be imposed. Each offense would be considered a separate violation.

For Missouri Sales Tax Cut

JEFFERSON CITY, Mo., April 23.—The Missouri Senate today voted to reduce the rate in the proposed retail sales tax from two to one-half of one per cent.

Columbia Planning 12 Westerns for '35-36

Columbia will produce 12 westerns next season. Four will be from stories by Peter B. Kyne. These together with eight others to be made by Ken Maynard will constitute a major portion of the company's program of westerns.

"Johnny Harris Week"

PITTSBURGH, April 23.—All of the houses of the Harris Amusement Co. are celebrating "Johnny Harris Week" by way of observing John's official return to exhibition.

THEY'RE SHOUTIN
THEY'RE YELLING

BANG!

BY DIRECT WIRE FROM

WESTERN UNION

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UNIVERSAL FILM EXCHANGES INC ROCKEFELLER CENTER=

DEAR JIM YOUR PREDICTION WAS CORRECT THE BRIDE OF FRANKENSTEIN BROKE ALL RECORDS SINCE WE REOPENED THE THEATRE TWO YEARS AGO BIGGEST DAY WE HAD WAS IMITATION OF LIFE THE BRIDE OF FRANKENSTEIN DID BETTER TWO HUNDRED SATURDAY STOP IT DID BETTER SEVEN HUNDRED SUNDAY REGARDS

ALEXANDER PANTAGES.

UNIVERSA

"THE BRIDE OF

G IT'S SUCCESS
IT'S GROSSESS !

BANG!

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J R GRAINGER GEN SALES MGR=

UNIVERSAL FILM EXCHANGES INC=ROCKEFELLER CENTER=

FRANKENSTEIN OPENED ORPHEUM AT THREE OCLOCK TODAY WITH WAITING TICKET LINE A FULL BLOCK LONG EACH WAY FROM BOX OFFICE THESE CROWDS CONTINUED THROUGHOUT UNTIL CLOSE OF BOX OFFICE STOP GROSS SENSATIONAL FOR THIS HOUSE STOP UNQUESTIONABLE WE HAVE SMASH HIT PICTURE REGARDS=

W J HEINEMAN..

'S

FRANKENSTEIN"

THEY'RE SCREAMIN
THEY'RE GOING CR

BANG!

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UNIVERSAL FILM EXCHANGES INC ROCKEFELLER CENTER NY=

BIG ALL DAY LINES GREETED OPENING BRIDE OF FRANKENSTEIN AT HAMRICKS ORPHEUM SEATTLE TODAY STOP THIS RECEPTION PARTICULARLY GRATIFYING AS BRIDE BUCKING STIFFEST COMPETITION TOWN EVER BOASTED STOP CRITICS RAN AWAY WITH THEMSELVES TOUTING PICTURE AND CONFIRM PUBLIC ESTIMATE BRIDE PRONOUNCIN IT FAR SUPERIOR PRODUCTION MORE ENTERTAINING MORE THRILLING ORIGINAL FRANKENSTEIN REGARDS=

L J MCGINLEY...

UNIVERSAL

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AZY WITH JOY !

BANG!

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E T GOMERSALL, WESTERN SALES MANAGER=
UNIVERSAL PICTURES INC ROCKEFELLER CENTER NY=

BRIDE FRANKENSTEIN OPENING ORPHEUM GOOD FRIDAY TO POSITIVE
SENSATIONAL BUSINESS CONTINUED LINES ALL DAY STOP THE CROWDS
WERE SO GREAT IT BECAME NECESSARY TO ISSUE REFUNDS A THING
UNHEARD OF THESE DAYS STOP IT WILL UNQUESTIONABLY ESTABLISH
NEW HOUSE RECORDS=

G C CRADDOCK

THE QUICKEST, SUREST AND SAFEST

Extra!

PALACE, CHICAGO:

"ONE OF THE SWELL WEEKS OF THE YEAR! ..AUDIENCE REACTION FINE!"—*Nate Blumberg, General Manager, RKO Theatres*

S

FRANKENSTEIN"

"Life Begins" Survives Twin Cities' Slump

MINNEAPOLIS, April 23.—A scarlet fever quarantine on school children and Holy Week combined to hit grosses in both cities. "Life Begins at 40" survived the strain by getting $4,600, up by $600, at the Century here, and by reaching $6,000, up by $500, at the St. Paul Paramount.

"West Point of the Air" was also a good draw. It reached $6,000 at the State here and grabbed the same gross at the St. Paul Paramount.

Total first run business in Minneapolis was $26,600. Average is $28,500. Total in St. Paul was $17,000. Average is $15,500.

Estimated takings:

Minneapolis:

Week Ending April 18:

"THE MYSTERY OF EDWIN DROOD" (Univ.)

ALVIN—(1,486), 15c-30c, 7 days. Five acts vaude. **Gross:** $4,500. (Average, $4,000)

"LIFE BEGINS AT 40" (Fox)

CENTURY — (1,650), 25c-40c, 7 days. **Gross:** $4,600. (Average, $4,000)

"WHEN A MAN'S A MAN" (Fox)

LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending April 19:

"MURDER ON A HONEYMOON" (Radio)

ORPHEUM—(2,900), 25c-40c, 7 days. Stage show. **Gross:** $5,000. (Averagc, $5,500)

"WEST POINT OF THE AIR" (M-G-M)

STATE—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $6,000. (Average, $5,500)

"IN OLD SANTA FE" (Mascot)

TIME—(300), 20c-25c, 4 days. **Gross:** $800. (Average for week, $1,500)

"A DOG OF FLANDERS" (Radio)

TIME—(300), 20c-25c, 3 days. **Gross:** $700. (Average for week, $1,500)

"CHEATERS" (Liberty)

PALACE—(900), 15c-25c, 7 days. Five acts vaude. **Gross:** $2,000. (Average, $2,000)

"THE UNFINISHED SYMPHONY" (Gaumont British)

WORLD—(400), 25c-55c, 7 days. **Gross:** $3,000. (Average, $3,000)

St. Paul:

Week Ending April 19:

"LIFE BEGINS AT 40" (Fox)

PARAMOUNT—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $6,000. (Average, $5,500)

"WEST POINT OF THE AIR" (M-G-M)

RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

"MAYBE IT'S LOVE" (F.N.)

ORPHEUM—(2,000), 25c-40c, 3 days. **Gross:** $2,000. (Average for week, $4,000)

"A NOTORIOUS GENTLEMAN" (Univ.)

ORPHEUM—(2,000), 25c-40c, 4 days. **Gross:** $2,000. (Average for week, $4,000)

"WHEN A MAN'S A MAN" (Fox)

TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"THE RUNAWAY QUEEN" (U.A.)

WORLD—(300), 25c-35c, 7 days. **Gross:** $1,500. (Average, $1,500)

Technicians Issue 378 Screen Credits

HOLLYWOOD, April 23.—The first issue of the technicians' credits publication just issued by the Academy Technicians' Branch covers 92 productions made between Jan. 1 and April 1, 1935, by Columbia, Fox, Samuel Goldwyn, M-G-M, Paramount, Radio, 20th Century, Universal, Warners and First National.

A total of 378 technicians received credits for art direction, camera work, editorial, photographic effects and sound recording. Names of laboratories making negatives and release prints are included.

"Marietta" Is Philadelphia Wow, $22,000

PHILADELPHIA, April 23.—"Naughty Marietta" evaded the usual Holy Week slump by sweeping through to a big $22,000 at the Boyd, just $10,000 over average. It will probably go three weeks.

The rest of the town slumped though the stage show theatres, the Fox and the Earle, beat out their averages with $12,500 for "The Iron Duke" at the former and $13,500 for "Traveling Saleslady," with Hugh Herbert on the stage, at the latter.

Week's most drastic nose-dive was taken by "Brewster's Millions," which pulled only $3,000 at the Aldine.

Total first run business was $71,200. Average is $68,900.

Estimated takings for the week ending April 18:

"BREWSTER'S MILLIONS" (U.A.)

ALDINE—(1,200), 35c-40c-55c, 6 days. **Gross:** $3,000. (Average, $7,000)

"RUGGLES OF RED GAP" (Para.) (2nd run)

ARCADIA—(600), 25c-40c-50c, 6 days, 2nd week. **Gross:** $2,000. (Average, $2,400)

"NAUGHTY MARIETTA" (M-G-M)

BOYD—(2,400), 35c-40c-55c, 6 days. **Gross:** $22,000. (Average, $12,000)

"TRAVELING SALESLADY" (Warners)

EARLE — (2,000), 25c-40c-50c, 6 days. Stage: Hugh Herbert, Radcliff and Rogers, Grace Dufee & Co., Lorraine and Digby, the Liazeeds. **Gross:** $13,500. (Average, $12,000)

"IRON DUKE" (Gaumont British) (2nd run)

FOX—(3,000), 40c-55c-65c, 6 days. Stage: Jack Denny Orchestra, Barry de Vine, Frances Stevens, Crawford and Caskey. **Gross:** $12,500. (Average, $12,000)

"ONE NEW YORK NIGHT" (M-G-M)

KARLTON—(1,000), 25c-35c-40c, 6 days. **Gross:** $2,100. (Average, $3,500)

"PRIVATE WORLDS" (Para.) (2nd run)

KEITH'S—(2,000), 30c-40c-50c, 6 days. **Gross: $3,000.** (Average, $4,000)

"MISSISSIPPI" (Para.)

STANLEY—(3,700), 35c-40c-55c, 5 days. 2nd week. **Gross:** $8,000. (Average, 6 days, $12,000)

"CASE OF THE CURIOUS BRIDE" (Warners)

STANTON—(1,700), 30c-40c-50c, 6 days. **Gross:** $5,100. (Average, $6,000)

Holy Week Takes Crash in Buffalo

BUFFALO, April 23.—It was Holy Week in a 60 per cent Catholic town. Every program died, in spite of enthusiasm among sparse audiences for "Four Hours to Kill."

Total take was $29,300. Average is $42,800.

Estimated takings for the week ending April 19:

"FOUR HOURS TO KILL" (Para.)

BUFFALO—(3,500), 30c-55c, 7 days. Stage: Barto & Mann; Three X Sisters; Danny Dare Dancers, with Theodora Jay. **Gross:** $9,700. (Average, $14,300)

"THE GREAT HOTEL MURDER" (Fox) "BABOONA" (Fox)

CENTURY—(3,000), 25c, 7 days. **Gross:** $4,400. (Average, $6,000)

"ALL THE KING'S HORSES" (Para.) "WHILE THE PATIENT SLEPT" (Warners)

GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $5,000. (Average, $8,000)

"GRAND OLD GIRL" (Radio) "A NIGHT AT THE RITZ" (Warners)

HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $5,600. (Average, $8,000)

"NIGHT LIFE OF THE GODS" (Univ.) "EVENSONG" (Gaumont British)

LAFAYETTE — (3,300), 25c, 7 days. **Gross:** $4,900. (Average, $6,500)

Needed Change

Hollywood, April 23.—Judson Stevens, for 16 years a bookkeeper in Walter Wanger's accounting department, threw up the job to become an assistant director on that producer's coming melodrama, "Shanghai." Stevens' friends said he wanted to get into something that looked like a steady job.

"Life" Again Washington's Hit, $5,800

WASHINGTON, April 23. — Will Rogers, again in a return engagement topped Washington grosses, taking $5,800, which is $2,700 over the first week average at Loew's Columbia.

"Star of Midnight" at RKO-Keith's took second place with $14,100, or $2,700 over average.

Third grosser of the week was "Ruggles of Red Gap," playing the second week of its return engagement to the tune of $4,700, or $600 over par. Changing its opening date from Thursday to Saturday, the Belasco reached a week's par, $1,500, in nine days of "Road to Life."

Loew's Fox was weak with "The Casino Murder Case" and the "Spices of 1935" on the stage. And the Earle skidded to $15,000, with "Car 99" and a stage show headed by Eddie Peabody.

Total first run business was $70,100, or $2,600 under par, $72,700.

Estimated takings, exclusive of tax:

Week Ending April 18:

"CAR 99" (Para.)

EARLE—(2,218), 25c-77c, 7 days. Stage: Eddie Peabody; Gracie Barrie; Lew Duthers, Jean & Joan; Cass, Mack, Owen & Topsy. **Gross:** $15,000. (Average, $17,600)

"LIFE BEGINS AT 40" (Fox)

LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days (return engagement). **Gross:** $5,800. (Average first week, $3,100)

"THE CASINO MURDER CASE" (M-G-M)

LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: "Spices of 1935," with Bob Cagney, m. c., Count Berni Vici & Girls Orchestra; Garner, Wolf & Hakins; Isabel Dawn, Lester Harding, DeConti & Romini. **Gross:** $19,500. (Average, $20,500)

"MISSISSIPPI" (Para.)

LOEW'S PALACE—(2,370), 35c-77c, 7 days, 2nd week. **Gross:** $11,500. (Average first week, $14,500)

"RUGGLES OF RED GAP" (Para.)

METROPOLITAN—(1,591), 25c-40c, 7 days, 2nd week, return engagement. **Gross:** $4,700. (Average first week, $4,700)

"STAR OF MIDNIGHT" (Radio)

RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $14,100. (Average, $11,400)

Week (9 Days) Ending April 19:

"ROAD TO LIFE" (Amkino)

BELASCO—(720), 25c-65c, 9 days. **Gross:** $1,500. (Average, 7 days, $1,500)

Bank Reports Show Big Gains in West

SALT LAKE CITY, April 23.—Bankers' reports here are said to indicate that business in Idaho, Nevada, Oregon, Utah and Washington is better than at any time during the past three years.

The reports covered 30 cities and included bank debits. Banks cashed $2,361,000,000 in 30 cities during March—more than any month since December, 1931, it is said.

Stage-Films Split Weeks Omaha's Top

OMAHA, April 23.—The split week policy at the Paramount continues to be the big noise here. "All the King's Horses" on the screen and a stage show that included Thelma White in a revue for three days garnered $5,800. During the remaining four days a return engagement of "It Happened One Night" and "Great Expectations" piled up $2,350.

"George White's 1935 Scandals" was slightly over average at $5,200 at the Omaha. "Traveling Saleslady" and "Enchanted April" were good for $4,800, up by $1,300, at the Brandeis.

Total first run business was $25,650. Average is $22,500.

Estimated takings:

Week Ending April 14:

"ALL THE KING'S HORSES" (Para.)

PARAMOUNT — (2,800), 25c-35c-40c, 3 days. Stage: Thelma White in Melody Cruise Revue with Barr & Estes. **Gross:** $5,800. (Average for three days, $4,500)

Week Ending April 18:

"IT HAPPENED ONE NIGHT" (Col.) "GREAT EXPECTATIONS" (Univ.)

PARAMOUNT—(2,800), 25c-35c, 4 days. Second run for "It Happened One Night" in first run house. **Gross:** $2,350. (Average for four days, $2,000)

Week Ending April 17:

"GEORGE WHITE'S 1935 SCANDALS" (Fox)

OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $5,200. (Average, $5,000)

Week Ending April 17:

"TRAVELING SALESLADY" (F.N.) "ENCHANTED APRIL" (Radio)

BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $4,800. (Average, $3,500)

Week Ending April 18:

"SEQUOIA" (M-G-M) "TRANSIENT LADY" (Univ.)

ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $7,500. (Average, $7,500)

"O'Hara" the Only Draw in Providence

PROVIDENCE, April 23.—Houses here felt the Holy Week slump, the RKO Albee being the only one to hit par of $7,000 with "Princess O'Hara" on the screen and Don Redman and his orchestra as the stage unit.

Loew's did $7,000 with the second week of "Naughty Marietta" and Fay's was close to its $7,000 par with "The Perfect Clue" and the "Texas Guinan Gang" on the stage. The Strand was $100 under average with "McFadden's Flats" and "The Mysterious Mr. Wong."

Total first run business was $33,350. Average is $40,500.

Estimated takings for the week ending April 18:

"McFADDEN'S FLATS" (Para.) "MYSTERIOUS MR. WONG" (Monogram)

STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,400. (Average, $6,500)

$10 RAISE" (Warners) "PUBLIC OPINION" (Invincible)

MAJESTIC — (2,400), 15c-40c, 7 days. **Gross:** $5,000. (Average, $7,000)

"THE PERFECT CLUE" (Chesterfield)

FAYS—(1,600), 15c-40c, 7 days. Stage: "Texas Guinan's Gang." **Gross:** $6,800. (Average, $7,000)

"NAUGHTY MARIETA" (M-G-M)

LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $7,000. (Average, $12,000)

"PRINCESS O'HARA" (Univ.)

RKO ALBEE—(2,300), 15c-40c, 7 days. Stage: Don Redman and orchestra. **Gross:** $7,000. (Average, $7,000)

"BORN TO BATTLE" (Cameo) "CIRCLE CANYON" (Cameo)

RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,150. (Average, $1,000)

Milwaukee to Get a Second New Theatre

MILWAUKEE, April 23.—A new 1,000-seat theatre to be called the Sherman is to be built by the Fox Wisconsin Corp. on the west side.

This is the second neighborhood building project here recently. Time Theatre Co., operated by Frank Fischer and Jac Eskin, is building one.

To Take Milwaukee Strand

MILWAUKEE, April 23.—With the announcement that Harold Mirisch, Warner district manager, had joined Standard Theatre Co., comes the report that the new Wisconsin circuit, now operating six houses in the state, will take over operation of the Strand, dark for many months.

The Standard company operates no theatres in Milwaukee, but has houses in several state spots formerly operated by Warners.

It is reported that Lester Krieger, Warner executive in New York and Chicago, will take over Mirisch's job.

Build at Bridgeton, Me.

BRIDGETON, ME., April 23.—The Bridgeton State Theatre Corp. has been organized here with an authorized capital of $25,000 for the purpose of putting up a 600-seat theatre at Maine and Elm Sts. C. F. Millett, manager of the State, the building of which has been sold to Samuel Kurson of Bangor, is president of the new corporation. Mrs. Dorothy Millett is vice-president and treasurer, and J. B. Pike is secretary. An opening sometime in July is expected.

To Open at Tuskegee

TUSKEGEE, Ala., April 23.—The Macon, a new house, will open April 29. It will cost $50,000.

Ralph W. Braswell, Jr., for the past year manager of the Rose, will be in charge.

Beginning early in May, Sunday shows will be given as a result by a two-to-one vote.

Lease Missouri Houses

KANSAS CITY, April 23.—Commonwealth Theatres, of which C. A. Schultz is president, has effected long term leases for the Lee, Clinton, Mo., and Plaza, Trenton, Mo., taking the properties over from Lee Jones and Lenhart Bros. on May 1. The Lenharts will remain as managers.

Form G. T. Amusement

ALBANY, April 23.—G. T. Amusement, Inc., Brooklyn, has been chartered with $1,000 capital to operate film theatres. Freda Jarst, Miriam M. Rosenblum and John G. Zellner are directors and subscribers.

Get Wellsburg Palace

WELLSBURG, W. Va., April 23.—The Palace has been acquired by Urling & Anderson, circuit operators.

Sue to Bar New Theatre

BALTIMORE, April 23.—Suit has been filed in Circuit Court by Mr. and Mrs. Leo Schlenger, property owners on Liberty Heights Ave., seeking an injunction to prevent the building of a theatre by the Perry Amusement Co. and Forest Park Theatre Co., Durkee interests. Defendants have until May 6 to answer.

Rebuild at Rockingham

CHARLOTTE, N. C., April 23.—H. C. Wall is modernizing the Richmond at Rockingham, N. C. The seating capacity will be doubled to 855. New chairs will be installed and posts will be eliminated. The lobby is being widened from seven to 18 feet.

Take Middletown House

MIDDLETOWN, O., April 23.—The Gordon Theatre Co. has taken a long term lease on the Sorg Opera House, which was damaged in a recent fire. After repairs, around July 1, the house will open with films and stage shows. Built in 1889, it is one of the oldest houses in the state.

Miners to Have Theatre

TORONTO, April 23.—The booming mining country of Northern Ontario is to have still another new theatre. This will be erected at Creighton Mine, Ontario, as soon as the frost is out of the ground, by the International Nickel Co. of Canada, Ltd.

Transfer Two Theatres

NEW ORLEANS, April 23.—Two theatre changes have just occurred. W. F. Kent has sold the Vivian at Vivian, La., to N. S. Laird, operator of the Gunwood at Shreveport.

C. K. Hatcher has taken over the Stonewall, formerly the Palace, at Stonewall, Miss., from Max Connett.

Variety Club Chatter

Buffalo

BUFFALO, April 23.—Strange practices of exhibitors in the Far East and in Latin America were related to Barkers by WILLIAM MOSS, foreign sales executive of Remington Rand, at the semi-monthly April luncheon. Second Assistant Chief Barker JACK H. KAPLAN and Canvasman ROBERT T. MURPHY were kings for the day. First Assistant Chief SYDNEY SAMSON, Canvasman MATTHEW V. SULLIVAN and Barker MORRIS L. (TINY) ROSENBAUM won the gifts of the day. Barkers generally agreed that 30 minutes, the time allotted luncheon speakers, was far too little to permit Moss to cover his field, so the crew was asked to invite him to an evening event.

There is a banquet in the offing to celebrate the success of the Independence Campaign. E. R. GRISWOLD of Gowanda, N. Y., was the winner. Barkers SAMSON, NATE SAUBER, CARL W. KEMPKE, JAKE LAVENE and Property Master W. E. J. MARTIN were on the campaign committee, headed by Chief Barker E. K. (TED) O'SHEA.

Barker KEMPKE, who is a member of the club's board of governors, has been reappointed by Mayor GEORGE ZIMMERMAN to the board of examiners for operators.

New Barkers inducted this month are GEORGE H. MOESER of Hollywood Film Exchanges, Inc.; FREDERICK SCHWEPPE of the Capitol, Elmira, and ELMER E. SMITH, business representative of the Buffalo stage employes' union.

Recent visitors to the Buffalo Tent were M. S. ENGLAND of Pittsburgh Tent No. 1 and B. MILLS of Albany Tent No. 9.

Cincinnati

CINCINNATI, April 23.—An Easter egg hunt was one of the highlights at the Saturday night open house and proved a pleasant avenue of diversion.

LUPE VELEZ, headlining the bill at the RKO Shubert, was guest of honor at the noon meeting. She entertained the barkers with typical VELEZ antics.

SAM P. GORRELL of Cleveland No. 6 was a visitor. Others registering were: D. MCRAE, Boston; MILTON LINDEN, Brooklyn, and JOSEPH LUNK (and the Mrs.), Danville, Ill.

COL. ARTHUR FRUDENFELD, although able to navigate with the aid of a cane, is still nursing his sprained ankle.

NATE LEVINE, who was born on Good Friday, celebrated his birthday Easter Sunday. Just how many years ago the original event took place he refuses to reveal.

JOHN SCHWALM is another barker who celebrated last week in honor of his entrance into the world. In this case, too, the deponent sayeth not in the matter of ages, beyond the statement: "Old enough to know better."

Pittsburgh

PITTSBURGH, April 23.—FRED MEIR of Cleveland tent a visitor for dinner.

JOHNNY HARRIS and GEORGE TYSON every day at that old handball. GEORGE down two pounds; JOHNNY, nine pounds.

BENNY AMDUR with that contented look of victory signed up with Operator's Union after two years fight.

WWSW weekly broadcasts from club very popular.

DICK POWELL writing all his friends at the club at least once a month.

Washington

WASHINGTON, April 23. — JAMES BLAINE FITZGERALD and CLARK DAVIS were the kings for a day at the last smoker.

As the "extra added attractions" for the evening, the kings presented, through the courtesy of HARRY E. LOHMEYER'S Earle, GRACIE BARRIE, who sang several popular pieces, accompanied by BOB STICKNEY.

In addition, the barkers swallowed hook, line and sinker, the work of EUGENE BERNSTEIN, prestidigitator extraordinary, introduced through the courtesy of HARRY BROWN. Magician BERNSTEIN amazed the crowd for nearly an hour with card tricks, spirit tapping and other startling feats.

The following new resident members were approved: CARL GENTZEL, trombonist at the Earle, FRANK STORTY, associate of LOU BERNHEIMER, theatre operator; WALTER K. PETTUS, sound engineer of Warner theatres.

The following were elected as affiliate members: BEN OURISMAN, MARCUS S. GOLDNAMER, A. SIGMUND, JOSEPH D. KAUFMAN, HENRY VINER, SAMUEL T. SCHWARTZ, STANLEY KRENZEL, E. T. KAUFMAN.

New Sales Pushed In Chicago Areas

(*Continued from page* 1)

30 to almost 50 per cent have been signed.

The unusual situation is reported due to the fact that last year one distributor, said to be Fox, beat competitors into the bush by starting a drive before the thaw was out of the ground. Usually the drive for country business has approximated sales conventions, but this year, profiting by last year's experience, distributors sent their crack salesmen into the country territory as early as the middle of February.

Exchange managers are reluctant to discuss the situation on account of possible reaction from home offices and for fear anything they say might be construed as interpreting sales policy for next season. They state however, that deals closed are principally among exhibitors running one and two changes per week. In these situations, they point out, the early bird has the best chance of tying up business. The competition this year has been exceptionally frenzied.

Asked on what basis the new season product was being sold in the absence of quota figures and knowledge of production schedules different views were forthcoming. One manager naively suggested that the faith in which his company was held by exhibitors was such that this alone was sufficient.

Another exchange manager stated that he has been selling the same lineup as last season, adding "these early buyers know we will play ball with them later in the season."

The early selling has been confined entirely to the smaller country houses.

Car Strike in Omaha Hits Theatre Takes

(*Continued from page* 1)

smacked in the midriff since Saturday morning.

Everet Cummings, district manager for A. H. Blank, estimated Saturday and Sunday's business in the Paramount, Orpheum and Omaha had taken a loss of between two and three thousand dollars. John Quinlan, assistant to Will Singer, manager of the Brandeis, declared his house didn't feel the strike Sunday as bad as on Saturday when business took a bad soaking.

Publicity Lineup on Coast Gets Shakeup

(*Continued from page* 1)

manager. Herbert Moulton has been appointed studio advertising head, Pine's former post. Pine's department, effective Monday, will also handle publicity for Walter Wanger Prod.

Reports current some weeks ago are around again and insist that changes at another major studio are pending.

Jeannette Rex yesterday resigned as publicity director for Sol Lesser. Her successor has not been named.

First Division List Talks Up Next Week

(*Continued from page* 1)

visit to exchanges. His itinerary will include Boston, Albany, Buffalo, Pittsburgh, Cleveland, Detroit, Atlanta and perhaps Cincinnati.

News!

Announcing A NEW NATIONAL

Offering 1

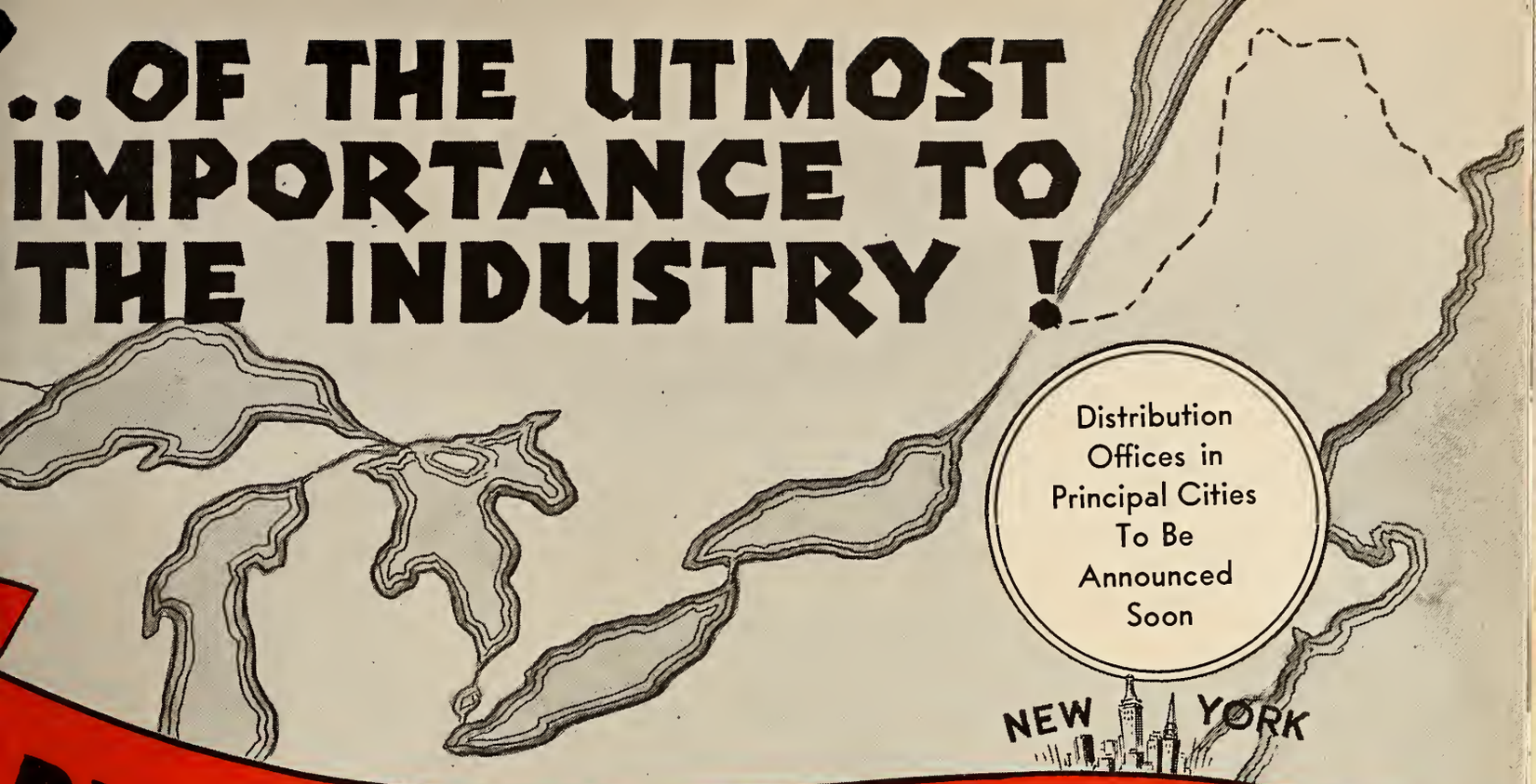


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POPULAR *Pictures*

L. A. Houses Act on Ads on West Picture

Los Angeles, April 23.—Definite action came today from angry exhibitors here following the Fox Wilshire Theatre's advertising a Mae West preview in the daily papers yesterday.

In a registered letter sent by Robert Poole of the I.T.O. to C. Peacock, manager of the Paramount exchange, the former said:

"I regret to inform you I have had a storm of protests from member theatre owners throughout the entire territory regarding the advertising of the preview,and in accordance therewith I am instructed by the board of directors of this organization to write to you demanding this picture. Because of its being advertised it must be considered a first run and as such all exhibitors are demanding the film on the availibility from this date."

Although no written agreement has been drawn regarding this type of advertising, local exhibitors have a verbal agreement clarifying the stunt as unethical.

It is reported also that Associated Exhibitors are planning a similar action immediately.

Nebraska MPTO Will Take Votes by Mail

Omaha, April 23.—Formulation of policy on a number of subjects discussed at last week's meeting of the Nebraska-Western Iowa M. P. T. O. is to be left to a mail referendum among members. Among the matters up for discussion are the Pettengill Bill, the code, state legislation and local problems.

Charles Williams, president, will head a committee of four to tabulate the replies.

Graham McNamee's Father Passes Away

Columbus, April 23.—John B. McNamee, 77, retired corporation attorney and father of Graham McNamee, died here last night of pneumonia.

He was an attorney for the Northern Pacific Railroad, with offices in Chicago, and served with the Department of the Interior during the Cleveland administration.

Gordon Russell Dead

Hollywood, April 23.—J. Gordon Russell, 50, died here last night of a fall following a heart attack. His body was found by his wife, Mrs. Elvira Russell.

Among the films which Russell appeared in were "Tumbleweed," with William S. Hart, and "Uncle Tom's Cabin."

Mae West on Air Friday

Hollywood, April 23.—Mae West will make her bow as a radio entertainer on the Columbia network on Friday evening on the "Hollywood Hotel" broadcast in a scene from her latest picture, "Goin' to Town."

Pete Smith Recovered

Hollywood, April 23.—Pete Smith, M-G-M sports commentator, is back at the studio after three months at Palm Springs recuperating from an illness.

Purely Personal

Robert E. Sherwood, Lawrence Stallings and Sidney Howard are among those who may produce their own stage plays next season with finances advanced by an unnamed, but large, film company, according to the *New York Times*. Arthur Hopkins is mentioned as executive director of the collaborative effort.

•

Andre Sennwald, film critic on *The Times*, is figuring on a coast inspection trip a little later on. Regina Crewe, who occupies a similar post on *The American*, leaves May 15.

•

Howard Waugh, Warner zone manager at Memphis, dropped into *Motion Pieture Herald's* Managers' Round Table Club headquarters yesterday and found Colonel Merriam pinchhitting for A-Mike Vogel.

Quip of the Day

Ali Gaga, our old friend is baek in town again, suggesting an Aeademy Award be ereated to be known as the "Admirable Restraint Prize" whieh is to be presented to the shorts producer who does not use any of the following titles for comedies:

"Hives of a Bengal Laneer."
"The Whole Town's Squawking."
"Mr. Sippi."
"Night Life of the Gobs."
"Little Kernel."
"One More Sting."
"Case of the Furious Bride."
"Purple Pumperniekel."
"It Happened One Night in New York."
"Sour Musie."

Spyros Skouras acquired a brand new Packard Saturday and by Monday morning figured in two smashups. He leaves for the coast again in two weeks. More conferences with brother Charlie.

•

Ed Chodorov's reason for his trip crystallized last night when "Kind Lady," starring Grace George, opened at the Booth. He adapted the script with the assistance of George Haight.

•

Edward Alperson goes to Milwaukee either late this week or early next to confer with Harry J. Fitzgerald.

•

Hal Roach is back in town from Culver, Ind., and shoves off for Hollywood the end of the week.

•

Helen Chandler is booked on the *Rex* Friday for Naples and other Southern European points.

•

Bette Davis has joined the Longshore Country Club at Westport. P. A. Powers is president.

•

Lillian and Dorothy Gish are preparing to set sail for Greece on Friday.

•

Bill Danziger was home yesterday with a cold.

•

James Clark of Horlacher's is due from Philadelphia on Friday.

Charles Boyer, the lead opposite "Kitty" Hepburn in "Break of Hearts" behind him, leaves Hollywood for Paris the end of next month. Commitments on two pictures to be made there are calling.

•

Warren Newcombe, M-G-M scenic art director, will be represented at an exhibit opening at the Grant Gallery on April 29 by a painting of Greta Garbo in a scene from "Anna Karenina."

•

Warner Baxter, now that he has completed "Under the Pampas Moon" for Fox, is on his way to Honolulu for a three weeks' vacation.

•

Margaret Sullavan and her husband, William Wyler, are returning here on the *Rex*, due to dock Thursday.

•

Robert Edmond Jones, stage designer, is coming to New York to attend the opening of "Becky Sharp."

•

Ann Harding has returned to Hollywood from Fort Bliss where she visited army friends.

•

Ed Grainger won't see the New York skyline again until May 1 or thereabouts.

•

Tom and Betty Wonder, comedy dance team, open Friday at the Roxy.

•

Si Seadler is battling a cold. A few days ago, it was a bad toe.

•

Ben Koenig, Nat Levine's personal representative, is flying here.

•

Al O. Bondy is in Detroit.

•

. . . Atlanta

C. E. Peppiatt, former manager for Warners here, is in New York on business.

Louie Bach, operator of a chain of suburbans, is convalescing from a major operation.

Suit Halts Sale of Fox Theatre Units

(Continued from page 1)

holders, who obtained an order from Federal Judge Albert L. Reeves enjoining proceedings until further order.

Lee H. Hamlin, Jacob Smith and William Snowler, all of Kansas City, filed the petition in equity for themselves and others who may want to intervene, setting forth they hold General Theatres debentures aggregating $89,000 and attacking the scheduled sale of the theatres as one of a series of manipulations by the Chase Bank to gain control of Wesco and its subsidiaries to the exclusion of General Theatres bondholders.

The court also set a hearing for Thursday on National Theatres' offer of $1,580,000 for both companies. It appeared to attorneys that the court may vacate the restraining order in a day or so. The attorneys for the theatre companies planned to file an application Wednesday, however, to set the injunction aside. It was also said that the suit was without a basis as the claim is against General Theatres, which is not involved in local bankruptcies.

Four Give Testimony Against 3 Electrics

Wilmington, April 23.—Four witnesses substantiated the charges of General Talking Pictures and Duovac Radio on the second day of the anti-trust action against Erpi, Western Electric and American Telephone and Telegraph in the U. S. District Court here today. They upheld the charges that the defendants, through contracts with exhibitors, exercised a virtual monopoly of the industry.

Those who testified were A. M. Loew, president of Loew's Theatre Enterprises of Boston; Edward Levy, New Haven, counsel of the M. P. T. O. A.; Charles W. Picquet, president of the M. P. T. O. of North and South Carolina, and Harry Pearlman, manager of the Allegheny and Lehigh, Philadelphia.

Depositions were read this morning. The plaintiffs are seeking a permanent injunction restraining the defendants from continuing their allegedly "monopolistic" practices.

Atlanta Takes Fox As City Auditorium

Atlanta, April 23. — The Fox, 4,500-seat de luxe semi-suburban here, built for Fox Theatres Corp. several years ago, and now operated by Lucas & Jenkins in connection with three other de luxe houses, the Paramount, Georgia and Capitol, has been bought by a holding company for the city of Atlanta as a municipal auditorium. Original cost of the theatre and mosque, built for the Shrine Yaarab Temple, was more than $2,300,000, but the city has taken it over on a 25-year amortization for $725,000, to be paid out of the profits, if any. The Lucas & Jenkins lease has until Jan. 1, 1937, to run.

"Imitation" Back In DowntownPittsburgh

Pittsburgh, April 23.—"Imitation of Life," which played a first run at the Stanley here several months ago, has been booked by Mort Shea for a downstay at his local key spot, the Fulton. It opens there May 6 for a run despite the fact that it has already run out its string in this territory, including the 10-centers. The Fulton will keep its present scale of 40 cents.

Although "Imitation of Life" did only a fair trade at the Stanley, it has been sensational in the subsequent runs.

Katz Has No Houses First Time in Years

Atlanta, April 23. — Ike Katz is out of exhibition for the first time in many years. Whether he will start a new venture as a result of the sale of the Dexter and Tivoli in Montgomery to Robert B. Kincy is stirring speculation among his friends.

Katz is president of the G.F.T.A. Independent Theatres' Ass'n. Whether he will continue in this post is uncertain.

Plans Newsreel Meeting

Having conferred with Louis Krouse of the I.A.T.S.E., Deputy Administrator William P. Farnsworth will meet A. J. Richards and Jack Connolly within the next few days to further discuss the working time schedule for newsreel cameramen.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 97 NEW YORK, THURSDAY, APRIL 25, 1935 TEN CENTS

KAO-Schenck Make Product Deal for Met

Court Told of Move as Hearing Is Resumed

Keith-Albee-Orpheum, under an informal agreement reached yesterday between Herbert Bayard Swope, chairman of the board, and Joseph M. Schenck, will have a participation in the Schenck-Fox Theatres' plan of reorganization for Fox Metropolitan Playhouses which will eliminate Fox Met as a competitive bidder for product against K-A-O.

Federal Judge Julian W. Mack was apprised of the agreement following a brief appearance by Swope at the resumed hearing yesterday on the Schenck-Fox Theatres' reorganization plan. The court was told that

(*Continued on page 6*)

Court Move May Not Delay Midland Sale

KANSAS CITY, April 24.—There may be no delay in the sale of Fox Midland and Fox Rocky Mountain Theatres to the recently organized National Theatres Corp. as a result of a split among General Theatres Equipment bondholders who yesterday obtained an injunction in Federal Court.

Attorneys for the theatre companies are planning to ask the court to set

(*Continued on page 6*)

Bank Night Spreads Around New England

NEW HAVEN, April 24.—Warners have contracted for bank nights in 13 Connecticut and seven Massachusetts houses, according to Ad Johnston, agent for the stunt, who first tried it in his own house, the Strand at Hamden.

Opposition houses are introducing similar stunts rather than making complaints to the grievance board.

M. & P.-Publix and the Fishman Circuit are said to be planning a stunt of their own along somewhat similar lines.

Ohio Codes Are Held Void in Court Test

CINCINNATI, April 24.—Ohio industrial codes, provided for under the National Industrial Recovery Act, are unconstitutional and invalid, accord-

(*Continued on page 8*)

Bergerman Is Out of "U"; Unit System Is Adopted

HOLLYWOOD, April 24.—Stanley Bergerman, associate producer at Universal, confidant of Carl Laemmle, Sr., and his son-in-law, has resigned, purportedly because of family differences, it was learned today. It was reported coincidentally with his resignation that B. P. Schulberg was in line either as studio production chief or a unit producer.

A statement issued by Laemmle said Bergerman had resigned under the most friendly circumstances.

Following his acceptance of Bergerman's resignation Laemmle announced

(*Continued on page 4*)

Campi Budget Of $359,575 Set for Year

By CLARENCE LINZ

WASHINGTON, April 24.—Campi expenses for the current year are fixed at $359,575.01 under a budget approved today by the National Industrial Recovery Board. Permission is given to expend up to $171,197.77 to June 16, and, in the event the Industrial Recovery Act is extended beyond that date, the sum of $188,377.24 will be authorized for the remainder of the year.

No changes are made in the bases of assessment, rates for exhibitors running from five dollars for houses of less than 500 seating capacity in towns of less than 10,000, to $60 for

(*Continued on page 8*)

FWC Delays Moves On Coast Schedule

Fox West Coast is awaiting official release of the revised Los Angeles clearance and zoning schedule before deciding whether to appeal to the NRA Industrial Appeals Board in Washington, it was stated yesterday.

According to unofficial sources,

(*Continued on page 8*)

New Copyright Treaty Limits Story Changes

By BERTRAM F. LINZ

WASHINGTON, April 24.—A provision assuring to the author, regardless of the disposition made of the copyright, the right to object to deformation, mutilation or other modification of his work which may be prejudicial to his honor or reputation is one of the main features of the international copyright convention which the Senate ratified April 19, only to rescind its action April 21 because necessary legislation had not been enacted.

This provision is also incorporated in the new copyright bill which is expected shortly to be introduced, paving

(*Continued on page 6*)

Contract Rush on In Talent Lineup

HOLLYWOOD, April 24.—Windup of current schedules and preparations for the new season output are resulting in a flurry of contract signing for players, directors and writers.

In the talent field Barbara Stanwyck has just been signed to a one-picture contract by Paramount for a

(*Continued on page 4*)

K. C. Is Studying Legal Angles of Dual Bill Action

KANSAS CITY, April 24.—Possible legal entanglements in the double bill releasing plan sought by Kansas City exhibitors are being studied by distributors, it is reported, as a result of objections raised by W. D. Fulton, suburban operator.

While the legal questions are delaying the distributors' decision, independent suburbans are growing impatient and in some instances are dualling features which the companies have restricted this year to single bills. A

(*Continued on page 2*)

Para.'s Board Accepts Atlas Finance Offer

Stockholders' Meeting Is Set for May 15

In a placid session which dispelled early fears that the Paramount Publix board might split into warring camps over the allotment of the $6,500,000 underwriting of the company's new stock subscription warrants to a single financial interest, the Atlas Corp.'s bid to handle the issue alone was accepted.

The bid involves a fee of only $64,000, or approximately one per cent of the issue, and in the face of the economical proposal, from the company's viewpoint, no competitive bids were made. It was agreed at the meeting that the name of any Paramount director, or directors, who

(*Continued on page 8*)

Florida Kills 10% Admission Tax Bill

TALLAHASSEE, April 24.—E. J. Sparks is being given credit for the defeat of the proposed 10 per cent tax on admissions. The fact that a strong move is under way to get producers to move here also had something to do with it.

The admission tax bill died in the House Judiciary Committee. Sparks, whose circuit has 76 houses, headed

(*Continued on page 6*)

Report 40 Set for New Columbia List

Columbia is reported set to release 40 features in addition to 12 westerns. Four of the westerns will be from a selection of Peter B. Kyne stories.

Home office executives are understood to be considering Atlantic City as the convention spot. Chicago was being eyed for the sales meet, but is said to have been dropped.

Efforts to check with Jack Cohn, vice-president, yesterday were unavailing.

Gift Stamps Start With K.C. Splurge

KANSAS CITY, April 24.—Fox Midwest's gift stamp premium plan got off to a flying start last Sunday when 33,000 books were distributed to

(*Continued on page 4*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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F. C. Walker Named To Clear Work Fund

WASHINGTON, April 24.—Frank C. Walker has been named to take charge of a new division of the National Emergency Council which will act as a "clearing house" for allotment of the $4,880,000,000 work relief fund. It will probably be several days before he starts organization.

Walker is vice-president and general counsel of M. E. Comerford's interests.

The new setup will be known as the Division of Application and Information. Walker's title will be Director of the National Emergency Council. He succeeds Donald R. Richberg, who, at his own request, will devote himself exclusively to his post as director of the National Industrial Recovery Board.

Zanuck Back on Coast

HOLLYWOOD, April 24.—Darryl Zanuck arrived yesterday by plane from New York. With him was Harry Brand, chief of publicity for 20th Century.

He immediately took a look at "The Call of the Wild."

Report Wood-Small Deal

HOLLYWOOD, April 24.—Sam Wood is reported to be attempting to negotiate a deal for cancellation of the remainder of his contract with Edward Small. He has a novel, "Let 'em Have It," which he feels should be produced now.

Purely Personal

HARRY GOETZ, JOSEPH MOSKOWITZ, HARRY D. BUCKLEY, HOWARD DIETZ, FELIX F. FEIST, FRED C. QUIMBY, HARRY BRANDT, CHARLES SONIN, ARCHIE MAYO, ED KUYKENDALL, EDWARD LEVY, LOUIS K. SIDNEY, NAT COHN, JOE HORNSTEIN, JOE VOGEL, MORT SPRING, BRUCE GALLUP, OSCAR DOOB, E. M. SAUNDERS, AUSTIN C. KEOUGH, JOHN C. FLINN, TYREE DILLARD, JR., WILLIAM F. RODGERS, JACK BARNSTYN and EUGENE PICKER were spotted among those grouped at the M. P. Club yesterday for their mid-day meal.

•

JOHN E. KENNEBECK, general manager for Paramount in Australia and New Zealand is on his way east from the coast. He will sail for Paris soon after his arrival here.

•

LEAH PETERSON of the local Paramount exchange is all excited over the opening of her brother's Four Star Club in the Bronx tomorrow night.

Quip of the Day

"It's getting to be terrible," remarked a New York exhibitor the other day. "They're even naming pictures after picture stars. Take a look at 'Ruggles of Red Gap.' They got the idea from Charlie Ruggles."

Ribber, in retort:

"By the way, did you ever hear of Harry Leon Wilson?"

"No. Who is he?"

"Why, he's a song-and-dance man."

"That's funny. I booked most of them, but I never played him," reflected the exhibitor.

HARRY H. THOMAS leaves for Boston tonight on the first leg of his two-week tour of First Division exchanges.

•

IRVING SAMUELS of Automatic Device Co., returns to Allentown today after spending several days here with supply dealers.

•

MAX COHEN and PHIL VINNICK of the local Universal exchange left yesterday for a three-day tour of New Jersey accounts.

•

ARTHUR HORNBLOW, JR., arrived from the coast yesterday. At the Warwick.

•

HENRY RANDEL of Paramount takes the birds' route to the coast for a vacation Sunday.

•

GEORGE BILSON has his Pullman tickets all set for his return to the Warner studio today.

•

KARL BRENKERT arrives today from Detroit with his newest type Suprex lamp, called Enarc.

•

ANN SOTHERN will be featured on the RUDY VALLEE program tonight.

•

AL HANSON has delayed his trip to Los Angeles until tomorrow.

•

NEIL AGNEW hies back from that Honolulu junket May 4.

•

A. W. SMITH is back from the coast. He took the air lanes.

JACK COHN, very official, and NATE SPINGOLD, ditto, buying ANN SOTHERN a tomato omelette at "21" yesterday.

JIMMY GRAINGER, WILLARD MCKAY and ED CHURCHILL were other lunchers there yesterday, not to overlook "DEAC" AYLESWORTH, HERMAN ROBBINS and SAM DEMBOW, JR. ROBBINS, by the way, is seriously considing a spring meeting of the club known as "The Schrooners."

•

TESS MICHAELS of United Artists, HELEN HUGHES of Universal, HETTY GRAY BAKER of Fox and GWYN HELLER of Warners told the Eclectic Club all about how films are made at a luncheon yesterday in the Warwick.

•

DAVID STRONG of Criterion Films is now handling the American distribution of the "Quest of the Perfect Woman" series of shorts produced in North Africa by Hammer Pictures, Inc.

•

HENRY POTTBERG, JR., who says he's not chief tear sheet man at RKO but chief assistant to ELLISTON A. VINSON, admits he's planning a trip. It's not Atlantic City but Cleveland.

•

JOE VOGEL and MAJOR EDWARD BOWES held an open air conference at Broadway and 51st yesterday morning. The discussion seemed to concern the Capitol marquee.

•

BETTY GOLDSMITH is west of Chicago today en route to the coast where she will become Samuel Goldwyn's secretary.

•

The NATE BLUMBERGS, MILTON SCHWARZWALDS and FREDDIE MEYERS sampling frogs' legs and the like at the Versailles the other night.

•

TOM CONNORS flew to the coast the other day and is expected back Monday or Tuesday.

•

IRENE DUNNE is on her way back to the coast after a six-week vacation here.

•

AL FRIEDLANDER is due to return to the coast within 10 days.

•

. . . San Antonio

RAFAEL and JOSE CALDERON, producers, distributors and exhibitors in Chihuahua, Mexico City and El Paso, have been here visiting their local representative, J. J. JIMINEZ, manager of Latin-American Film Exchange. They also made an inspection trip in the Lower Rio Grande Valley.

A. ESBERG, Aztec manager; W. PARSONS, Empire; A. LEVER, Majestic; BILL O'DONNELL, Texas, and City Manager R. B. WILKIE have just returned from a three-day Paramount managers' convention at Dallas. CECIL HOUSE, Paramount branch manager, also was present.

Floyd St. John at Studio

HOLLYWOOD, April 24.—Floyd St. John. San Francisco district manager of Republic Pictures, and a member of the company's advisory committee, is here for a three-day conference with studio heads.

K.C. Studying Legal Angles Of Dual Move

(*Continued from page* 1)

majority of independents, represented through the I. T. O., and Fox Midwest have agreed on the plan, which contemplates a five-man committee to select features for dualling at subsequents, product so chosen to receive a 28-day setback in clearance.

Fulton, who is not a member of the I. T. O., holds the organization has no authority to make commitments for him or other non-members. Text of his protest filed with individual major distributors follows:

"According to our information, your company is contemplating entering into a combine with all other film companies and various exhibitors for the promotion of a scheme to control double bills. One of the objectives of this combine is the designation of certain pictures, which I have under contract from you, for double showing.

"We do not know just how far you have gone into this matter, if at all, but feel it our duty to inform you we do not agree with, nor will we become a party to any such collusion as has been proposed to us in this respect. Furthermore, we intend to protect and defend any and all rights and claims we have, or will have, as a result of this proposed action both as to our contracts and the laws of our government."

Fulton signed the protest for the five theatres under his control. He said its purpose was "to keep his skirts clean" in case he was compelled to go to court as a result of developments. He believes that if the court decision in the Perelman double bill case in Philadelphia is upheld by the U. S. Supreme Court on appeal, every member of the proposed selection committee for Kansas City could be liable in anti-trust proceedings which he foresees in event the projected system is placed in effect.

'G' Men to Reopen House

"G Men" will reopen the Warner next Thursday morning. The film is booked for an extended engagement at the theatre, which has been dark for two years. Performances will be continuous at popular prices. "Go Into Your Dance," which was to have reopened the house, will open instead at the Strand on Tuesday.

In a statement issued yesterday, Harry M. Warner announced that his company might probably also reopen the Hollywood "very shortly."

Comedians for Dinner

Clark and McCullough are the latest entertainers to agree to attend the Ampa Naked Truth dinner Saturday night. Others on the list are Major Edward Bowes, George Givot, Harry Hershfield and J. C. Flippen.

Skouras Goes to Frisco

LOS ANGELES, April 24.—Charles Skouras and Charles Crapman are in San Francisco for an inspection of F.W.C. houses.

SEE RED

if you want the lowdown on the industry's cycle-starters!



"Warners, who made a reputation and box-offices busy places with fast, action melodramas based on newspaper headlines, are back in the field they know so well with "G-Men." First of the eight, ten, or maybe it's twelve of the pictures now in work on the coast and dealing with the activities of Department of Justice men, this First National attraction has tempo, pace and excitement and enough of all three to turn it into first-class audience stuff. About the others along similar lines which are to come, there may be some doubt. Not here, however. Priority is important in cycles and near cycles. The Warners know it, are making plans to rush the film out and yesterday set the first two dates: the Roger Sherman, New Haven, and the Warfield, San Francisco, on the 26th. Other keys and semi-key runs immediately thereafter. Smart handling"...

. . . . . ***"Red" Kann in M. P. Daily***

Starring JIMMY CAGNEY, with Ann Dvorak, Margaret Lindsay, Robert Armstrong, in huge cast. Directed by Wm. Keighley. A First National Picture.

G-MEN

First Shot-by-Shot Dramatization of Gangdom's Waterloo! Available for Dates Next Week!

WHEN YOU GET IT FROM WARNER BROS. YOU GET IT FIRST!

Bergerman Quits 'U'; Unit Plan Adopted

(*Continued from page 1*)

Universal production would immediately be placed on a 100 per cent unit basis.

The new setup calls for 36 features divided among a group of producers, with all pictures personally supervised by Laemmle. It was said other executive posts would remain the same.

Laemmle expressed the view that the new system would provide better pictures and greater efficiency and economy, while producers, given greater authority and responsibility, would exercise more care in the selection and development of stories.

Laemmle revealed that Bergerman's resignation would also force him to give his attention to the developing of a schedule for the Chicago convention.

Joe Pasternak, at present in charge of European production for Universal, is slated for a unit at Universal City.

Seven More Testify Against 3 Electrics

WILMINGTON, Del., April 24.—Denunciation of alleged monopolistic practices of Erpi, Western Electric and American Telephone and Telegraph continued in U. S. District Court here today when seven witnesses testified in the anti-trust action brought by General Talking Pictures and Duovac Radio. One deposition, that of George E. Quigley, vice-president and general manager of Vitaphone, was also read.

Max Weiss, former president of Art Class Pictures Corp. and present head of Art Class Film Exchange, testified that the practices of defendants brought about the ruin of the former.

William Jessop, New York, chief projectionist for the Yoost circuit, said Erpi repairmen damaged Duovac tubes, rendering them useless, and then ordered exhibitors to use only Erpi products.

Sam Leibow, New York, independent repairman, told of allegedly exorbitant repair charges by Erpi and parts costs.

Others to take the stand for the plaintiffs were: David Garrison Berger, New York, attorney for William Roland-Monte Brice Prod.; Sam Stein, general manager of the Yoost circuit; Henry D. Behr, former sound engineer and consultant for Paramount Publix, now technical expert for Wilmer and Vincent, and John Miller of the Brunswick Radio Corp.

W. J. Coulter Recovers

RICHMOND, April 24.—Walter J. Coulter, circuit operator, is back on the job after several days in a hospital.

Al Nowitsky, manager of the Colonial, is also well again. Johnny Marvin, radio and stage singer, is recovering from ptomaine poisoning.

Close Jackson Theatres

JACKSON, O., April 24.—All theatres, schools and churches have been ordered closed by the city health authorities in an effort to curb an epidemic of scarlet fever.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Informer"

(*Radio*)

HOLLYWOOD, April 24.—Victor McLaglen's grand portrayal and John Ford's fine direction create a triumph of artistic expression in bringing to the screen Liam O'Flaherty's story of a red blooded, fumbling Irishman during the uprising against the Black and Tans.

By subduing both the English and the religious angles the production concentrates on the crushing effect that a struggle for freedom has on a group of people. McLaglen, as Gypo Nolan, caught between the suspicion of the crown and his feeling for the people, finds himself penniless and ostracized by both sides. McLaglen's girl, Margot Grahame, who walks alone, suggests that they go to America. Wallace Ford, pal of McLaglen, with a price on his head, comes out of hiding to visit his mother, Una O'Connor. McLaglen, in a daze, "knowing not what he does," turns in Ford for a reward of 20 pounds. The Black and Tans kill Ford. Preston Foster, commanding the republican guards, uncovers the duplicity and the escaping McLaglen is shot. At last rites in a church, Miss O'Connor forgives McLaglen, who proclaims before a crucifix as if to his dead pal, "Your mother forgives me."

McLaglen's amazing portrayal of a character that is neither sympathetic nor admirable, is etched with artistic completeness. Miss O'Connor, a versatile actress, handles the mother role magnificently with repressed power. Wallace Ford pulls at the emotions in a great part. Miss Grahame, a newcomer, evidences genuine ability and warm appeal. J. M. Kerrigan, formerly of the Abbey Players, gives a finished, seriocomic portrait. Heather Angel, Joseph Sauers, Donald Meek and Gaylord Pendleton contribute good support. An unnamed tenor adds to the mood with distinctive singing.

Artistically effectual photography and Dudley Nichols' screen play are splendid.

The production is unusual and meaty but with class appeal. Showmen may puzzle over its mass entertainment value, yet smart exploitation should help the box-office.

Production Code Seal No. 734. Running time, 95 minutes. "G."

"Village Tale"

(*Radio*)

HOLLYWOOD, April 24.—This is a depressing, rambling tale of rural lechery and sadism certain to make a lot of audiences change their minds about going back to the farm. A fine cast is defeated from the start by a wandering story and unappetizing types.

Kay Johnson, married to unshaven Arthur Hohl, loves Randolph Scott, a rich farmer. A feud between the rich and the poor in their dirty-minded village makes them victims of a charivari. A brutal, unclimactic fist fight between Scott and Robert Barrat, trouble-inciting brother of Hohl, chases the heavies out of town so Miss Johnson may have a divorce and marry the clean-shaven Scott. Dorothy Burgess is vivid as hickdom's vamp. Guinn Williams and Edward Ellis struggle nobly for comedy. Donald Meek, Andy Clyde, Ray Mayer, T. Roy Barnes and DeWitt Jennings are good in thankless parts. John Cromwell directed from Allan Scott's screen play from the novel by Phil Stong.

Production Code Seal No. 759. Running time, 80 minutes. "A."

Looking 'Em Over

"The Phantom Fiend"

(*Olympic Pictures*)

Mystery lovers will probably appreciate this Julius Hagen production from England's Twickenham studios, but the film moves too slowly and the plot is just a bit too thin to appeal generally. The acting, particularly of Ivor Novello and Elizabeth Allan, is fine for the most part and the characters are vividly sketched.

Maurice Elvey directed with an eye toward maintaining suspense, and it isn't until the last few feet that the culprit is revealed. The photography by Sidney Blythe, Basil Emmott and William Luff is good.

The story concerns a mysterious killer loose in London. He picks women as his victims and every day finds another unfortunate female lying some place in a park with her throat slit. Scotland Yard brings a foreign police inspector in on the case and he describes the murderer.

(*Continued on page 8*)

Contract Rush on In Talent Lineup

(*Continued from page 1*)

role either in Ferenc Molnar's "The Pastry Baker's Wife" or "Invitation to Happiness," a joint effort by Franz Schulz and Arnold Belgard.

Joan Crawford has just been set for the stellar role in "Claustrophobia," a story by Abbie Carter Goodloe; Michael Bartlett, opera singer, will have an important role in Grace Moore's picture, "Love Me Forever"; Radio has signed Peggy Wood for "Jalna"; Charles (Buddy) Rogers has closed a deal with Radio for one picture with options on others; Warners have borrowed Roscoe Karns from Paramount for "Front Page Woman"; Lloyd Hughes, Mahlon Hamilton, Phillips Smalley and Howard Hickman have been signed by M-G-M for "The Flame Within"; Tutta Rolf, European import, has been set by Fox for "The Dressmaker."

Radio has closed a deal with John Robertson to direct "Freckles" and M-G-M has signed James McKay to handle "Tarzan and the Vampires" as the first on a term contract. George Fitzmaurice's first under his new M-G-M pact will be "Suzy."

Deals among the writers include the signing of Milton Krims by Radio to do the script on "Portrait of a Rebel" and the signing of Al Austin and Charles Rogers by Hal Roach to do the story and gags for the new Laurel and Hardy comedy, "Bonnie Scotland."

M-G-M has also lined up a number of song writers. Walter Donaldson and Harold Adamson will do additional music on "The Great Ziegfeld"; Gus Kahn and Arthur Johnson have been assigned to do music for "Elegance," and Nacio Herb Brown and Arthur Freed have been set for songs in an unnamed collegiate picture.

Gift Stamps Start With K.C. Splurge

(*Continued from page 1*)

patrons at the 12 participating theatres in Kansas City. In all, 60,000 stamp books are to be given out.

Announcement of the plan was made in large advertising space in the Sunday *Kansas City Star*. The words "free" and "premium" were not used, but it was stated that "valuable gifts" can be obtained by saving the stamps available at listed theatres.

Beginning next Sunday, stamps will be given out at the box-office at the rate of one stamp for each five cents paid on admission. When the books are filled they are to be turned in for merchandise gifts ranging in value from $5 to $50.

While the first run Uptown is included, the stamp idea is primarily designed to help the subsequent runs and meet the giveaway craze at the independent houses. Besides the Uptown, Fox theatres giving stamps are the Isis, Benton, Rockhill, Waldo, Vista, Plaza, Warwick, Apollo, Madrid, Linwood and Gladstone. Theatres in Kansas City, Kan., are not included.

Adoption of premiums by Fox Midwest leaves only a half dozen suburban theatres here steering clear of giveaways.



I've had a busy day

But every day's a busy day at National Screen Service . . . we daren't get tired . . . more than 9,000 theatres all over the country depend on our trailers to help sell their show . . .

We must be alert . . . we've a big job to do . . . and our 700 employees . . . all wide-awake . . . all working together . . . make trailers a business and right service a habit . . .

It's the zip in the service behind those "full-of-vitality" seat-selling trailers that have made

NATIONAL SCREEN SERVICE

prize baby of the industry

KAO-Schenck Make Product Deal for Met

(*Continued from page* 1)

the agreement would be effective in the event the Schenck-Fox Theatres' plan was approved by the court and that it would result in a permanent continuance of the existing product agreements between K-A-O and Fox Met, under which the former is permitted to day and date Radio and certain other product under first run contract to K-A-O in return for K-A-O's day and date playing of Fox product, which is under franchise to Fox Met.

While the court was told that the agreement did not prevent K-A-O from submitting a reorganization plan of its own for Fox Met, it was learned on good authority that no plan would be advanced by K-A-O if the agreement with Schenck is formally consummated and the Schenck reorganization plan adopted. It was also learned that the K-A-O-Schenck agreement does not contemplate anything like a consolidation of K-A-O with Fox Met under single operation, but embraces only an arrangement under which K-A-O would not be deprived of essential product in the event Fox Met is developed as a new first run circuit.

Schlosser, Niver on Stand

Yesterday's hearing brought Alvin J. Schlosser and Ernest W. Niver of the Fox Met bondholders' committee to the stand. Niver is chairman of the committee and a vice-president of Halsey, Stuart & Co. Schlosser is also a member of that investment house. It was testified that Schlosser did no trading in the Fox Met bonds while Niver had engaged in only two transactions, having acquired a $500 bond for $16.25 in January, 1932, and a $2,000 bond for $175 in March of the same year. He disposed of the bonds in June of last year at a total profit of $749, he said.

Both men admitted having aided in the drafting of the Schenck-Fox Theatres' plan of reorganization. Niver stated that he was ready to call a meeting of the bondholders' committee to obtain a vote on the Schenck-Fox Theatres' plan immediately, but the court suggested that this be delayed until the present hearings are terminated and other bidders are given an opportunity to present plans.

This interlude caused Judge Mack to comment that he would like to see an offer made which would produce a large sum in cash for Fox Met bondholders, rather than large amounts of new bonds such as are proposed in both the Schenck and Si Fabian plans.

"While I am not the guardian of the average man," Judge Mack commented, "I do believe that this is a speculative enterprise and that the average man should not invest in securities based on future earnings, rather than property. If he must invest, he ought to buy United States Government bonds. Moreover," the court remarked, "I do not favor such a bid as was made by Loew's and Warners last summer, which put so many conditions in with their $4,500,000 cash offer that there was no chance of its ever going through."

At another point, in discussing the Schenck-Fox Theatres' plan, the court remarked that the plan "might be fair only if it included a provision, not now present, tying Schenck to the new company for five years, if not 10 years, and with a provision calling for the sale of his pictures (United Artists and 20th Century) to Fox Met."

Raymond W. Whemple, an auditor for Irving Trust Co., as trustee for Fox Met, testified that Fox Met had $2,122,335 cash on hand as of March 31 last, and an additional $225,533 cash in the possession of the trustee under the mortgage.

Milton Weisman, who, as receiver for Fox Theatres, is a participant with Schenck in the reorganization plan before the court, was treated to an uncomfortable half-day's session on the stand yesterday by Frank C. Reavis, attorney for Si Fabian. The cash payment to bondholders proposed by the plan is $192.60 for each $1,000 bond. There are approximately $13,000,000 of Fox Met bonds outstanding and the plan calls for the presentation by Schenck and Fox Theatres of only $750,000 in new cash, the balance required for the proposed payment to bondholders being intended to be derived from the unmortgaged cash of Fox Met. The amount of the unmortgaged cash has not yet been determined and Reavis wanted to know what assurance bondholders would have of receiving the promised $192.60 in the event the unmortgaged cash was insufficient to make up the difference between that amount and the pro rata share of the $750,000 of new cash. Weisman appeared to be at a loss for a definite answer until Schenck volunteered an unconditional guarantee that he would make up any difference which might develop between the amount promised and the amount available.

Faced With Alleged Threat

Weisman was also faced with alleged threats made by him intimating that Fabian would lose his operating contracts on both the Brooklyn Paramount and Fox. Weisman admitted having an interest in the reorganization proceedings filed last week for the Brooklyn Fox and that he had said that the trustees of the Prudence Co. would repudiate the sale of the Brooklyn Paramount Bldg. to Fabian by Allied Owners Corp. and that the transaction was to be investigated by the Sabath committee. Weisman was also questioned concerning an article which appeared in MOTION PICTURE DAILY of April 19 quoting him as saying that Fabian's operating contract on the Brooklyn Fox would be canceled when the theatre was reorganized. Weisman will resume the stand this morning for further questioning.

Harry Brandt, operator of 33 houses in the metropolitan area, and president of the I.T.O.A., for which Weisman is counsel, testified as to his aid in the original formation of the Fox Met circuit and as to the difficulty of a local independent operator obtaining a first run film franchise regardless of the number of theatres he operates.

Trial in 30 Days

CHICAGO, April 24.—The Roder-Rubin case involving duals and ten cent admissions probably will come to trial in about 30 days.

Frankenstein Weds

San Francisco, April 24.—"The Bride of Frankenstein" is a reality here. She is Mrs. Alfred Frankenstein, wife of the music editor of the *San Francisco Chronicle*. They were married a few days ago in Chicago. He is formerly of New York.

Incidentally, the picture, "Bride of Frankenstein," opened at the Orpheum here on the day of the wedding. The *Chronicle* did not print a notice of the wedding.

Wall Street

Eastman Gains 1⅛ on Big Board

	High	Low	Close	Net Change
Columbia, vtc	42⅞	42⅛	42⅛	—1
Consolidated	5¼	5	5	.....
Cons., pfd (1v)	18⅛	17⅞	17⅞	.....
Eastman	136¼	134⅝	136	+1⅛
Fox "A"	10	9⅞	9⅞	— ⅛
Loew's	38⅞	37¾	38	— ½
Paramount	3	2⅞	2⅞	+ ⅛
Pathe	¾	⅝	⅝	— ⅛
Pathe "A"	10½	10	10	— ⅜
RKO	1⅝	1½	1½	.....
Warner	3⅜	3¼	3¼	.....
Warner, pfd	20½	20⅛	20⅛	— ⅞

Technicolor Off on Curb

	High	Low	Close	Net Change
Technicolor	19½	18¾	18¾	— ⅞
Trans Lux (.10K)	2⅝	2½	2½	.....

Keith, B. F., Bonds Up ¾

	High	Low	Close	Net Change
General Theatre Equip. 6s '40, ctf	9⅜	9¾	9⅜	+ ⅝
Keith B. F. 6s '46	75½	75	75½	+ ¾
Loew's 6s '41 ww deb rights	104⅞	104½	104⅞	+ ¼
Paramount B'way 5½s '51	53⅛	53⅛	53⅛	— ¾
Paramount Publix 5½s '50	79¼	79¼	79¼	.....
Warner Bros. 6s '39 wd	54¾	54	54	.....

(*K and v*) *Paid this year.*

(Quotations as at close of April 24)

Court Move May Not Delay Midland Sale

(*Continued from page* 1)

aside the temporary injunction so the sale may proceed. They base their move on opinions handed down in similar cases. Attorneys say the petitioners have no cause for action against the bankrupt theatre companies, since they are several corporations removed from General Theatres, and any action of this nature should be directed against Chase National Bank.

Other General Theatres bondholders have attempted unsuccessfully to obtain an order from the Federal Court in Delaware to instruct the General Theatres receiver to institute action against Chase National and Fox Film for return of assets foreclosed by the bank as collateral.

Commenting on the charge that an appraisal of Fox Midland and Fox Rocky Mountain is inadequate, attorneys say Lee H. Hamlin, as a creditor, could ask the court to set aside the appraisal, but it is claimed by them that the appraisal valuation of about $2,000,000 is excessive, if anything.

A statement from the Chase National in New York printed in tonight's *Journal-Post* said the bank "is not a party" to the suit, adding that "the allegations against the bank in the suit are absolutely false and totally unfounded."

New Copyright Treaty Limits Story Changes

(*Continued from page* 1)

the way for ratification of the convention under which the United States will become a member of the international copyright union.

The question of the changes which may properly be made in an author's work by a dramatist or scenario writer has long been a perplexing problem. Film and play producers contend that the requirements of the theatre necessitate the following of certain formulae, in which authors agree, but frequently as a result of these "necessities" an author has been unable to recognize his original work in the picture or play.

The authors, in brief, contend that the necessity of making changes does not go to the point where a story of desperadoes on the western plains shows up in the theatre with the locale changed to a bedroom in New York.

"The copyright convention undertakes to assure the author of protection in a moral right in his works," it was explained by the Senate Foreign Relations Committee in its report on the treaty; "that is to say, to preserve his works, when in the hands of others, from mutilation or distortion that would injure his own honor or reputation. This is a right which exists to some extent at common law in the United States and it is one that is valued very highly by writers and musicians."

The convention leaves to the individual countries the greatest flexibility in interpreting and legislating for the maintenance of this right. The section dealing with moral rights in the bill now before the committee on patents is declared to have been framed with the idea of striking an equitable balance between authors and those who use their works.

Florida Kills 10% Admission Tax Bill

(*Continued from page* 1)

a delegation at a hearing. He pointed out that passage of the bill would be "an unfriendly gesture to California producers."

The House passed a resolution inviting producers to the state and pointing out that the state has no income taxes for either individuals or corporations.

A bill prohibiting walkathons has been passed by both branches and is awaiting the Governor's signature.

Table Iowa Ticket Tax

DES MOINES, April 24. — Iowa's proposed 10 per cent admission tax has been tabled in the House.

Cameramen's

INSPIRATION

CAMERAMEN long ago decided that Eastman Super Sensitive "Pan" is fit company on any flight of genius. And results vindicate their judgment. For four years in succession the great bulk of the really inspired motion pictures have been photographed on this superlative film. Eastman Kodak Company, Rochester, N.Y. (J. L. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *Super Sensitive*

Panchromatic Negative

Campi Budget Of $359,575 Set for Year

(Continued from page 1)

de luxe first runs in cities over 1,000,000 population, while the rates for producers and distributors will run from $60 for those whose revenue last year was not over $12,000 to $11,500 for those with revenue over $20,000,000. The rates are for the first half of the year and are 50 per cent of those imposed last year.

It is provided that if any member of the producer or distributor branches prefers, he may pay to Code Authority one-eighth of one per cent of his total gross domestic revenue for last year in lieu of the assessment in the schedule.

If producers or distributors whose 1934 receipts were not over $750,000 contribute more than $9,000 to the budget for the first half of the year, the excess will be credited to the members in that group pro rata. The same is to apply to receipts from the producers and from exhibitors, should the total contributions of either or both exceed 50 per cent of the budget.

The order will become effective in 15 days, during which time protests may be filed by anyone objecting to the basis of the assessments.

FWC Delays Moves On Coast Schedule

(Continued from page 1)

zones eight and nine were continued separately after an analysis by Campi. Zone 20, which takes in the Whittier and Golden Gate, also continues as recommended by the Los Angeles board. Zones two and three, the much disputed Warners' Forum and Fox Uptown, were combined to the dissatisfaction of Warners. The Balboa was also placed outside of the Los Angeles county line, but F.W.C. contends that its only concern is not so much the separation of Harry Arthur's house in another zone as the fact that if both the Fox Florence and the Balboa play simultaneously the same admission should be charged.

Warners, it is said, will start cutting prices at the Forum as a result of the Campi decision declaring it competitive with the Uptown. Both houses have M-G-M product and if the Forum were put in another zone the two houses would play Leo's product day-and-date. As the decision now stands the Forum must follow the Uptown.

The revamped schedule is now being stenciled and will probably be mailed to the coast for the local board to decide when to put it into effect. After the plan becomes operative, complaints against any phase of it can be made to the Los Angeles clearance board.

Ohio Codes Are Held Void in Court Test

(Continued from page 1)

ing to an opinion handed down by Judge Stanley Struble in Common Pleas Court here.

The decision was rendered when the court denied an injunction in a suit filed for Attorney General John W. Bricker, Columbus, by Louis J. Schneider, county prosecutor, against the Queen City Realty Co., operating the Broadway, neighborhood house, which the state charged was paying its operators less than the code scale.

Delay Chicago Stop Order

CHICAGO, April 24.—No action will be taken by distributors in cutting off film service from E. E. Alger and his down state theatres, it developed at the grievance board meeting on the case. John Flinn advised the local board not to carry out the original stop order following a move by Alger counsel which pointed out that the stop order was directed against E. E. Alger and that distributors would be open to damage action in shutting off service on contracts signed by various Alger corporations.

An amended complaint was to have named the various Alger companies. A series of objections to the personnel of the board were made by Alger, and aimed to develop the case for hearing before Code Authority and a final NRA review if necessary. These were overruled by the chairman and the deck apparently cleared for action when Alger's counsel drew from impartial member Judge Corcoran, sitting for Judge Porter, the admission that he could not recall having filed a written oath called for by the code. As a result of this the amended complaint was set for special hearing April 30.

The complaint against Alger by Great States Theatres is for giveaways and similar reduced admissions. Legal pyrotechnics which have featured previous hearings have created keen interest in local film circles.

End Pittsburgh Giveaway

PITTSBURGH, April 24. — M. K. Miller, operator of the Novelty, has been ordered to stop giving away radios in what is described as a lottery as a result of a complaint before the grievance board. The complainant was the North Side Theatre Co., operator of the William Penn.

End Bank Night, Bargain

KANSAS CITY, April 24.—In deciding that the Plaza, Trenton, Mo., must discontinue bank night, the local grievance board ruled the complainant, S. H. Yoffie, Uptown, same town, must also quit reduced admissions. Specifically, the respondent charged the Uptown had been conducting a bargain sale, admitting two patrons for 11 cents.

Films in Beauty Shop

Boston, April 24.—A beauty parlor here has adopted an idea that might be tried in reverse by exhibitors. Films are shown while women are getting their finger waves dried and their permanent waves set. It relieves the boredom.

Exhibitors might try a "Permanent Wave Night," with each woman guaranteed two features, a set of dishes and a wave.

Gavin Best RKO Bowler

Dick Gavin is RKO's champion bowler. He finished top among 50 contestants in the inter-office competition. Emil Schwab's five won the team championship with 50 games won and 22 lost. The season began in October.

Captain McEntee's team won the high score with 914. Art White's team and Frank Taylor's five tied for second with 891.

RKO finished second to Paramount in the M. P. Bowling League.

Push Action on West Ads

LOS ANGELES, April 24. — The Southern California I.T.O. today forwarded information regarding the alleged advertising of a preview of "Goin' to Town," the new Mae West picture, by the Fox Wilshire, to Attorney Frank S. Hutton, now in Washington, in an effort to get official action in the event the Paramount exchange doesn't act.

MacDonald, Eddy Again

HOLLYWOOD, April 24. — Jeanette MacDonald and Nelson Eddy will be teamed in another musical by M-G-M, when Hunt Stromberg produces "Americans Can Sing Too." The film will feature American composers, and will go into production when Eddy gets back from his concert tour.

RCA Drops Coast Suit

LOS ANGELES, April 24.—RCA has dropped its suit against the Hollywood M. P. Equipment Co., one of several actions instituted against small equipment manufacturers over a year ago.

Looking 'Em Over

"The Phantom Fiend"

(Continued from page 4)

His description fits Novello, who has arrived mysteriously at the home of Miss Allan as a boarder. The latter and her family are dragged into the case by Jack Hawkins, a newspaperman in love with Miss Allan and all aid materially in solving the crimes after Novello is arrested. The true murderer turns out to be his brother, and when Novello is released the romance that had sprung up between him and Miss Allan is culminated in their marriage.

Others in the cast are A. W. Bascomb, who supplies all the film's comedy admirably; Barbara Everest, Peter Gawthorne, Shayle Gardner and Drusilla Wills.

On dual bills and in small town houses the picture should do well if exhibitors concentrate on its mystery angles. Reviewed without production code seal. Running time, 74 minutes. "G."

Para.'s Board Accepts Atlas Finance Offer

(Continued from page 1)

would have a participation in the underwriting would be revealed to the Federal court at a hearing scheduled for today before Judge Alfred C. Coxe. Floyd B. Odlum, head of Atlas, is a member of the Paramount board and the only one, apparently, who would have an interest in the financing.

The board set May 15 as the date of the stockholders' meeting at which one present member of the board will resign and eight new members will be formally elected. Yesterday's presiding board consisted of Gerald Brooks, Dr. Julius Klein, Duncan G. Harris, Percy H. Johnston, Henry R. Luce, Charles A. McCulloch, Maurice Newton and Adolph Zukor. Frank A. Vanderlip is also a member of the board at this time, but did not attend yesterday's session, as he was unable to return from a business trip to Chicago until today.

On May 15 Dr. Klein will resign from the board and the following eight designated directors will be formally elected: Stephen Callaghan, Robert K. Cassatt, H. A. Fortington, William S. Gray, Jr., John D. Hertz, Floyd B. Odlum, Charles E. Richardson and George J. Schaefer. All of these directors-elect with the exception of Cassatt attended yesterday's meeting.

Charter a New Unit For Saenger Houses

DOVER, Del., April 24.—Paramount-Richards Theatres, Inc., the new holding company for the Saenger stock, has been incorporated here to conduct theatres, listing a capital of $60,000. The incorporators are C. S. Peabbles, B. R. Jones and Walter Lenz of Wilmington.

Philco Radio and Television Corp. of Pennsylvania and Philco Radio and Television Corp. of Michigan have been incorpated to operate and maintain radio and television equipment, listing a capital of $1,000 each. The incorporators of both companies are Edward B. Hodge, Jr., Edward A. Collins, Jr., and Philip Dechart of Philadelphia.

"Red" Hershon Writing

HOLLYWOOD, April 24.—"Red" Hershon, former field man for Universal in Pittsburgh, Cleveland and New York, is now preparing the continuity and dialogue on the Frank Merriwell series, which Universal will make as a serial. Ansel Friedberger will supervise and Ray Taylor is tentatively set as director. No cast assignments have been made.

Skouras Extends Lease

In addition to a five-year lease signed with RKO recently for operation of the Strand, Rockville Center, Skouras Theatres have taken a 10-year lease. The RKO agreement expires in 1935 and, according to a new deal made by Skouras with Powdac Corp., the owner, operation will be continued until 1949.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 98 NEW YORK, FRIDAY, APRIL 26, 1935 TEN CENTS

Purely Personal

MARVIN SCHENCK, young in years but long a fixture in the vaudeville booking end of the Loew circuit, last night found himself the dead center of a beefsteak thrown in his honor in the Florentine Grill of the Park Central by the Marcus Loew Artists' Representatives, Inc., composed of agents who do business with the circuit's vaudeville houses. The function was by way of observance of his promotion to assistant to CHARLES C. MOSKOWITZ. The attendance included a representative cross-section of the vaudeville end of the business.

Glimpsed among the approximately 400 present were:

J. ROBERT RUBIN, LEOPOLD FRIEDMAN, HARRY BERNSTEIN, ARCHIE MAYO, NATE BLUMBERG, FRED MEYER, JOHN O'CONNOR, PAUL BURGER, BOB GILLHAM, ARTHUR KELLY, MONROE GREENTHAL, JAY C. FLIPPEN, JOHN HYDE, ABE LYMAN, BOB GOLDSTEIN, HERBERT EBENSTEIN, HARRY and BILLY BRANDT, HAL HORNE, S. H. MEINHOLD, LOU IRWIN, ANATOLE FRIEDLAND, GUS EDWARDS, ED SULLIVAN, LOUIS SOBOL, JACK ALICOATE, SI SEADLER, HARRY GOLD, GREGORY RATOFF, MONTE BANKS, PERRY CHARLES, JOE PINCUS, LOU HOLTZ, PAT ROONEY, SR., Judge FREY, BILL RODGERS, OSCAR DOOB, MAX COHEN, IRVING STEINER, JOE RIVKIN, LOUIS K. SIDNEY, LEO LUBIN, LEO KOHN, BILLY FERGUSON, EDDIE CANTOR, HERMAN TIMBERG, BENNIE DAVIS, JAKE LUBIN, HARRY HERSHFIELD, JIMMY DUNDEE, JASCHA BUNCHUK, LESTER ALLEN, JACK PULASKI, LOU RYDELL, HAL HALPERIN, BEN BLUM, MILTON SCHWARZWALD, ELI SUGARMAN and the following MOSKOWITZES: ARTHUR, HARRY, JOE and MARTIN. CHARLES C., who is in Florida, was represented, not too adequately, by RED KANN.

FLIPPEN was master of ceremonies.

•

GRAD SEARS has arrived back at his desk from that coast jaunt.

•

KITTY CARLISLE, after three months here, returns to the coast today.

•

ROBERT LYNCH, M-G-M branch manager in Philadelphia and handling

(Continued on page 3)

Second Ampa Ticket Makes Clean Sweep

Ampa's second ticket was overwhelmingly voted in yesterday at the annual elections held at the M. P. Club. There were 70 votes cast, one of which was discarded because both tickets were voted. On checking the

(Continued on page 2)

Local Theatre Combine Falls Through Again

Move to Get 125 Houses Together Dropped

Revived efforts to merge from 125 to 150 theatres in New York and about 75 houses in New Jersey into one or two circuits in an effort to bring about reductions in film rentals have again failed, it was learned yesterday.

According to the plan, exhibitors pooling houses into the two new companies would have been given stock in proportion to their interests. Operation would have been continued by the present lessees or owners.

It was figured that Loew's, RKO, Warners, Century, Consolidated, Springer & Cocalis, Prudential and other circuits in the local territory

(Continued on page 2)

All Major Circuits To Aid NVA's Drive

All major circuit theatres, some 2,000 in number, are now pledged to donate 10 per cent of May 20 grosses to this year's N. V. A. drive, it was reported yesterday. Independents will be asked to sign pledge cards.

"To make it easy on the exhibitors, a week of intensive national and local business-building publicity has been arranged, so that grosses will be increased beyond the amount of the

(Continued on page 2)

Evergreen Control Will Be Localized

LOS ANGELES, April 25.—The Evergreen State Amusement Corp. of Washington and Oregon, now operating in conjunction with F.W.C. from the home office, will be handled under district managers in the future, it was revealed here yesterday.

Under the new plan, Frank L. Newman, president, will supervise all first runs, and Al Rosenberg and Al Finkelstein will head the Portland

(Continued on page 2)

Republic Deals Set In Albany, Buffalo

Jack Berkowitz and Bernard H. Mills, Standard Film Exchanges of Buffalo, have closed a deal with W. Ray Johnston of Republic Pictures for the Buffalo and Albany franchises of the new company. The Standard

(Continued on page 2)

Paramount Set

Annual sales convention of Paramount will be held in New York June 13-16. The place will be the Waldorf.

Say Missouri Can Prosecute On Bank Night

JEFFERSON CITY, Mo., April 25.—Exhibitors in Missouri operating bank night and similar schemes lay themselves open to criminal prosecution under the state lottery laws, according to state officials who make this assertion in the light of recent opinions by the office of the attorney general of Missouri.

In an opinion given State Senator J. C. McDowell it was stated bank night "constitutes a lottery in violation of the criminal laws of this state." Senator McDowell, outlining

(Continued on page 8)

RKO Midwest Board Holds Meeting Here

Directors of RKO Midwest Corp., of which Ike Libson of Cincinnati is operating head, yesterday held a routine monthly meeting. Libson and his two associates, Ben Heidingsfeld and Maurice White, attended.

Libson last night stated conditions are much better in his territory and there has been a decided improvement over last year. He planned to leave last night, but stated he may stay over until today.

Ohio Defeats Move For Legal Lottery

COLUMBUS, April 25.—A resolution proposing a constitutional amendment to legalize state lotteries, subject to a vote of the people at the November election, has been defeated by the House.

The measure had been passed by the Senate. Revenue was to have been applied to old-age pension requirements in event of passage by the House and approval by the people.

Mail Officials Order Out Frisco Bank Ads

SAN FRANCISCO, April 25.—Local postal authorities today ordered all theatres here immediately to stop advertising bank nights on the ground

(Continued on page 8)

KAO's Share Of Met to Be From 20-25%

Swope Details Agreement Before Judge Mack

Keith-Albee-Orpheum's stock ownership participation in Fox Metropolitan Playhouses may be a maximum of 25 per cent or a minimum of 20 per cent if the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Met is successful, Herbert Bayard Swope, chairman of the board of K-A-O, testified yesterday before Federal Judge Julian W. Mack.

K-A-O's 25 per cent stock participation could be had, according to the present understanding between Swope and Schenck, only if Fox Theatres does not exercise its option under the reorganization plan to purchase 50 per cent of the Fox Met stock. In that event all of the Fox Met stock would go to Schenck and he would

(Continued on page 8)

Three Houses Share In Para. Financing

Lehman Bros. and Hallgarten & Co. will participate with Atlas Corp. in the underwriting of the $6,400,000 issue of new Paramount stock subscription warrants, Federal Judge Alfred C. Coxe, who approved the underwriting proposal at a hearing yesterday, was told.

The proposal calls for a commission of one per cent, or $64,418, for the commitment which may run to next September, as Paramount stockholders

(Continued on page 3)

"Richelieu" Pulls $103,000 into Hall

"Cardinal Richelieu" was a grossgetter for the Music Hall last week, garnering $103,000 for the first seven days. The Palace on the second week of "The Little Colonel" ended with approximately $9,000. "Black Fury" in its second week at the Strand took in about $21,735.

IEPA-Jersey Allied Effect Affiliation

PHILADELPHIA, April 25.—The Independent Exhibitors' Protective Ass'n of Eastern Pennsylvania, Southern New Jersey and Delaware effected a union today with Allied of New

(Continued on page 2)

MOTION PICTURE DAILY

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Local Merger Falls Through Once More

(*Continued from page* 1)

are receiving benefits in buying because of the number of houses represented in the individual groups. Under the proposed plan, the combined buying strength would have been approximately 200 theatres.

Renewal of the proposal was brought about because of the proximity of the new buying season. It is believed that if the plan were acceptable to members of the local exhibitor organizations, all details could be completed before intensive selling gets under way.

Exhibitors are skeptical and hesitant about transferring deeds and other papers involved.

All Major Circuits To Aid NVA's Drive

(*Continued from page* 1)

contribution," according to a statement sent out from headquarters of the drive, which hopes to enlist 4,000 houses.

It was revealed yesterday that eight major distributors have agreed to waive their interest in 10 per cent of May 20 receipts of all theatres, pledging that amount as their contribution to the fund.

Criterion Now Single

Starting today the Criterion will show "The Phantom Fiend" on a single feature basis. The film originally opened as part of a double bill with "Behind the Green Lights."

Insiders' Outlook

By RED KANN

MORE on Hays office concern over advertising films and their encroachment possibilities in the entertainment field. Make no mistake about the extent of the worry; it's genuine and predicated on sound, if so far theoretical, reasoning. To tell the story means to approach it by a circuitous route. The leaders in the field of national advertising individually spend millions each year. A substantial portion goes to newspapers and class magazines; a lot to radio. Indicative of how generous is the splurge in broadcasting is the $2,500 or $3,000 paid Claudette Colbert recently by Lux soap for an hour's condensation of "Holiday." Ether time was another item and a generous one; newspaper advertising heralding the program, another; supplementary cast and music, still others. Combined into what was one program on one Sunday, the same cost calculation applied to the remaining fifty-one weeks conveys an idea what this company alone spends annually on radio advertising. It has plenty of competition from other business fields. . . .

▼

National advertisers have done a good job in newspapers, magazines and in radio. Constantly on the alert for new angles on which to spend apparently limitless budgets, an approach to theatres must be recognized as entirely a logical one. What worries certain of the directors of the Hays organization is the manifestation of what may come as evidenced by current activities—in Hollywood, mind you—of General Electric and General Motors which are financing and having made advertising talkers ballyhooing their Frigidaires, Chevrolets and Cadillacs with professional performers in the cast. . . .

▼

There appears to be some evidence indicating that the G.E. and G.M. flyers do not embrace invasion of the theatrical industry, but plan their films for conventions and dealers. Yet envisioned around a convenient corner is an extension of the idea to embrace other pictures, perhaps feature in length and in treatment, with important players as part of a scheme which would deposit prints in the laps of theatre owners without any cost to them. Advertising reels today get quite a play in some instances and the playing time accorded is not confined to independent theatres by a long shot. Imagine what a well-rounded, well-planned and well-executed feature with a genuine box-office name handed out as largess by its sponsor might do to the regularly constituted production and distribution business! . . .

▼

In their essence, these are the principal reasons behind the Hays office attitude and explain the statement of the other day as well as the reason for study of the matter and which is being undertaken. Peering ahead into a something which does not, but which may, exist today or tomorrow is a sound method of tackling any problem; that's why it is under way. Repeating our slant, a practical method of choking off potential trouble would seem to be direct action by the men who do the employing on the coast. The hitherto untouched angle which makes the picture more or less complete is a fear the production code may be transgressed and the voluntary agreement of major producers to keep their skirts clean violated in the eyes of church and public. Belonging to no integral part of the industry, national advertisers entering production obviously are not bound to observe the tenets of a pact which they did not sign and in which they could have no direct or indirect concern. . . .

▼ ▼

This observer felt a need for bright, cheery sunshine and no shadows yesterday morning after a look at "The Bride of Frankenstein." No doubt designed to make its predecessor pallid by comparison, this horror-shocker sequel is supercharged with blood-curdling, skin-chilling episodes which may be fantastic but which grip mightily. In the mood of the subject matter, James Whale's direction fits glove-like. Photographically and in point of sets, John Mescall and Charles Hall did their respective jobs with something approaching the superb. While it may have nothing to do with the case, this is as good a time and a spot as any to sound a note for dramatic heightening through black and white photography when expertly applied. Color, for instance, would have added nothing to, if it would not actually have detracted from, "The Bride of Frankenstein," Technic notwithstanding. . . .

Expect 150 at SMPE Spring Session Here

Advance information indicates that 150 members of the eastern division of the S.M.P.E. will attend the spring convention at the Roosevelt May 20-24, according to W. C. Kunzmann, vice-president in charge of the convention.

A tentative program for the meeting has been drawn up and will be announced shortly.

Second Ampa Ticket Makes Clean Sweep

(*Continued from page* 1)

votes it was found that the opposing slate was carried six to one.

John C. Flinn talked briefly to the membership on past presidents. After the election, William R. Ferguson, retiring head, forgot his Scotch habits and bought drinks for everyone present. Installations take place Saturday night at the Naked Truth Dinner at the Astor.

The slate named is as follows: Bruce Gallup, president; Gordon White, vice-president; Edward F. McNamee, secretary; Herbert S. Berg, treasurer. The board of directors: Ferguson, Paul Benjamin, Marvin Kirsch, Melvin H. Heymann, Alexander Gottlieb. Trustee for three years, Flinn. Auditing Committee, Paul Gulick, Edward Finney, Vincent Trotta. National Counselor, Hal Horne.

Seventeen personalities have been selected to alternate as master of ceremonies for the Saturday affair, among whom will be Bernard Sobel, Harry Hershfield, Joe Laurie, Jr., Ed Sullivan, Jay C. Flippen, Ted Bergman and Phil Baker.

IEPA-Jersey Allied Effect Affiliation

(*Continued from page* 1)

Jersey at a joint meeting here attended by 58 theatre men.

The session was a closed one and the trade press was barred, presumably at the request of Sidney Samuelson, head of Allied.

The joining of the two groups had been forecast ever since the organization of the I. E. P. A. and marked the end of negotiations starting more than a year ago, when Samuelson first counseled the new group that it should arrange its financial setup before it could link with Allied.

Republic Deals Set In Albany, Buffalo

(*Continued from page* 1)

name will be changed to Republic Pictures of Upper New York.

Sam Seplowin of Monogram Pictures, Inc., has also closed with Johnston for the Michigan franchise of the new concern. The name of his corporation will be changed to Republic Pictures Corp. of Michigan.

All three men who signed the new deals were former Monogram franchise holders for their territories.

Evergreen Control Will Be Localized

(*Continued from page* 1)

and Washington territories, respectively. On the board of directors, Newman is listed as president; Rosenberg, vice-president; Finkelstein, secretary, and A. M. Ahlskog, treasurer. Other officers are Fred L. Metzler, Charles Skouras, G. C. Morrill and A. Shemanski.

Richard Rumor Denied

A report that A. J. Richard would be transferred or supplanted as head of Paramount newsreel, brought a denial yesterday from Austin C. Keough, general counsel for Paramount and vice-president of the reel.

Purely Personal

(*Continued from page* 1)

the Chicago theatre building program for Loew's, was in town yesterday conferring with home office executives.

•

MARK HELLINGER, who was among the first of the Broadway columnists to appear in person in a theatre, returns to the State this week. MRS. HELLINGER, who was GLADYS GLAD with ZIEGFELD, will be in his unit.

•

NAT STEINBERG and BARNEY ROSENTHAL of Republic Pictures, St. Louis, leave today for home after two days here conferring with W. RAY JOHNSTON.

•

AMPAITE JULIAN MARTIN returned yesterday from three months in Florida, with the usual tan, and expects to travel again in a few days to California.

Quip of the Day

Cliff Work to Nate Blumberg: "Are vice-presidents born or made?"

ED SULLIVAN opens at the Metropolitan in Brooklyn today with his night club revue. This is the second week of a tour of Loew houses he'll make this summer.

•

HOWARD S. CULLMAN will be one of the speakers at today's afternoon session of the eighth annual conference of the American Ass'n for Social Security at the Astor.

•

DARIO FARALLA left for Hollywood by air yesterday to become assistant to HENRY HERZBRUN at the Paramount studio.

•

MORRIS BERG was 10 months old yesterday. He celebrated more or less quietly with his pa, H. SPENCER BERG of the U. A. Bergs.

•

FELIX FEIST led the M-G-M huddle at the Empee Club yesterday. Others present included BILL RODGERS, EDDIE SAUNDERS and BOB LYNCH.

•

JAMES R. GRAINGER is off on a lengthy week-end. Wants to get rid of that cold which has been bothering him.

•

GARY COOPER pulled up New York stakes yesterday and started his return trip to the coast.

•

ARCHIE MAYO, JOE MOSKOWITZ, and the two LOUS, IRWIN and SCHREIBER, combined at lunch yesterday.

•

CHRIS BUCKLEY was in town from Albany yesterday. RKO home office conference was the reason.

•

EDDIE GOLDEN has returned from that quick business trip to Canada.

•

AL LICHTMAN is home. He has laryngitis.

•

HAL ROACH expects to leave for the coast by plane today.

Three Houses Share In Para. Financing

(*Continued from page* 1)

have until then to exercise their subscription warrants. The offer was generally conceded to be highly favorable to Paramount as the commission is variously estimated at either actual cost of the underwriting or less than cost. No objections to the Atlas proposal were voiced at yesterday's hearing.

The agreement including Lehman Bros. and Hallgarten & Co. in the underwriting is understood to have been reached yesterday, subsequent to ratification of the proposal by the Paramount board on Wednesday. Thus three Paramount directors will have an interest in the underwriting. They are Floyd B. Odlum of Atlas, John D. Hertz of Lehman Bros. and Maurice Newton of Hallgarten.

It was reported yesterday that Odlum may be compelled by other obligations to resign from the Paramount board at an early date, but will probably designate his successor in that event.

The underwriting proposal was the only subject presented to the court yesterday. May 10 was set as the date for hearings on the remaining matters incident to organization of the new Paramount company, such as approval of its charter of incorporation, its new by-laws, security forms and other matters. The stockholders' meeting for the formal election of directors of Paramount will be held May 15.

Corporations Formed For Skouras-Century

Skouras Theatres Corp. and Century circuit have set up eight new corporations in Albany in anticipation of the pooling deal now in work and which is expected to become operative on May 4. Signing of the agreement has been held up due to the presence of George Skouras at the reorganization hearings of Fox Met.

The new companies formed are: Greenek Realties, Inc., Merja Realties, Inc., Hemfree Realties, Inc., of which George P. Skouras is president; Huntco Realties, Inc., Frankstram Realties, Inc., Rock Brook Realties, Inc., Washport Realties, Inc., Sunny-Bliss Realties Inc., of which H. Clay Miner is president.

Suit Halting Sale of Fox Units Up Today

KANSAS CITY, April 25.—The claims of General Theatres Equipment bondholders seeking to block the sale of Fox Midland and Fox Rocky Mountain will be threshed out in U. S. District Court tomorrow. The petitioners have been ordered to show cause why the injunction halting the sale should not be vacated and the petition dismissed.

Herbert V. Jones, Fox Theatres' trustee, in his answer claimed the suit was not a valid action since the theatre companies were not directly involved in General Theatres Equipment complications. Sale to National Theatres may be confirmed late tomorrow if the injunction is vacated.

Green Heads Committee

HOLLYWOOD, April 25.—Howard Green was elected chairman of the Academy writers' committee last night.

Wall Street

Eastman Jumps 5¼ on Big Board

	High	Low	Close	Net Change
Columbia, vtc	42¾	42	42½	+ ⅜
Consolidated	4⅞	4⅞	4⅞	— ⅛
Cons., pfd (1v)	17½	17⅛	17¼	— ⅝
Eastman	141½	136½	141¼	+5¼
Fox "A"	10⅛	9⅞	10⅛	+ ¼
Loew's	38½	37¾	38	.....
M-G-M, pfd	28	28	28	.....
Paramount	3	2⅞	2⅞	.....
Pathe	⅝	⅝	⅝	.....
Pathe "A"	10	10	10	.....
RKO	1⅝	1⅝	1⅝	+ ⅛
Warner	3¼	3	3	— ¼
Warner, pfd	19	18½	18½	—1⅝

Technicolor Up ¾ on Curb

	High	Low	Close	Net Change
Sentry Control	¼	¼	¼	—1/16
Technicolor	19½	18⅝	19½	+ ¾
Trans Lux (.10K)	2½	2½	2½	.....

Paramount F. L. Bonds Gain 2

	High	Low	Close	Net Change
General Theatre Equip. 6s '40, ctf	10¼	9½	9⅝	+ ¼
Loew's 6s '41 ww deb rights	104⅝	104½	104½	— ⅜
Paramount F. L. 6s '47	80	79	80	+2
Paramount Publix 5½s '50	81½	79¼	81⅛	+1⅞
Warner Bros. 6s '39 wd	53¾	54⅜	55¾	+1¾

(*K and v*) *Paid this year.*

(Quotations as at close of April 25)

William Wyler Back Seeking a New Pact

Upon his arrival yesterday morning on the *Rex* with his wife, Margaret Sullavan, after a 10-week vacation abroad, William Wyler, director, stated he had not been with Universal since January. He added that while in New York he will negotiate a new contract, but would not disclose with what company. However, the belief is he will rejoin Universal before he takes a plane to Hollywood on Sunday.

Miss Sullavan brought back two St. Bernard pups. She plans to stay in New York about 10 days doing a lot of shopping. Her next picture will be "So Red the Rose," on a loan from Universal to Paramount.

Gregory Ratoff was on the same liner. He said that while in England he made four pictures for three companies. For Warners he appeared in "Butter and Egg Man," for British International, "Falling in Love" and "18 Minutes"; for Gaumont British "Forbidden Territory." He plans to stay in New York a week before returning to the Radio lot.

Wyler said he might go back to London later in the year on some plans he has in mind.

NEATEST TRICK OF THE WEEK



Eleanor Bayley

of 1234 Rowland Ave., Burbank, Cal. Miss Bayley appears in the elaborate ensemble numbers of "In Caliente."

CRITICS BATTLE OVER 'G-MEN'!

Vic Shapiro in Motion Picture Daily says the **G** in 'G-Men' "means plenty of G's for showmen!"

Jimmy Starr of L. A. Herald-Express says "the **G** in 'G-Men' stands for guts!" . . . . . .

Sidney Skolsky, famed columnist, says the **G** in 'G-Men' stands for 'great'! . . . . . .

Bob Coons of the Associated Press says the **G** in 'G-Men' stands for 'grand'! . . . . . .

..BUT THEY ALL AGREE THAT

G-M

With Ann Dvorak, Margaret Lindsay, Robert Armstrong, in huge cast. Directed by Wm. Keighley. A First National Picture.

Starring

JIMMY C

IF YOU GET IT
FROM WARNER BROS.
YOU GET IT FIRST



EN

. . ."is the fastest moving, most exciting picture in years."—*Leicester Wagner of United Press*

. . ."faster than a machine gun—a thriller that will be hard to top—an undoubted winner—watch it go at the box office!"—*Harrison Carroll of King Features Syndicate*

. . ."a grand tribute to the Department of Justice."
—*Louella Parsons*

. . ."tops in cinema excitement—as thrilling as tomorrow's headlines." —*Jimmy Starr*

. . ."I don't see what there is left for any other company to make in the line of 'G-Men' stories. It's all in this picture."
—*Douglas Churchill of N. Y. Times*

AGNEY

The Big Pic

A JO



Something more than a great motion picture . . . a new emotional experience in the theatre . . . with dramatic impact that jars loose the traditions of the screen!

A PREDICTION

RKO-RADIO IS CONVINCED THAT EVERY CRITIC IN AMERICA WILL PLACE IT ON HIS LIST OF THE TEN BEST PICTURES FOR 1935

Fire

HN FORD PRODUCTION



with

VICTOR McLAGLEN
HEATHER ANGEL
PRESTON FOSTER
MARGOT GRAHAME
Wallace Ford · Una O'Connor

FROM THE STORY BY LIAM O'FLAHERTY
CLIFF REID, ASSOCIATE PRODUCER
RKO-RADIO PICTURE

KAO's Share Of Met to Be From 20-25%

(Continued from page 1)

dispose of 25 per cent of it to K-A-O, the court was told. If the Fox Theatres' option is exercised, however, K-A-O will be permitted to acquire only a 20 per cent interest.

Swope testified that K-A-O's concern in the proposed acquisition of Fox Met by Schenck was solely with the problem of product which would confront K-A-O as a result of the change. He said that a number of plans of action devised by K-A-O as a result of its concern over the situation were solely designed as protective moves and that there was no actual desire on K-A-O's part to acquire the circuit.

The protective moves enumerated by Swope included several conferences with Schenck in California as to his intended policies in the event he acquired Fox Met, which resulted in his being told by Schenck that the latter would be willing "to go along" with the present product arrangements between Fox Met and K-A-O. Swope said, however, that the declarations he received from Schenck were "not very reassuring."

Swope said he also wanted to find out whether Nicholas M. Schenck of Loew's was involved in the Fox Met plan and that he, Swope, had been reassured by David Sarnoff, chairman of the board of RKO, that he was not, and that the Loew chieftain also phoned him in California to tell him the same thing.

Says K-A-O Still Free to Bid

Swope persistently denied that K-A-O had entered upon the agreement to participate in the Schenck-Fox Theatres' plan with the condition that K-A-O would not present a plan of reorganization of its own for Fox Met. He testified that while it was "highly unlikely" that K-A-O would now present a plan if the Schenck bid is successful, the RKO theatre company, nevertheless, is still at liberty to do so. He added that, prior to the understanding with Schenck, K-A-O had discussed the possibility of presenting a plan and financing it with an "outside source," with three different film companies and with Si Fabian, who also is proposing a Fox Met reorganization plan. He denied that one of the companies with which he had discussed a plan was M-G-M. The K-A-O head emphasized that his company was primarily interested in a perpetuation of Fox Met's present operating status in order to "avoid excessive film costs and ruinous competition."

At one point during Swope's testimony Judge Mack remarked that "one of the things that might lead to the overthrow or rejection of Schenck's plan could be the probability of K-A-O offering a plan if the Schenck plan is rejected."

Milton Weisman, associate of Schenck in the reorganization plan as receiver for Fox Theatres, had another uncomfortable session on the stand yesterday. He denied a statement in an article read from MOTION PICTURE DAILY of April 19 which quoted him as saying that he believed the Schenck Fox Theatres' plan would be approved by the court.

Judge Mack remarked that if the statement were true, he considered it "highly improper for an attorney to predict the outcome of a case before the court" and such a remark, if true, "might influence the court now."

Fabian was placed on the stand and interrogated on the proposal he has made for reorganization of Fox Met and testified that he did not consider the Fox franchise of great importance to Fox Met in a reorganization as there would be an "open" film market in the metropolitan area next season with K-A-O assured of only Radio and possibly Fox product. He said that George Schaefer had assured him Fox Met would be able to get Paramount product if it was reorganized under Fabian and that Herman Starr had said that Warners, too, would "continue to sell these theatres." Fabian offered the opinion that Fox Met and K-A-O would be "natural allies" and their combined buying power would eliminate all problems of obtaining product. He estimated that under his plan Fox Met could be operated at an overhead "$250,000 less than it was in 1934."

Fabian will resume the stand today.

Campi to Send Out Code Bills Shortly

With the NRA approval of the 1935 budget for $359,575, Campi within the next few days will send out bills to 9,169 code assentors for the first half of the current year.

The Los Angeles clearance and zoning schedule is expected to be ready today and will be sent to the coast by air mail. It provides for 20 different price schedules, according to zones. The local board is expected to set May 9 as the date when the plan will become effective.

Hanson Confers with Flinn on Clearances

Al Hanson, Los Angeles city manager for Fox West Coast with 28 houses under his supervision, yesterday conferred with John C. Flinn on details of the revised coast schedule. Edward Alperson, chief buyer for the circuit, also attended the session.

Meanwhile, FWC has taken no legal action on the schedule.

Hanson had planned to leave for the coast by plane immediately after the conference, but the length of the session forced him to postpone his departure until today.

Film Congress Open; British Not Present

BERLIN, April 25.—About 1,000 delegates said to represent 38 countries opened the International Film Congress here today. Dutch and British representatives were not present.

Restrictions placed on British films were given as the reason. A British spokesman said the whole German industry was under the domination of the government and there could be no free discussion.

Report New N. O. Studio

NEW ORLEANS, April 25.—Reports are current that George Orth of New York intends to build a two-stage sound studio near the Shushan Airport on a 50-acre plot. Production and rental of space are included in the plans, according to report.

Rosenblatt Charges To Grievance Board

Charges by Leon Rosenblatt of the Rosenblatt-Welt circuit that Skouras Theatres, operating the Pascack, Westwood, employed unfair tactics in buying product away from the Westwood, Westwood, have been referred to the local grievance board by a Campi committee comprising Paul Burger, Henry Sussman and F. Thomas Murray after a hearing.

Rosenblatt claims that for the current season he could get only 49 Columbia films first run with Skouras using the buying power of Fox West Coast to take away products he had had in former years. This, however, was denied by Louis Weber, attorney for Skouras.

The Campi committee held that the local board had no right to certify the case to Code Authority and that a decision must be made after a rehearing with preference on the calendar. If the decision of the local board is appealed, preference will also be given on the appeal calendar.

It was pointed out during the hearing that Rosenblatt previously had won an overbuying case for the Orient, Jersey City, against Skouras, but when Campi finally handed down a verdict the ruling of the lower board was reversed.

Clearance Ruling Is Clarified in Boston

BOSTON, April 25.—An executive session of the clearance and zoning board has clarified a recent Greater Boston decision that stated: "First run Newton shall have clearance over Needham and Wellesley. Availability for Needham and Wellesley shall be immediately after Newton day and date, but not more than seven days after Newton for either town. First run Newton shall have seven days clearance over first run Watertown. First run Newton shall have seven days clearance over first run Waverly."

The new decision of the Board is: "That play dates for pictures may be submitted by either Needham or Wellesley and if accepted by the exchange for either Needham or Wellesley then said date shall be immediately made available for the other, notice to be given by the exchange to the other theatre immediately that such date is accepted with opportunity to book pictures on the same date. The above applies only to dates submitted within seven days after Newton, after which time either town may book irrespective of the other."

Mail Officials Order Out Frisco Bank Ads

(Continued from page 1)

they violate the Federal laws against lotteries. As a result no papers carried bank night notices today. Affecting some 40 advertising theatres, the order will have the effect of practically cleaning up pending bank night litigation because bank nights will be crippled if theatres are unable to use the newspapers.

Liberty Buys "Sally"

HOLLYWOOD, April 25.—Liberty has purchased "Sally of Show Alley," a novel by Homer King Gordon, as one of the 12 for next season.

Say Missouri Can Prosecute On Bank Night

(Continued from page 1)

the plan to the attorney general, indicated it was permitted in two adjoining states, Iowa and Kansas, and asked since the participant is not required to buy an admission to the theatre for a chance to win the prize, whether bank night falls within the lottery law "or is a legitimate advertising plan."

The opinion, written by an assistant attorney general and approved by the attorney general, recalled that the state law was passed pursuant to a mandate prohibiting lotteries and gift enterprises contained in the Missouri constitution. Numerous court decisions were cited to show it is immaterial that participants do not have to pay a consideration.

Bank Nights Win Round in K. C.

KANSAS CITY, April 25.—Bank night interests won a victory today when Mrs. A. Baier's complaint against R. W. McEwan, bank night distributor, and Rube Finkelstein of the Belmont was dismissed by the county prosecutor, who said he could not act unless she signed as a complaining witness, which she refused to do on the ground that it might involve her in future complications.

Massachusetts Race Fight Tangles Anew

BOSTON, April 25.—More complications have developed in the fight on horse and dog racing with pari-mutuel betting. Daniel Callahan, who sought an injunction to stop work on the Eastern Racing Ass'n. track, has signed an affidavit to the effect that he was given $200 by out-of-state racing interests to start the move.

The House has turned down the Senate bill to refuse appropriations to the State Racing Commission.

To help the proposed racing venture at Agawam, Governor Curley is seeking an extension of the racing days from 70 to 100.

Dog tracks seem to be doomed as a result of the general agitation, but horse racing may get started late in the summer.

Chicago Bans "G Men"

CHICAGO, April 25.—Chicago has banned Warners' "G Men." H. M. Costello, head of the Chicago Crime Prevention Bureau, who cooperates with the censors, said that while the film taught a moral lesson the machine gun scenes "would prove over-stimulating for children."

"G Men" for Strand

Warners yesterday changed their minds about reopening the Warner theatre with "G Men" and the picture is now dated for the Strand May 1. "Go Into Your Dance" has been booked into the Capitol starting May 3.

Sisk Is Flying East

HOLLYWOOD, April 25.—Robert Sisk is flying to New York with a print of Radio's "The Informer."

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 99 NEW YORK, SATURDAY, APRIL 27, 1935 TEN CENTS

Paramount Disclosed As Possible Fox Met Bidder

Senate Moves To Hold NRA Until March 1

Idea Is to Await Court Rulings Temporarily

By CLARENCE LINZ

WASHINGTON, April 26.—Temporary extension of the Recovery Act in its present form, possibly until March 1, next, as a means both of avoiding a bitter fight in the Senate and of giving time for clarification of the situation through Supreme Court action, will be laid before President Roosevelt over the week-end by Senator Pat Harrison, chairman of the Senate Finance Committee, it was learned today.

Prior to going to the White House, Harrison will discuss the proposal with Senator Clark of Missouri, by whom it was suggested, and possibly

(*Continued on page 2*)

State NRA Voided; New One Is Signed

ALBANY, April 26.—For about an hour today the state had no NRA act of its own. The Court of Appeals declared the Shackno Act unconstitutional on the ground that it required the acceptance of codes drawn up under the Federal NRA act.

Recently the legislature passed a new act correcting this fault in the original act and providing that when codes are filed with the Secretary of State he can accept or reject them. Governor Lehman signed this new act about an hour after the Court of Appeals ruling became known.

House Group Favors Present Ticket Tax

WASHINGTON, April 26.—Members of the Ways and Means Committee of the House met today for preliminary discussion of the new tax bill and agreed to continue the admission tax at its present rate and with the present exemption.

Graetz Coming Here For Toeplitz Deals

By BRUCE ALLAN

LONDON, April 26.—Paul Graetz, managing director of Paris Export Film Co., is on his way to the United States on the *Champlain* to negotiate talent deals for Toeplitz Prod. and to discuss the possibility of producing

(*Continued on page 2*)

Philadelphia Openings Stir Up Exhibitors

PHILADELPHIA, April 26.—Competition among the independent exhibitors is increasing daily in this territory with the reopening of several old theatres.

One of the old houses is the 56th St., which is to be part of the new William Goldman circuit. It has served lately as a meat market. Another independent exhibitors battle is expected in the northeastern end of the city between David Shapiro and Leo Posel. Shapiro, who has the Admiral, 6th and Somerset Sts., has been negotiating with Posel on the old Bell, recently a bowling alley, at 6th and Lehigh, one block away. Posel is opening the house himself. As a result Shapiro is getting a second house in the same neighborhood, the old State, lately a scenic

(*Continued on page 4*)

Sale of Fox Units Is Confirmed in K. C.

KANSAS CITY, April 26.—Following the dissolution of the injunction obtained Tuesday in Federal court by three General Theatres Equipment bondholders, the sale of Fox Midland and Fox Rocky Mountain to National Theatres was confirmed by Referee Fred S. Hudson in bankruptcy court today. The referee signed the order affirming the sale on an offer of $790,000 for each unit, plus unpaid administration and court expenses.

Transfer of assets is expected in a few days and final reorganization about mid-May.

McAdoo Issues Call On Copyrights Bill

WASHINGTON, April 26. — Senator McAdoo of California today issued a call for a meeting of the Senate Patents Committee, of which he is chairman, on May 1 to discuss what action should be taken on the copyright bill. The committee will determine at the meeting whether hearings are to be held or the bill put over until the next session.

Ampa Boys All Set

Everything's all set for the Ampa's Naked Truth dinner tonight at the Astor. The ballroom has been transformed into a continental night club. Dinner will get under way about 8 o'clock, if the chefs are in good form, and the show will start about a half hour later.

Nearly all the stage, radio and screen names in New York have promised to show up, and a whole staff of masters of ceremonies has been lined up. Joe Laurie, Ed Sullivan, Ted Bergmann and Phil Baker will relieve each other.

Balboa's Scale in L.A. to Be Reheard

At the request of three Code Authority members, John C. Flinn has called a special session of Campi for next Wednesday to reconsider the Balboa situation in the Los Angeles clearance and zoning schedule.

During the rehearing of the coast plan on April 11, Harry Arthur, operator of the house, stated that the Balboa was charging 40 cents and was considering boosting the admission to 50 cents. Al Hanson, repre-

(*Continued on page 2*)

Justice Films Get Washington Frowns

WASHINGTON, April 26.—Films based on the exploits of Uncle Sam's secret service have fallen under the ban of the men they seek to glorify.

Edgar J. Hoover, head of the bureau of investigation of the U. S. Department of Justice, has instructed his agents throughout the country not to attend preview showings of pictures

(*Continued on page 2*)

Wisconsin IEPA in New Move on Duals

MILWAUKEE, April 26.—Plans for eliminating duals were discussed at the last meeting of Milwaukee county members of the I.E.P.A. It was agreed that twin bills would have to be wiped out before any headway can

(*Continued on page 2*)

Fabian Tells Court of Dicker on His Plan For a New Setup

Disclosures that Paramount Publix, through financial interests now represented on the board of directors of the company, discussed with Si Fabian the making of a $4,000,000 cash bid for Fox Metropolitan Playhouses, and that Warners sounded out Fabian on the possible purchase of the 18 Fox Met houses in New Jersey in the event a Fabian bid for Fox Met was successful, highlighted four hours of testimony of a sensational nature before Federal Judge Julian W. Mack yesterday.

Prior to the disclosure of Paramount's interest in Fox Met, and the associating of Fabian with it, it was charged by Isidor Kresel, counsel for the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Met, that Fabian's present proposal is being made with the sole objective of blocking any plan which is presented at this time. Kresel later elicited from Fabian that the reason why Paramount did not come forward with its own bid at this time was, Fabian said he had been told by the Paramount associates, that it would be unable to do so until it was completely free of

(*Continued on page 4*)

Paramount Bonds Up To New High Marks

Paramount Publix bonds rose six points to a new high of 87 in moderate trading yesterday while the certificates were up five points to a new high of 86⅛. Paramount - Famous - Lasky bonds rose 5½ to a new high of 85½ and the certificates were up six to a new high of 86.

The sharp increase is generally credited to the optimism evidenced by the Atlas Corp., Lehman Bros. and Hallgarten & Co. in underwriting the new Paramount stock subscription warrants at cost.

Criterion, Loew's Are Taken by Bank

The Criterion and Loew's New York theatre properties, including hotel and store units on 44th and 45th Streets, were sold for $4,000,000 to the City Bank Farmers Trust Co., holder of the $4,000,000 mortgage on

(*Continued on page 2*)

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Advertising Manager

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Pope Sees Quigleys

VATICAN CITY, April 26.—Martin and Mrs. Quigley were received by Pope Pius today in private audience.

Henigson to Paramount

HOLLYWOOD, April 26.—Henry Henigson, who resigned as a Universal producer last week, signed with Paramount in a similar capacity last night, terminating negotiations covering two weeks.

Nickolaus Eastbound

LOS ANGELES, April 26. — John Nickolaus, Metropolitan Laboratory head, left on the Chief tonight. He intends to inspect printing machines now being constructed in Kansas City and Chicago and to visit the DuPont and Eastman Laboratories.

Marion Davies' Dad Dies

HOLLYWOOD, April 26.—Judge Bernard J. Douras, 82, father of Marion Davies, died last night at Beverly Hills following a stroke. Three other daughters survive. Douras had long been a magistrate in the New York City courts.

"Frankenstein" Is Held

"Bride of Frankenstein" got off to such a strong start at the Pantages, Hollywood; the Orpheum, San Francisco; the Orpheum, Portland; the Palace, Chicago, and the Spreckles, San Diego, that it is to be held over. At Portland it will be switched to the Blue Mouse and in Chicago it will be transferred to the Apollo.

Purely Personal

MARVIN SCHENCK'S embarrassment at his beefsteak Thursday night was simply terrific. He had that telltale flush on his cheek and a brightness in his optics born of nervousness what with all the ribbing and genuine compliments turned loose in his direction by a long array of speakers. One of the genuinely touching incidents in the evening was the paternal glow of LOUIS SCHENCK, brother of NICHOLAS M. and JOSEPH M. Another was the pride evidenced in the halting, but sincere words, from JAKE LUBIN, under whose tutelage MARVIN learned the vaudeville booking job at Loew's. AL JOLSON came in late, said he had nothing else to do and was available for personal appearances at the Capitol with "Go Into Your Dance" next week. AL thought SCHENCK ought to know about that. Later a group, including ARCHIE MAYO, ED CHURCHILL, SI SEADLER, MILT BLUMBERG, and BOB GILLHAM dropped in at BOB GOLDSTEIN'S "saloon" for one nightcap. The Hollywood was its name—the "saloon," not the nightcap.

•

JOHN J. FRIEDL, president and general manager of Minnesota Amusement Co., leaves today for Minneapolis and returns in about a month on a number of important matters, including reorganization plans for the Paramount subsidiary.

•

M. A. LIGHTMAN, who was expected to attend the Ampa affair tonight, canceled his plan at the last minute. He's knee-deep in preparations for the annual Cotton Carnival which will be held in Memphis next month.

•

Y. FRANK FREEMAN and THOMAS W. VARNON of the Paramount circuit left for Miami and Jacksonville late Friday night.

•

BOB WOLFF returned yesterday from Key West, Fla., and says he caught a five-foot shark. He contends there are pictures to prove his statement.

•

The BOB GILLHAMS and the LYNN FARNOLS are spending the week-end in Maryland.

•

ARTHUR MAYER had a birthday yesterday and managed to stay away from the Rialto to celebrate.

•

JOE HORNSTEIN left for Virginia yesterday to spend the week-end vacationing.

•

ANN SOTHERN will be interviewed over Station WHN by RADIE HARRIS tomorrow at 12:30.

•

SAM ECKMAN returned yesterday from another trip to St. Louis. He's not set on his return to England.

•

JAMES A. FITZPATRICK, producer, will sail to day on the *Rex*.

Flash Preview

Werewolf— . . . keeps horror pace established by Universal . . . affords wide field for sock exploitation. . . .

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Clocks to Shift

Daylight Saving goes into effect at 2 o'clock tomorrow morning. It will continue to Sept. 29.

Criterion, Loew's Are Taken by Bank

(*Continued from page* 1)

the property, at public auction yesterday. No other bids were received.

All existing leases on the property have been terminated and representatives of the bank stated yesterday that it was doubtful if new leases would be made with the present occupants of the properties until a definite decision has been made as to future plans for the site. Either the erection of a new structure or the sale of the property is a possibility, it was said.

The auction ended Paramount's interest in the theatre and business block, title to the property having been held by the Seneca Corp., a wholly owned Paramount subsidiary.

Justice Films Get Washington Frowns

(*Continued from page* 1)

with a secret service theme and to refuse any statements whatsoever regarding them.

The operatives are permitted, however, when asked to comment to say merely that such pictures are not authorized by the Department of Justice. Hoover's order points out the department has not sanctioned any films of this type.

The significance of the order is that bureau of investigation agents will not be permitted to attend screenings of these pictures or figure in any publicity. The order by Hoover refers to no particular picture.

Graetz Coming Here For Toeplitz Deals

(*Continued from page* 1)

some of this company's program in Hollywood.

Graetz was formerly in charge of continental distribution for Toeplitz. He is now contact for the company in all countries.

Graetz will leave for Hollywood shortly after his arrival in New York next Wednesday and will discuss offers made to Toeplitz to produce in America, with a distinct possibility that some of its films will be produced there.

Wisconsin IEPA in New Move on Duals

(*Continued from page* 1)

be made in the move to raise admission prices.

Saxe Amusement Management, Inc., a member of the independent organization, is inaugurating a test policy of single features April 28 at its Uptown, Garfield and Modjeska. The association hopes that an acceptable plan can be worked out which might become effective by June 2.

Erpi Club to Golf

The Erpi Club, composed of employes of Erpi, will hold its seventh annual spring golf tournament May 18-19 at Briarcliff Lodge.

Moves to Hold NRA Until March 1, 1936

(*Continued from page* 1)

with Senators Borah, Nye, McCarran and other opponents of NRA extension to learn whether they would acquiesce in such a move.

It is felt that by giving the present law a temporary extension it would be possible to expedite other Senate activities, while also giving Congress the benefit of Supreme Court decisions on the various points involved in the present controversy over the NRA.

While Harrison will take the suggestion to the White House, the final decision as to whether it shall be accepted or the matter fought to a finish immediately will lie with the President.

If either the opponents of the NRA or the President turn down the plan, Harrison is ready to fight the issue out and has prepared a number of amendments to the bill rewriting the Recovery Act.

Under these amendments trade associations would be separated from code authorities, but constituted, should they so desire, as advisory committees, and a definite statement would be made of those things which can be considered as granting immunity from the anti-trust laws.

Balboa's Scale in L.A. to Be Reheard

(*Continued from page* 1)

senting Fox West Coast, stated at the time that the Arthur unit was charging 35 cents.

Last Tuesday, Campi decided to place the Balboa, which is outside the Los Angeles county line, in a separate zone. The reason for the decision was that since the house was charging 40 cents it could play 21 days after first run in the downtown Los Angeles area and day-and-date with the F.W.C. Leimert and Mefa, which also charge 40 cents.

In the Balboa zone, the price schedule states that theatres charging 35 cents and up can play 21 days after first runs in the downtown area. On checking up the F.W.C. allegation, it was found that the Balboa has been charging 35 cents for the last month and under the Campi decision can day-and-date with the two F.W.C. houses at a nickel less.

At the Wednesday session, Campi will either place the Balboa in the same zone with the Leimert and the Mefa or revise the price schedule for the zone it is now in.

Hanson, who was slated to leave for the coast yesterday, canceled his plane reservations and will stay over for the rehearing.

Given Choice of Chairmen

Under a resolution adopted unanimously by Campi, members of the local boards can now elect their own chairmen, doing away with the former plan of rotating chairmanships. Impartial members can also sit as chairmen under the new ruling. Heretofore, the outside member could not conduct meetings.

An application by the Broadway, Butte, Mont., seeking exemption from Article VI, Part 2, Section 7 (a) of the code has been granted by the NIRA.

TONIGHT'S THE NIGHT

The Big Night

In Fact All Night

ASSOCIATED MOTION PICTURE ADVERTISERS

"NAKED TRUTH" FUNFEST

HOTEL ASTOR • TIMES SQUARE

Life Begins at Eight

DINNER • DANCING • GALA SHOW

Para. Interest in Fox Met Is Told to Court

(*Continued from page* 1)

court jurisdiction in its own reorganization proceedings and the new Paramount board had been formally elected. Another month may be required before these developments could be realized.

Fabian named the Atlas Corp. and H. A. Fortington as the Paramount financial interests involved in the proposal. Floyd B. Odlum, head of Atlas, is one of the designated new directors of Paramount. Atlas was awarded the underwriting commitment for Paramount's new $6,500,000 stock subscription warrants this week. Fortington, American representative of large British insurance companies, including Royal, is also a director-elect of Paramount. Fabian's discussions were held with George Schaefer, Paramount general manager and a director-elect.

Motion Picture Daily learned from a reliable source yesterday that the Paramount discussions were based on a superficial interest of Atlas and Fortington in Fox Met as a Paramount adjunct and had not been discussed with any other members of the Paramount board than those named, thus necessarily restricting the probability of a Paramount bid for Fox Met to extreme indefiniteness. It was stated additionally that interest in the situation was centered on the probable amount for which the circuit might be acquired, and whether or not a proposal to bid would be submitted to the Paramount board for action depended largely on the estimated purchase price. It was stated definitely that the authors of the idea would not endeavor to embroil Paramount in any costly competitive bidding in the event such bidding developed as a result of Paramount's entrance into the Fox Met arena.

Says Schaefer Called Him

Fabian stated that he had been called to Schaefer's office by the latter over a month ago to discuss the Fox Met situation. Schaefer told him, Fabian said, that "certain interests in our organization (Paramount) were interested and might make a cash offer."

"If you do that," Fabian said he replied, "my plan will be out and I'd like to go along with yours because I think that any cash offer made will be successful over any plan now in existence."

Schaefer then asked him, Fabian said, if Paramount could "come in on" Fabian's plan in the event Paramount didn't make its bid. He said he replied that he wouldn't consider that "at this time" but added that if his (Fabian's) bid was successful he might discuss a participation for Paramount later. He also stated that he had told Schaefer he would like to have 25 per cent of Paramount's bid in the event one was made.

Fabian testified on Thursday that Schaefer had told him Paramount product would be available for Fox Met if Fabian's bid was successful. Yesterday Fabian said that he had again discussed product for Fox Met with Schaefer before coming to court that morning.

In testifying that Herman Starr of Warners had told him that that company would like to buy the 18 Fox Met houses in Jersey in the event the Fabian bid was successful, Fabian said that he had vetoed the suggestion, but had told Starr that he would be willing to discuss a pooling arrangement with Warners for the houses if he acquired Fox Met.

The courtroom full of film men and attorneys, almost inured to shock after seven days of the hearings, was startled at one point when Fabian, answering a question as to Warners' interest in the Jersey houses put to him by Kresel, said that "Herman Starr told me that if the Schenck-Weisman plan is successful, A. C. Blumenthal has promised Warners the Jersey theatres."

Another shock to the sensitive natures of the film men and attorneys came when Kresel, questioning Fabian as to the reports on Fox Met operations of a confidential nature which he had received in his capacity as advisor to Irving Trust Co., receiver for Fox Met, asked Fabian whether he had delivered any of the documents to Warners. Fabian admitted that he had retained copies of these reports in his own possession, but denied that he had given anything to Warners that had not been authorized by either the receiver or the Federal court.

The papers in question included income and cost reports, audits, rents and leases on Fox Met houses for the period from Jan., 1932, to Aug., 1935.

Kresel then asked Fabian if he had not been accused by Alvin J. Schlosser, member of the Fox Met bondholders' committee, with having delivered confidential information to Warners just prior to the Loew-Warner bid for Fox Met last summer, and if he, Fabian, did not admit having done so. Fabian denied this, but said that he had been accused by Schlosser of "breaking faith" with the committee in talking to Warners, and that Schlosser had told him the committee was not interested in any bid but the one it was formulating itself.

Fabian testified that Fabian Securities Corp. owned $132,500 of Fox Met bonds bought at an average of 14 and now worth 45, representing a profit of about $33,000. Questioned on his own plan for Fox Met, Fabian stated that Albert M. Greenfield of Philadelphia was his only associate and that Greenfield's Bankers' Securities Corp. would participate in the financing by putting up $650,000 of the $1,000,000 cash proposed in the plan. The remaining $350,000 would be supplied by Fabian, yet Fabian would receive 75 per cent of the Fox Met stock and Greenfield the other 25 per cent, Fabian said. He explained this by saying that the $650,000 is a loan to him by the Bankers' Securities Corp., for which all of the Fox Met stock would serve as collateral. Greenfield's 25 per cent stock interest would be a bonus given in consideration for making the loan, Fabian said. Fabian Enterprises would have no liability as a result of the loan, it was stated, but dividends from Fox Met would be turned over to Greenfield's bank until the loan was repaid, it was said.

Fabian testified that his plan provided a $50,000 salary for himself as operator and that general creditors' claims would be paid off with a share of the unmortgaged cash of Fox Met, as would those of Skouras and Randforce, whose present Fox Met operating contracts would be canceled under Fabian's plan.

Judge Mack remarked that Fabian's plan stood to return him a profit of $3,500,000 in seven years. Fabian replied that while net earnings could possibly approximate that figure, he didn't consider it a profit, as charges for depreciation and costs of theatre maintenance would be deducted from it.

The court reiterated its frequently expressed view that not enough cash was in sight for the Fox Met bondholders who, Judge Mack said, "continue to hold the bag under either plan," Fabian's or the Schenck-Fox Theatres' plan.

The hearing will be resumed Monday with further examination of Fabian and with his associate, Greenfield, also being called to the stand.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Call of the Wild"

(20th Century-United Artists)

Hollywood, April 26.—Jack London's saga of the Klondike gold rush, as deftly produced by Darryl F. Zanuck, unfolds a warm romance and virile action in this high-powered box-office attraction with Clark Gable and Loretta Young for heart and Jack Oakie for laughter.

Motivated on man's primitive quests for love and gold, scenarists Gene Fowler and Leonard Praskins have kept all the human attributes in the foreground without stressing the battle against the elements.

While London's novel dramatized the dog Buck, half wolf and half St. Bernard, the film merely uses Buck to counterpoint leadership as against the love call of Gable, the gambler, and Miss Young, the socialite.

The story, in highlight, tells of Oakie, an Alaskan hanger-on, who interests Gable, an adventurer, in a map showing where gold is to be found by the fistful. On the trek they meet Miss Young, save her and learn that her lost husband is the map owner. The three proceed, locating the strike, and Oakie returns to legalize the claim. Reginald Owen, the heavy, finds the lost husband, Frank Conroy, and also locates the strike. Owen then shoots Conroy, hijacks Gable and, while returning with the gold, is caught in the rapids. Buck finds Conroy wounded in the woods, and Miss Young, after nursing her husband to health, returns with him.

Gable's and Miss Young's romance is strong and tender. Oakie contributes comedy and pathos in his best performance to date. Owen reveals a sharp portrait of villainy finely done. The balance of the cast is good. The dog Buck plays an important role, loving Gable and hating Owen and finally answering the call of the wild.

The production is a scenic treat, harmonizing ruggedness with the beautiful.

William Wellman's direction is expertly fashioned and Charles Rosher's photography is topnotch. The film should go big everywhere, having marquee names, author value and the colorful drama of romance and conflict to appeal to the high and low on Main Street or Broadway.

Production Code Seal No. 777. Running time, 95 minutes. "G."

Wall Street

Eastman Rises 2¾ on Big Board

	High	Low	Close	Net Change
Columbia, vtc	42¾	42¼	42¾	+ ¼
Consolidated	5	5	5	+ ⅛
Cons. (1v)	17½	17½	17½	+ ¼
Eastman	144½	142¼	144	+2¾
Eastman, pfd	152	152	152	—2¾
Fox "A"	10¾	10	10¾	+ ⅝
Loew's	38½	37¾	38	.....
Loew's, pfd	107	106⅝	106⅝	— ⅜
M-G-M	28	28	28	.....
Paramount	3½	2⅞	3⅜	+ ½
Pathe	⅝	⅝	⅝	.....
Pathe "A"	10	9½	9½	— ½
RKO	1⅝	1½	1½	— ⅛
Universal, pfd	37½	37½	37½	—1
Warner	3¼	3⅛	3⅛	— ⅛
Warner, pfd	20	18¾	20	+ ½

Technicolor Off ½ on Curb

	High	Low	Close	Net Change
Technicolor	19¾	18⅝	19	— ½

Paramount F. L. Bonds Up 6

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	9⅝	9¼	9⅝	.....
Keith B. F. 6s '46	76⅜	76⅜	76⅜	+ ⅞
Loew's 6s '41 ww deb rights	104⅜	104⅜	104⅜	— ⅛
Paramount B'way 5½s '51	53⅝	53⅝	53⅝	+ ½
Paramount F. L. 6s '47	86	81¼	86	+6
Paramount Publix 5½s '50	87	81⅝	85½	+4⅜
RKO 6s '41 pp	30	30	30	.....
Warner Bros. 6s '39 wd	57⅞	55	57⅞	+2⅛

(v) Paid this year.

(Quotations as at close of April 26)

Openings in Phila. Stir Up Exhibitors

(*Continued from page* 1)

studio, and local exhibitors are envisioning a merry war for patronage.

Meanwhile, a new theatre is rumored for Frankford, at Frankford Ave. and Cottman St., while in Camden, the Valabow interests are finishing a new de luxe house, the Savor, which will seat 1,800 and have stage shows.

Criterion Stays Dual

A spokesman for the Criterion yesterday charged Olympic Pictures with "trying to pull a fast one" when it stated the theatre was dropping "Behind the Green Lights" for a single feature bill effective yesterday with "The Phantom Fiend", an Olympic release. The theatre added no such plan had been considered.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 100 NEW YORK, MONDAY, APRIL 29, 1935 TEN CENTS

Postoffice Is Stopping Ads On Bank Night

Orders Are Issued When Question Is Raised

WASHINGTON, April 28.—Numerous orders barring the mails to bank night advertising as in violation of the lottery laws are being issued by the Post Office Department, it was learned here yesterday.

Officials of the department explained that these orders are issued to postmasters who ask Washington whether such advertising is legal. No general order has been issued, nor is any contemplated, it was said.

The effect of the instructions sent to postmasters inquiring on the subject is to bar exhibitors in the affected community from the newspapers, if any copies of the papers are sent by mail, as well as to shut off any direct mail advertising. They do not, however prevent exhibitors from advertising by handbills or posters or by any other medium which does not use the mails.

It was indicated that the department has no idea of undertaking any campaign against bank night advertising. However, when a postmaster asks for instructions the department can do nothing but quote the law.

Lesser Ends Office; Solomon Named Aide

Sol Lesser is closing the New York office of Principal Distributing Corp. within the next few days. He has appointed Ben Solomon, formerly auditor for the company, as his eastern representative. Solomon has his offices in the Paramount Building and will handle all Principal business from there.

Sheffield Sets New Deal with Republic

SEATTLE, April 28.—Jack T. Sheffield, Monogram franchise holder for Seattle, Denver, Portland, Butte and Salt Lake City, has closed a deal with W. Ray Johnston, head of Republic

(*Continued on page 2*)

Five Dramatists in New Producing Unit

Incorporation papers have been filed in Albany by Arthur Hopkins, Maxwell Anderson, Phillip Barry, Sidney Howard, Robert Sherwood

(*Continued on page 8*)

Schulberg and Ralph Kohn To Columbia as Executives

B. P. Schulberg and Ralph Kohn have joined Columbia. The former will be a producer and studio executive and the latter will act in a general executive capacity.

The shift means that Schulberg has abandoned his plans for independent production.

In explaining his reasons for the move, Schulberg said: "I have chosen Columbia as the seat of my future activities because I believe it is the most progressive company in the business, where a producer is assured the greatest degree of individuality of expression.

"Columbia is no doubt going places in the industry and I am looking towards the future."

Kohn has been on the coast for some time and has been associated

(*Continued on page 2*)

Union Cinemas Sets 100 Houses as Goal

By BRUCE ALLAN

LONDON, April 28.—Union Cinemas, Ltd., has set as an immediate objective a circuit of 100 theatres.

One step in carrying out this plan is to be a consolidation of 24 theatres in the London area. Next will be construction of 30 houses, already announced and for which the money is available. The London merger will involve £1,000,000, probably to be floated publicly.

Mascot to Make 25 With Four Specials

HOLLYWOOD, April 28.—Nat Levine, head of Mascot Pictures, will make 25 features and four specials as well as several serials for next season, it was revealed over the week-end. Ten features were originally set for this year, but Levine has raised this number to 14.

Hits at Moviegoers

Bedford, Ia., April 28.—Miss M. E. Allen, in charge of relief distribution here, has issued an edict that automatically puts people who are caught attending local theatres, from full-time relief rolls to only part-time relief.

"It is apparent if they can afford to attend motion picture shows, they have more money than they need for living expenses," she says.

Campi Totals 2,116 Houses As Affiliated

Revised total of affiliated theatres throughout the country is 2,116, according to Code Authority's official listing as of March 7.

Top circuit is Paramount with 975. Second is National Theatres and affiliated subsidiaries, the count being 471. Warners is next with 436, while Loew's takes fourth place with 135. Last of the five major circuits in the numerical lineup is RKO with 99.

On June 1, RKO takes over the Orpheum, San Diego, making an even 100 for the company. A deal has been completed with the bondholders and, when the management changes, Cliff Work will include that city in his division. He now has Denver, San Francisco and Los Angeles.

Independent code assentors total 7,053, bringing the combined number of code signers to 9,169.

That Ampa Show Was What They Call a Colossal Wow

Those Ampa boys put on a show. It was different, as Ed Wynn says. It really was! It began Saturday night and kept on going.

As fast as masters of ceremonies got out of breath or ran out of gags, a substitute leaped to the microphones. There were many of 'em—masters of ceremonies, not microphones — Joe Laurie, Harry Hershfield, Ed Sullivan, Ted Bergman and Phil Baker. And the talent! It came and went like the tides—sometimes fast, sometimes slow.

Radio, stage and screen were represented. The old Astor ballroom bulged. So did some of the diners in

(*Continued on page 6*)

Para. After New Stock in F-P Canadian

Asks Court to Sanction Buy of 18,236 Shares

Proposals under which Paramount would acquire an additional 18,236 shares of Famous Players Canadian Corp. stock and would cancel all existing contracts and claims as between itself and Skouras were submitted to Special Master John E. Joyce on Saturday for hearing on May 2.

Paramount now owns more than 96 per cent of the outstanding 378,790 shares of F-P Canadian and will have the right to subscribe at $10 per share to 18,236 shares of a new issue of 18,940 shares just authorized. Under a recent dividend of 50 cents per share declared by F-P Canadian, Paramount will derive $182,363, which the proposal intends to apply to the purchase of the additional stock. F-P Canadian showed a profit of $302,625 for 1934 and has an earned surplus of $3,762,036.

Involved in the proposed cancellation of old Paramount contracts with Skouras Bros. arising out of St. Louis and Atlantic States' operating agreements between the two, and the mutual cancellation of claims thereunder, is a provision by which Spyros Skouras agrees to repay to Paramount the balance of a $100,000 loan, amounting to $90,795 with interest, in quarterly payments over a six-year period.

Probe of Government Publicity Is in Air

WASHINGTON, April 28.—Possibilities of a Senatorial investigation of government publicity, including the use of films by the Federal Housing Administration, are seen in recent attacks upon the extensive press setups in some of the Federal agencies.

For a number of years the employ-

(*Continued on page 8*)

"Reckless" Grosses $37,000 at Capitol

"Reckless" grossed $37,000 during the first seven days at the Capitol. "Go Into Your Dance" goes in Friday with Abe Lyman and his band.

(*Continued on page 8*)

Chicago to Get Fox Meet May 30-June 1

Fox has set its annual convention for Chicago at the Congress Hotel May 30-31 and June 1. Next season's program will call for 50 features in

(*Continued on page 8*)

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Sheffield Sets New Deal with Republic

(*Continued from page* 1)

Pictures Corp., to handle the Republic product in the future for the above named territories. Sheffield operates the Sheffield Exchange System, but will change the name of his company to Republic Exchange System.

Sheffield will supervise all sales from the local office and Harold Sheffield will be in charge of the Butte office, Edward Kennedy will direct the Salt Lake City division, David Frazer will be manager of the Denver office and Cecil Farnes will head the Portland branch.

Johnston Flies West

W. Ray Johnston, head of Republic Pictures, flew to the coast over the week-end for production conferences with Trem Carr. He expects to return in about a week.

Schulberg, Kohn to Col. as Executives

(*Continued from page* 1)

with Schulberg in plans for independent production. There also has been some talk in the past few days that Schulberg might join Universal as a producer.

Schulberg has been producing independently for Paramount since he stepped out as general manager of production. Recently it has been understood that he and Kohn would head a separate production unit at the studio.

Insiders' Outlook

By RED KANN

TESTIMONY developed in the latter-day hearings on the Joe Schenck plan of reorganization for Fox Met before Federal Judge Julian W. Mack makes it appear to this sentinel's spyglass that disposition of that important and troublesome metropolitan theatre unit is no nearer settlement than it was before Schenck came into the Fox Met arena, to be followed by Si Fabian with a competitive reorganization proposal. . . .

▼

Contributing more than anything else to this viewpoint is the disclosure to the court by Fabian, urged on by persistent questioning of Schenck's attorney, of the active interest of Paramount and Warners in the ultimate disposition of Fox Met. These, added to flirtatious factors already known to the court whose concern in Fox Met is vital, such as Loew's and K-A-O, Schenck's United Artists and 20th Century, and Fox Film, whose important film franchise is involved, must give any impartial observer a fairly accurate idea of the significance of the properties whose fate is involved. Else, why the scramble? . . .

▼

Contrast this existing interest with the bids made by either Schenck or Fabian, one of which would give Fox Met bondholders a maximum of $750,000 in cash, the other, $1,000,000, with new securities making up the balance of both bids, and decide for yourself whether they measure up to the court's frequently expressed hope of getting "a large amount of cash on the line" for the bondholders. . . .

▼

The imposing array of prospective bidders for Fox Met, even more than the damaging disclosures of cross-interests, trading in the securities of Fox Met by principals in its reorganization, of alleged threats and counter-threats between bidders and prospective bidders and of intimations of improper official conduct inside and outside of the bondholders' committee, make it appear that the fate of Fox Met is as far from being determined now as it ever was. . . .

▼

Consider what the $4,000,000 cash offer which Fabian said had been mentioned to him by Paramount associates as probable, could mean. With or without a possible Warner participation in such a bid, it is difficult to see how Loew's could avoid again being drawn into the situation. K-A-O, too, would be forced in as well, no doubt. Several combinations of theatre and producing companies might be allied either defensively or in taking the initiative. The bidding for the 84 Fox Met houses conceivably could be skyrocketed under such conditions to a level you may name yourself. . . .

▼

And if a sale were consummated under such conditions, even then as vital, or even more vital a contest, might be waged with Fox Met as the center. The supplemental contest would be over product, with prices for whatever pictures were in the market probably being forced to even proportionately higher levels than the price for Fox Met itself, for in its product phase the contest would be a fight for place, with the future of any one of three important circuits at stake. The bidding then would not be on the basis of profitable operation of Fox Met, but on the necessity of self-preservation of existing circuits. . . .

▼

Some believe such a situation could be avoided only if Fox Met, in its future operations, remained primarily a second run circuit or if, as is proposed under the agreement between K-A-O and Schenck, it embraced some cooperative product deal or pool. Another alternative would be its joint disposition to Loew's and K-A-O on a basis which did not disturb existing theatre and film balances. . . .

▼

The former comes up against the stone wall of the Federal court's attitude on accepting a plan that involves only a modest cash contribution while a Fox Met operation destined for a second run policy might not hazard reasonably any large amount of cash in a reorganization. The latter, as pointed out in these columns earlier, could be the sane and satisfactory course, the attorney general willing, for both circuits most vitally involved and for the Fox Met bondholders, as well. . . .

▼

Meanwhile, the situation runs its course with home office eyes focused on its every move, from day to day in court. Representatives of as many as six major companies have been spotted at the hearings as observers. Other companies receive prompt and full reports of the daily developments. Loew's-M-G-M, K-A-O, and RKO, Warners, Fox, Skouras, Randforce, United Artists and 20th Century may be said to be directly involved in the proceedings. As a prospective bidder now is Paramount. Interested in future markets for their product, as a result of the proceedings, are Columbia and Universal. There may be others. . . .

Purely Personal

WALTER O'KEEFE is around handing out cigarettes instead of cigars. MRS O'KEEFE, the former ROBERTA ROBINSON, presented him with a son late Thursday night.

•

FRED SCHWARTZ, HAROLD HERMAN and MIKE SEGEL, all of Century circuit, return from Key West today. BOB WOLFF of RKO Radio, who is on the same fishing trip, gets back with the Century trio.

•

MURRAY SCHOEN of the Community, Queens Village, has returned from Atlantic City where he spent the Easter holidays with his mother.

•

DAVE CANAVAN, head of the RKO maintenance department, will leave today for Denver to look over the recently acquired Orpheum.

•

LOUIS HYMAN, personal representative for SOL LESSER, has left for a short tour of Fox exchanges and will be back in a week.

•

HARRY KIRCHGESSNER, manager of the Boston National Screen office, was in town over the week-end to attend the Ampa affair.

•

HELEN FERGUSON, head of the coast publicity bureau bearing her name, arrived from Hollywood last night. At the Warwick.

•

HERMAN SHUMLIN is back from Hollywood and those conferences with LILLIAN HELLMAN, author of "The Children's Hour."

•

CHARLES L. GLETT and LEO LIPP of Audio Prod., are off for Buffalo and Detroit to film historical spots in those cities.

•

SAM DEMBOW has acquired a palatial estate at Larchmont and will move his family to the baronial manor shortly.

•

ROBERT F. SISK in by plane yesterday. He had a print of "The Informer" with him.

•

HENRY RANDEL left for the coast yesterday via the birds' route. He'll be gone two weeks.

•

HARRY E. NICHOLS ("Throttle Pusher") heads for the Middle West today.

•

JOHN HAY WHITNEY arrived in town from the coast by plane over the week-end.

•

AARON SAPERSTEIN is due from Chicago within the next few days.

•

RUTH SCHWERIN resigned from First Division Saturday.

•

HARRY ARTHUR returns today from an out-of-town trip.

•

AL BONDY is back from that Detroit trip.



ELEVEN FAMOUS WOMEN CRITICS ARE AMONG THE 49* FEARLESS FILM JUDGES WHO HAVE HAILED "ONE OF THE GREATEST PICTURES TO COME OUT OF HOLLYWOOD"

*4

Irene Thirer, courageous critic of the N. Y. Evening Post, calls

PAUL MUNI in 'BLACK FURY'

"really one of the greatest motion pictures ever made! . . . . A thunderbolt of film courage! . . . . It will be Michael Curtiz's claim to a directorial award for 1935." (Warner Bros., Producers . . . . A First National Picture.)

VARIETY

'Frankenstein' in 1st Day Equals Previous Full Week in L. A.;

Los Angeles, April 23.

Though trade is better this year over the Easter Sunday week than last year, majority of the houses with top attractions are not clicking as anticipated. They had to overcome a stagnant Good Friday intake, with Saturday in most of the spots being way off and, in quite a few, Sunday little better.

Outstanding on the take was Pantages with 'Bride of Frankenstein.' Pic opened there Saturday with an 11-show grind that included two of the midnite affairs and hit over $2,700 on the day, which is on a par with the usual weekly take th house has had. Then Sunday ra along the same gait, with seve shows and a straight 40-cent admis sion, which equaled the previou day take, giving house one of bigge weeks it has had in its career.

Pantages (Pan) (2,700; 25-40)- 'Bride of Frankenstein' (U). Be take house has had and with limite advance campaign did $5,500 on fir two days, Sat and Sunday, ar looks as though its first week wi be a cinch, $13,000.

'Frankenstein' Big $24,000, Chicago;

(Best Exploitation: Palace)

Battling it out for the big coin this week are 'Bride of Frankenstein' at the Palace and Casino de Paree unit at the Chicago.

Smash full-page feature yarns, contest tie-ups with the newspapers and other angles were arranged for 'Frankenstein' by John Joseph of RKO and Duke Hickey of Universal here for a bang-up exploitation campaign.

Palace (RKO) (2,500; 25-35-55)— 'Bride of Frankenstein' (U) an vaude. Excellent $24,000. Last wee 'Roberta' (Radio) finished a wallo ing four-week march to gre

'Frankenstein' Wow $12,000;

San Francisco, April 23.

Orpheum (F&M) (2,662; 30-35-40) —'Frankenstein' (U). A wow at $12,000. House turned 'em away in droves on Good Friday, opening day. Looks like a sticker.

'Frankenstein' $9,000,

Seattle, April 23.

Orpheum (Hamrick) (2,700; 25-35) 'Bride of Frankenstein' (U) and vaude. En route to smacko $9,000.

Words fail us—

. . . except that "The Bride of Frankenstein" is HELD OVER at the Pantages, Los Angeles, is HELD OVER at the Orpheum, San Francisco; moved from Portland Orpheum to Blue Mouse and CONTINUES its first run, moved from Chicago Palace to Apollo and CONTINUES its first run!

Ampa Show What Is Called Colossal Wow

(*Continued from page* 1)

their starched shirts, but that was to be expected.

There wasn't a speech—and nobody missed them.

The highlight was a special "March of Time" re-enactment, Gridiron Dinner style, of current high jinks of the film industry in the form of imaginary telephone conversations written by the authors who knew their stuff and, because they did, didn't want any credit lines. That was strange enough for this business.

What the loud speakers spread over the smoke-filled air above the tables went like this:

Telephone Bell Rings

Carl Laemmle — Long distance, please—Operator, I'd like to talk to Universal City, please—Mr. Carl Laemmle calling Master Carl Laemmle, Jr. (Pause.) Hello—Joonior—this is papa talking—

Junior—Hello, Pop—did you sell out yet?

Laemmle—Sh, don't be silly—didn't I tell you Universal is not on the market?

Junior — You're telling me — they haven't been on the big board for years—and how RKO stays there, God only knows!

Laemmle—Listen, Joonior, I ain't spending money for long distance calls about other feller's troubles—let them stay off the Curb—and you stay outa the gutter.

Junior—If that last crack means that I'm making dirty pictures—don't blame me—blame your son-in-law Stanley Bergerman. Say, Pop, I hear Stanley's leaving—we gotta get someone for his job—

Laemmle—How about your Tanta Millie's son, August—the one that lives in Carlsbad?

Junior—No, Pa, please, the place is lousy with your relations now—

Laemmle—Is that a nice way to talk—Listen here, Junior—if I didn't take care of my relations—where the hell would you be?

Telephone Rings Again

Operator — National Broadcasting Company.

Schenck—Hello... Hello... NBC? Major Bowes, please.

Girl—Major Bowes' office.

Schenck—Tell him Mr. Schenck is calling. Hurry, please. It's important.

Girl—For application to Major Bowes' amateur hour go to the nearest grocery store selling Chase & Sanborn dated coffee . . . Get one of the application blanks and send it in with—

Schenck—I don't want to go on Bowes' amateur hour . . I want to speak to him. . . . Hurry, please, I can't wait. . . . It's vitally important.

Girl—You'll have to write him a letter. And remember that he judges from your letter whether you have talent enough for a preliminary audition. If you pass this first test then Major Bowes will see—

Schenck (furious)—But I'm a personal friend of his . . . I want to see him about professional, not amateur business. I'm a professional. I'm the one man banned from his lousy program anyway. . . . I—

Girl—Sorry! You're the 169th one man band that's called today!

Another Telephone Ring

Operator—Mr. *Jack* Cohn? . . . Mr. *Harry* Cohn calling.

Harry—Hello, Jack.

Jack—Hello, Harry, what's new?

Harry—Have you heard about the Motion Pitcher Academy awards?

Jack—No. How'd we come out?

Harry—Swell! Listen . . . "Best picture of the year—'It Happened One Night'—A Columbia picture!"

Jack—Yeah!

Harry—"Best actor's performance—Clark Gable in 'It Happened One Night'—a Columbia picture. Best actresses' performance — Claudette Colbert in 'It Happened One Night.'

Jack—Humph!

Harry—"Best direction — Frank Capra in 'It Happened One Night'—a Columbia director!"

Jack—Humph!

Harry—"Best screen adaptation—Robert Riskin's 'It Happened One Night'—a Columbia writer . . ." Five awards. Isn't that colossal?

Jack—But—what about our travelogues! No awards, Harry?

More Phone Buzzing

Operator—Senator Long calling! Senator Long calling Mr. Roy Larsen of "March of Time!"

Larsen—Hello?

Long—Say, look here, Roy Larsen. I been trying to pin you down for the last two weeks on the phone and I can't seem to get hold of you. Now—

Larsen—Why, I was just going to call you, Senator . . . er . . . I

Long—That's all right, Larsen. But let me tell you something, I gotta speak to you about that last "March of Time" picture of yours and that sequence you showed of me.

Larsen—Why, I did want to talk with you about that—but—

Long—I want you to know, Larsen, that I don't like it a bit—those pictures of me!

Larsen—Why—er—what seemed to be the trouble, Senator?

Long—Trouble! Why, when you and your cameramen come down to Washington to shoot my picture a month ago, why didn't you give me some make-up? And maybe a wig or something. I look just plain God-awful in those pictures!

Larsen—Why, Senator . . .

Long—I look so damn slam-bang God-awful that the manager of the theatre down in New Orleans threw the "March of Time" right out of the theatre on its ear! Wouldn't let it show! Said I looked too much like a fella named Boris Karloff they had on the screen down there last week!

Greta Garbo Calls

Operator—Miss Greta Garbo calling... Miss Greta Garbo calling...

Greta Garbo (worried) — Hello, hello, Mr. Arliss, please . . . Hello, George?

Arliss—Hello . . . Ah, Greta, my dear child . . . It is good to hear your voice.

Garbo—George . . . This is important. What picture are you making now?

Arliss—"The House of Wellington" . . . I mean "The Iron Richelieu" . . . "Cardinal Rothschild." Oh, I forget for the moment . . . something where I walk the world . . . with dignity, something—

Garbo—Yes, I know. But is there any . . . any sex, George?

Arliss—Just a dash . . . a mere fill-up . . .

Garbo—You know—The League of Decency will allow no sex from now on.

Arliss—Who will be left in Hollywood, Greta? What stars can shine without sex?

Garbo—You and me, George. You and me!

Zukor Has a Chat

Operator—Mr. Adolph Zukor, president of Paramount Pictures, calling Bob Gillham, advertising manager.

Zukor—Listen, Gillham, now that the bankers are running this company, we've got to make some changes.

Gillham—We've started already, Mr. Zukor . . . all our publicity stories are being certified by Price, Waterhouse & Co.

Zukor—That's right, my boy. Hereafter, I want you to use this line in all your advertising. 'If it's a Paramount Picture, you can bank on it.'

Gillham—But . . .

Zukor—And from now on the main title billing will read: 'The American Bankers' Ass'n presents . . . A Paramount Picture'."

Gillham—Righto, Mr. Zukor . . . and if there's nothing else now, I'll be leaving.

Zukor—Leaving? What do you mean, Gillham? It's only three o'clock.

Gillham — Bankers' hours, Mr. Zukor.

Cohn Phones Once More

Girl's voice—Hello, operator. Long distance, please. I want to speak to New York City, please. To Mr. Jack Cohn, Columbia Pictures. Mr. Harry Cohn calling.

Jack—Hello.

Harry — Hello, Jack. Wait a minute . . .

Girl's voice—Hello, Mr. Cohn. This is Mr. Harry Cohn's secretary. Mr. Cohn wants to know . . .

Jack—Wait a minute . . .

Girl's voice — Hello, Mr. Harry Cohn's secretary. This is Mr. Jack Cohn's secretary. What did Mr. Harry Cohn want?

Girl's voice—Mr. Harry Cohn tells me to tell you to tell Jack that if he says "Yes" on that deal, he'll say "No."

Big Deal Goes Blooey

Operator—Mr. Laemmle calling Mr. Harry Warner . . . ready. Mr. Warner?

Laemmle—Hello, Harry, are you there?

Warner—Yes, Carl, what is it?

Laemmle—I'm calling about the sale of the studio. What do you say?

Warner—Well, Uncle Carl, I tell you it is a big decision. I'm not alone, you know. I got to think about the stockholders.

Laemmle—Don't worry about the stockholders, Harry, the shock would kill them. Besides, I got to know today . . . so go on . . . yes or no. The whole studio, lock, stock and relatives. What's your price?

Warner—All right. How about $3,000,000?

Laemmle—Okay . . . make out your check. I'll be right over.

Warner—Make out my check, for what?

Laemmle—For buying Universal, that's for what?

Warner—Who wants to buy Universal? I thought you wanted to buy Warners!

Some Warner Conversation

Operator—Mr. Jack Warner calling . . .

Jack—Hello? Let me speak to Max Rheinhardt, please.

Rheinhardt—This is Rheinhardt.

Jack—This is Jack Warner, Max.

Max—Hello, Jack.

Jack—Say, Max! How far are we along on "Midsummer Night's Dream?"

Max — "Midsummer Night's Dream"? It's done . . . It's beautiful . . . It's . . .

Jack—Listen, Max. I gotta idea. We gotta do something about it right away.

Max—Idea? Don't you go to changing anything again, Jack . . .

Jack—This isn't much, Max. And it would help me out a lot.

Max—What you thinking about now, Jack.

Jack—Say, call in the script men and write in a part for Marion Davies, will you?

Max—Marion Davies! "Midsummer Night's Dream!"

Ostrer-Waxman Talk

Operator—Transatlantic telephone, please—Mr. A. P. Waxman, of New York, calling Mr. Mark Ostrer, at Gaumont British, London, England. (Pause.)

Ostrer—Are you there, Mr. Waxman?

Waxman—Hello, Mr. Ostrer . . . this is A. P. Waxman. How do you like that trademark I created—you know, the G-B giraffe?

Ostrer—Did you say the G Dee Giraffe?

Waxman—Haw, haw, haw . . . you kill me, Mr. Ostrer!

Ostrer—Well, that's an idea, Mr. Waxman.

Waxman— . . . and that slogan, "Tops 'Em All"? It's sensational over here. You know, giraffe, long neck, tops 'em all! Get it?

Ostrer—I get it . . . in the neck! (Pause) Waxman, I'd rather use that "Man of Aran" painting of the fisherman.

Waxman—All right, Mr. Ostrer, if you say so. But what about the slogan?

Ostrer—The slogan? Nets to you, Mr. Waxman!

McCormick-Roxy Chat

Operator—Mr. Barrett McCormick calling . . .

McCormick—Hello, Roxy. This is Barrett McCormick. Did you hear what happened to me when I returned to Indianapolis the other day?

Roxy—No, Barrett, what happened?

McCormick—Well, Roxy. You know I used to run the Circle there and when I went back to put on the opening campaign for 'Roberta' all the old gang met me at the station with a brass band.

Roxy — That's nothing, Barrett.

(*Continued on page* 8)

End of Partnership Sought in K. C. Suit

KANSAS CITY, April 28.—Receivership and dissolution of partnership has been asked in a suit filed in Circuit Court by Juliette E. Fulton against her husband, William D. Fulton, operator of five suburban houses.

Mrs. Fulton alleged that she and her husband entered into an oral agreement through which they became partners in the operation of the houses and that she put up the major portion of the capital. Over a year ago, she charges, her husband refused to permit her a share in the operations and retained the profits without an accounting. Appointment of a referee is sought.

THEY SMASHED A REIGN OF TERROR WITH TEST TUBES!



Machine guns were useless against a killer they did not know until science re-created his exact appearance from a half-eaten apple, an old shoe and an oil-stained glove!

Microscopes, test-tubes, retorts . . . these brought him to life in a laboratory . . . his name, his weight, height, age, features, and even who his woman was! Then the cry went out: "GET 'EM AND . . .

"LET 'EM HAVE IT"

Ampa Show What Is Called Colossal Wow

(Continued from page 6)

Positively nothing. Did I ever tell you about Philadelphia?

Robbins Says Something

Operator—Mr. Robbins calling Paul Benjamin.

Robbins—Hello, Paul Benjamin?

Benjamin—Yes, Mr. Robbins?

Robbins—Say, Paul, where in hell do you keep yourself, I've been trying to get you for over a week?

Benjamin—Well, Mr. Robbins, you see I've been busy with the A.M.P.A. It's good business for us to mix, you know.

Robbins—I know, I pay your salary to have you help Bill Ferguson . . . and Metro starts to make their own trailers.

Benjamin—Well, don't worry, Mr. Robbins. I've given up my office. Ed McNamee is the new secretary.

Robbins—And who's the new president?

Benjamin—Bruce Gallup.

Robbins—Good God! Here's where we lose Columbia!

Mae West Invites 'Em

Operator—Miss Mae West? Miss West, there are three calls for you.

Mae—Who's first?

Operator—W. C. Fields.

Mae—Put 'em on! . . . Hello, Bill!

W. C. Fields—Hello, Mae. How are you doing?

Mae—Swell. Why don'tcha c'm up 'n see muh sometime! (Click) Who's next, operator?

Operator—John Barrymore.

John—How are you, Mae.

Mae—Why don't you c'm up 'n see muh sometime, John?

John—I'd love to. I will! (Sigh) (Click)

Operator—And here's Jimmy Durante, Miss West.

Jimmy—Hatchacha, Mae! Hatchacha! How are you, kid?

Mae—C'm up 'n see muh sometime. (Click)

Operator—There's one more call for you, Miss West. He won't give his name. He says he's from Milwaukee. Says you and him was married there in 1911.

Mae—Married? Well, anyway . . . it's a different approach. Put him on!

Husband—Hello, Mae. This is Frank. Your husband.

Mae—My husband, eh? Well . . . c'm up 'n see muh sometime.

Husband—I have, baby!

Services for Rosenbluh

Funeral services for Murray Rosenbluh, who died in St. Louis late Friday after an operation and a continued illness, were held yesterday afternoon at the Riverside Memorial Chapel with burial at Mt. Hope Cemetery in Westchester. He was 48.

Surviving are his widow, Esther, and a brother, Louis. Leo Justin, Walter Reade's partner, and Sidney Justin, Paramount attorney, are nephews. Louis Phillips, another Paramount attorney, is a nephew-in-law. Sam Eckman, Jr., managing director for M-G-M in England, is a brother-in-law.

Son to Frank Capra

HOLLYWOOD, April 28.—Frank Capra is receiving congratulations since Mrs. Capra presented him with a son late last week.

Connecticut 2 P. M. Opening Is Killed

HARTFORD, April 28.—Theatre owners have lost their fight for Sunday openings after 2 P.M. The Senate has turned down the proposal.

The bill was introduced in the Senate after local exhibitors had failed to get an earlier opening permit from the Board of Aldermen. Their move on the legislature was joined by exhibitors all over the state.

Theatres open at 5 P. M. at present under a local option arrangement.

Shapiro to Talk

HOLLYWOOD, April 28.—Victor M. Shapiro, manager of the Hollywood Bureau of Quigley Publications, will be the speaker Monday at the 267th meeting of the Present Day Club. His subject will be "The Motion Picture Industry." Following the talk he will answer questions regarding many phases of the industry.

Sue on "Sweet Adeline"

Suit has been brought in Supreme Court here against M. Witmark & Sons and Warners by Harry Armstrong and Richard H. Gerard, who charge they failed to receive royalties for the use of the song "Sweet Adeline" in the film of that name. The composers are suing for $250,000.

Zanuck Off on Trip

HOLLYWOOD, April 28.—Darryl F. Zanuck, accompanied by Mrs. Zanuck and their two daughters, left here over the week-end for Seattle, from where they will sail this week for Alaska on a hunting expedition. Zanuck is expected to return early in June to start production on his new program.

Flash Preview

Oil for the Lamps of China— . . . As a study of big business in China the production should interest and satisfy those who like realistic entertainment of an industrial nature.

This film will be reviewed in full in o later issue of MOTION PICTURE DAILY.

Swedish Prince Set

HOLLYWOOD, April 28.—Prince Sigvard Bernadotte of Sweden has been appointed assistant to James McKay, director of "Tarzan and the Vampires," at M-G-M.

Grant Quits Fawcett

HOLLYWOOD, April 28.—Jack Grant, who was recently made editor of Fawcett's *Hollywood Magazine*, has handed in his resignation, effective May 6.

Berinstein Home Again

HOLLYWOOD, April 28.—Ben Berinstein has arrived here after a trip to New York and Pittsburgh where he visited his sister. Harry Vinnicoff accompanied him.

Franklin Denies

HOLLYWOOD, April 28.—Harold B. Franklin denies reports crediting him with a return to legitimate stage production in New York in the fall.

New LeBaron Ticket

HOLLYWOOD, April 28.—William LeBaron has signed a new long-term contract with Paramount as a producer.

In New Address

The Chicago headquarters of *Motion Picture Daily* are now located at 624 South Michigan Ave.

Wall Street

Eastman Pfd Drop 2½ on Big Board

	High	Low	Close	Net Change
Columbia vtc	42¼	42⅛	42⅛	— ⅝
Consolidated	4⅞	4½	4½	— ½
Eastman	146	144	144	.....
Eastman pfd	150	149½	149½	—2½
Fox "A"	10¾	10⅜	10⅜	— ⅜
Loew's	107⅛	107⅛	107⅛	+ ½
M-G-M	28	28	28	.....
Paramount	3⅝	3⅜	3⅝	+ ¼
Pathe	¾	⅝	¾	+ ⅛
Pathe "A"	9½	9½	9½	.....
Universal pfd	36⅝	36⅝	36⅝	— ⅞
Warner	3¼	3⅛	3⅛	.....
Warner pfd	20½	20½	20½	+ ½

Technicolor Off ⅛ on Curb

	High	Low	Close	Net Change
Technicolor	19⅛	18⅞	18⅝	— ⅛

Loew's Bonds Gain ⅝

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf.	97⅛	93¾	93¾	+ ⅛
Keith B. F. 6s '46	76⅜	76⅜	76⅜	.....
Loew's 6s '41 ww deb rights	105	104½	105	+ ⅝
Paramount Broadway 5½s '51	53⅛	53⅛	53⅛	— ½
Paramount Publix 5½s, '50	85½	85½	85½	.....
Warner Bros. 6s '39 wd	57½	57	57½	— ⅜

(Quotations as at close of April 27)

Complete New Setup For Saenger Houses

WILMINGTON, April 28. — Final transactions in the incorporation of the newly reorganized Saenger Theatres were concluded here yesterday with the delivery by E. B. Tishman, representing the Paramount Publix trustees, to E. Paul Phillips, vice-president of the new Paramount Richards Theatres, Inc., of the Saenger stock and a check for $50,000 for Paramount's stock interest in the new company.

Paramount Richards Theatres is the new holding company for the Saenger stock.

NEW ORLEANS, April 28.—Dissolution of old companies controlled by Saenger Theatres, some of them dating back 20 years, was accomplished here yesterday. Among the old charters dissolved were those of the Al Lichtman Corp., Southeast Corp., Louisiana Hippodrome, Creole Corp. and Schiro Amusement Co.

E. V. Richards, Saenger head, is recovering from an illness and plans to leave for New York early in the week.

Manhattan to Reopen

The Manhattan Opera House on West 34th St. will be reopened shortly with operettas and pictures at popular prices. New projection equipment is being installed by Joe Hornstein, Inc.

Brooklyn Plant Reopens

After a brief shutdown, the Brooklyn Vitaphone plant resumes activities this morning, under the supervision of Sam Sax.

"Reckless" Grosses $37,000 at Capitol

(Continued from page 1)

At the Paramount "Mississippi" garnered $30,500 the first week and is being held nine additional days before "The Devil Is a Woman" goes in.

"Love in Bloom" at the Roxy took in approximately $29,000 and "George White's 1935 Scandals," current this week, is headed for a better showing. At the Rialto "Stolen Harmony" got $10,100. The Mayfair with "The Casino Murder Case" ended with approximately $5,100 and the first week of "One Night of Love" at the Astor wound up in the neighborhood of $4,-200.

Chicago to Get Fox Meet May 30-June 1

(Continued from page 1)

addition to four George O'Brien westerns to be produced by Sol Lesser. The shorts lineup will be the same as this year's schedule which lists 58 one-reelers and 52 two-reel subjects, exclusive of the newsreel.

William Sussman, assistant to John D. Clark, is in charge of convention arrangements.

Gaumont British will hold two regional sales sessions. One will be in New York and the second in Chicago. The Windy City confab is set for the Congress for May 27-29. The local session will be held just prior to the Chicago meet.

Probe of Government Publicity Is in Air

(Continued from page 1)

ment of publicity men by government departments has been prohibited, but this ban has been evaded by the use of "editorial departments" and similar terms.

A resolution calling for an inquiry is being drafted in the Senate, under which the use of newspapers, trade papers, radio and films would be investigated, as well as the publication of "house organs" by some of the emergency agencies and permanent departments.

Five Dramatists in New Producing Unit

(Continued from page 1)

and Laurence Stallings for the formation of a play producing corporation. Hopkins will be managing director of the new concern and will supervise the production of all legitimate plays.

It is also planned to produce a series of films here in the east from stories written by members of the corporation. At the present, however, no definite details have been worked out for film work and all efforts by the seven have been concentrated on the coming play season.

Circus Day at Forum

Tomorrow will be circus day at the M. P. Club Forum. Personalities of the big tent world will speak, including Colonel Hammond, chairman of the Madison Sq. Garden board of directors; Tony Sarg, president of Dexter Fellowes Tent; Fred D. Benham, soldier of fortune.

Others invited are Dexter Fellowes, Con Colleano, Edward Rooney, Roland Butler, Eli Sugarman, Dorothy Herbert, Ann Lee, Fred Bradna, Clyde Ingalls, Leonard Traube and Pat Valdo.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 101 NEW YORK, TUESDAY, APRIL 30, 1935 TEN CENTS

Purely Personal

JOHN HERRMANN, Paramount newsreel cameraman with the Byrd Expedition, is on the *U.S.S. Minneapolis* to cover fleet maneuvers at Dutch Harbor, Alaska.

•

CHARLES KOERNER, Boston RKO district manager, is due in town today for home office conferences.

•

SAM MARX, head of M-G-M's coast scenario department, is here in search of story material.

•

HARRY RUBY, Hollywood stylist, flew in yesterday from Hollywood. At the Hotel Edison.

•

JUNE CLAYWORTH, whose next for Universal will be "Lady Tubbs," left for the coast last night.

Quip of the Day

"How did So-and-So avoid finishing that picture he didn't want to direct?" they were asking in Hollywood the other day.

"He worked himself up from a cold to pneumonia and had to quit," was the explanation.

TALLULAH BANKHEAD'S new show, "Something Gay," bowed in at the Morosco last night.

•

MILT KUSELL always carries a supply of cigars with him, but never smokes. He chews them.

•

GEORGE S. KAUFMAN, at present in New York, has signed a new contract with M-G-M.

•

TOM CONNORS returned yesterday by plane from a visit to the M-G-M studios.

•

BUDDY MARKUS, M-G-M librarian, is mourning the loss of her father.

•

WILLIAM RAYNOR has returned from Atlanta.

•

GARY COOPER, MARY BOLAND, KITTY CARLISLE and HERB WILLIAMS are

(*Continued on page 2*)

Mayer Closes a Deal With Harris, Gordon

HOLLYWOOD, April 29.—Louis B. Mayer today revealed he has become associated with Sam H. Harris and Max Gordon in the production of legitimate shows in New York, with M-G-M supplying most of the financing. Gordon leaves for New York on Friday, completing three months of preparatory conferences on the deal.

Britain's New Tax Light on Stage Houses

Theory Is Latter Give More Employment

By BRUCE ALLAN

LONDON, April 20.—Aside from the expected remission of entertainment tax on seats priced at 6d (12 cents) and less, the outstanding feature of this year's budget is the differentiation in tax scale between film and stage entertainments.

The Chancellor of the Exchequer has undoubtedly established an important precedent by recognizing the claims of those associated with "the living theatre" that, both from a cultural viewpoint, and because they provide more employment, they should be put in a favorable position as regards "mechanical" entertainment.

As from July 1, a separate scale of duty will apply to "entertainments

(*Continued on page 12*)

Production Slumps; 31 Features Going

HOLLYWOOD, April 29.—Production hit a low ebb for the season here last week, with 31 features and six short subjects before the cameras as compared to 32 features and 10 shorts for the week preceding.

Warners headed the list last week with five features on the sound stages, none preparing and 10 in the cutting rooms. M-G-M had four, zero and

(*Continued on page 4*)

Film Examiners End Moves for a Union

Film examiners at the local exchanges have finally dropped plans to form a union. Lack of support from employes at many exchanges resulted in the move. Provided the idea materialized, an affiliation with the A.F.L. was to have been sought and demands made for increased wages and limited hours.

Some of the sponsors of the idea hope to revive the plan again, but for the present no more meetings will be held.

Johnston Finishing Setup of Republic

HOLLYWOOD, April 29.—W. Ray Johnston has arrived here by plane from New York to close the few remaining franchise contracts on the

(*Continued on page 10*)

Study Bank Nights

The legal status of bank night in the various states will be determined by Campi on the basis of information requested from code board secretaries by Tyree Dillard, Jr., general counsel. Dillard has inquired if the proper officials have ruled on the legality of the scheme and what those rulings are. He also requests the names and addresses of bank night distributors.

Dillard explained that the compilation is being made for the Code Authority and the administrator with a view of getting a national picture of the scope of the practice.

Dallas Court Gets New Film Stoppage Case

DALLAS, April 29.—Film stoppage orders based on bank nights have reached court again. This time the defendant is a member of the grievance board who has refused to comply with a cease and desist order. He has obtained an injunction against the board and major distributors in the 35th Judicial District Court, McCulloch County.

Walker urged the grievance board to hold the matter in abeyance until

(*Continued on page 4*)

Missouri Bank Night Situation Uncertain

KANSAS CITY, April 29.—The county prosecutor's ruling that he will not proceed against bank nights except on complaint of an exhibitor leaves enforcement of the anti-lottery law up in the air in spite of the attorney general's ruling that violators are subject to prosecution.

Mrs. A. Baier, who refused to sign a complaint when told this was the

(*Continued on page 4*)

Ruling on Leonia's Clearance Up Again

Clarification of the Leonia, Leonia, N. J., clearance and zoning decision comes up Thursday before Campi, which originally held that Julius Charnow's theatre can play seven days after Englewood.

In handing down the verdict, Code

(*Continued on page 10*)

Fox Is Named With Banker On Met Offer

Is Greenfield's Associate Behind Fabian Plan

William Fox was revealed yesterday to be one of two voting trustees owning a substantial amount of the stock of Bankers' Securities Corp. of Philadelphia, the Albert M. Greenfield financing company which has agreed to loan $650,000 to Si Fabian for the latter's plan of reorganization for Fox Metropolitan Playhouses. The loan would be secured by all of the stock of Fox Met, 25 per cent of which would be owned outright by the Greenfield bank.

Greenfield, who is the second voting trustee for Bankers' Securities Corp. with Fox, disclosed the association of the former head of the Fox film and theatre enterprises with Fabian's plan under questioning before Federal

(*Continued on page 4*)

Paramount to Keep Its Flexible Sales

Paramount's sales policy next season will be flexible, the same as this year, conventioneers will be told when they congregate at the Waldorf June 13-16.

Sales heads expect to have every situation in the country closed by the time the first session gets under way. The reason for setting back the convention from May 23-26 to the new

(*Continued on page 10*)

King Bill Aims to End NRA on June 16

WASHINGTON, April 29.—Legislation under which the NRA would be permitted to die on June 16 and all permissible activities under the Recovery Act be transferred to the Federal Trade Commission was introduced in Congress today by Senator King of Utah.

There is no probability of the bill being adopted, particularly in view of the demand by President Roosevelt in his radio address last night that the NRA be continued.

Fox Units' Transfer Is Scheduled May 4

KANSAS CITY, April 29.—Transfer of assets of Fox Rocky Mountain and Fox Midwest to National Theatres

(*Continued on page 4*)

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"U" Name Given to Washington Branch

WASHINGTON, April 29.—The Universal Film Exchange, Inc., has supplanted the interstate Film Exchange, it was revealed today. The move is nothing more than the making official on the part of Universal a title long accepted in the trade, and there will be no change in personnel.

Republic Pictures Corp., formerly Liberty Film Exchange, will open new quarters here before the end of the week.

Wyler May Join Para.

William Wyler, former Universal director, it is understood, will join Paramount in a similar capacity under Henry Henigson. He left for Hollywood yesterday afternoon by plane.

Margaret Sullavan, who has been borrowed by Paramount from Universal for "So Red the Rose," plans to leave Thursday. She starts work May 6 in the Paramount film.

Lighton Joins M-G-M

HOLLYWOOD, April 29.—Louis D. Lighton, formerly a Paramount producer, has signed with M-G-M as an executive producer. He is slated to make six pictures yearly. His contract becomes effective Aug. 1.

New Seymour Office

Seymour Premiums, Inc., open new showrooms Thursday and Friday and are celebrating the occasion by holding open house.

Purely Personal

(Continued from page 1)

expected to leave here this week to report back to the Paramount studios.

•

GEORGE MANN, his wife and two children, are due to arrive from Washington this week. MANN, head of the Redwood circuit on the coast, is visiting his mother in the capital. On May 2, she celebrates her 80th birthday.

•

VIRGINIA CHERRILL, en route to England to make a picture; JACK WHITING and his wife, BETH SULLY, and MRS. JACK S. CONNOLLY, wife of the general manager of Pathe News, were among the passengers on the *Lafayette*.

•

BARRON COLLIER, H. A. GROESBECK, SHIRLEY F. WYNNE and S. ARTHUR GLICKSTEIN will speak in a series of programs for the Boy Scout Foundation over stations WMCA, WINS, WNEW, WOV and WWRL.

•

HARRY BRAND, who recently returned to the coast after a short visit here, leaves Hollywood today for Panama for a three weeks' vacation. MRS. BRAND accompanies him.

•

LINDSLEY PARSONS, head of the Republic publicity office on the coast, is laid up at his home with a touch of ptomaine poisoning.

•

FRED ALLEN and HARRY STOCKWELL have been signed by DARRYL F. ZANUCK for parts in "Sing, Governor, Sing."

•

SEAN O'CASEY's "The Plow and the Stars," dealing with political troubles in Ireland, has been bought by Radio.

•

HARRY BUXBAUM has been appointed a member of the Lawrence, L. I., zoning and redistricting board.

•

HAROLD WEISENTHAL, bookkeeper at the Universal New York exchange, has been promoted to assistant booker.

•

JACK KAPLAN of the Rivoli, South Fallsburgh, returns from a four-months Miami vacation this week.

•

EDWARD ROWLEY and HAROLD ROBB of the R. & R. circuit in Texas are due in town this week.

•

ORRY-KELLY, Warner stylist, has arrived back on the coast after a three weeks' vacation here.

•

BEN ROSENBERG of National Screen is back from a three-week tour of the west and midwest.

•

GEORGE VOLK and WILLIAM SHIFFRIN are due from the coast within the next few weeks.

•

HAL ROACH is back in Hollywood. He arrived by plane over the week-end.

•

KARL BRENKERT returns to Detroit in a day or so.

•

HARVEY BUCHANAN, Paramount partner in Superior, Wis., sailed on the *Europa* for a four-week tour of Budapest, Berlin, Vienna, Switzerland, France and England. He plans to return on the *Bremen* May 27.

•

SIDNEY JUSTIN, now that he is acting as alternate for GEORGE J. SCHAEFER at Campi meetings, has delegated ARTHUR ISRAEL to represent Paramount at code appeal hearings.

•

PHILLIP SUSSMAN, formerly manager of the Capitol, Jersey City, has been transferred by Skouras to the Capitol, Haverstraw, N. Y.

•

HARRY THOMAS hasn't started on that swing of First Division branches yet. He was scheduled to leave late last week.

•

DALTON TRUMBO, of the Warner story department, has a yarn in the current issue of *The Saturday Evening Post*.

•

AMOS 'N' ANDY have been signed for "The Big Broadcast of 1935." The deal was handled by the William Morris Agency.

•

FREDERICK JACKSON'S "The Bishop Misbehaves," current on Broadway, has been acquired by M-G-M.

•

BETTY FURNESS has arrived in town by plane.

•

MYRON SATTLER is back from a two-week cruise.

•

. . . Cincinnati

L. B. WILSON, operating a chain in Covington, Ky., just across the river from here, is nursing a broken arm, sustained when he tried to stop a dog fight in the yard of his home. At least, that's his story.

ROBERT O. LAWS has been appointed feature booker at the Fox exchange.

E. V. ("Dinney") DINERMAN, RKO advertising and publicity chief, is assiduously studying road maps and hotel guides in connection with a contemplated trip to Hollywood in May, in which he may be accompanied by JOE GOETZ, RKO division booker. Both claim to be professional "thumbers" and anticipate no difficulty in getting through.

•

. . . Portland, Ore.

LES DAVIS, well and favorably known to a wide circle of friends both in and out of the trade and associated with HOWARD MAPES in Northwest Film Exchange, is now reported safely by the crisis of a serious illness. He will be housed at St. Vincent's Hospital for the next few weeks.

ARTHUR HUCKWALL, who will be remembered by veterans from the early days of First National and now heading the Georgia Minstrels, renewing acquaintance with many friends in Portland.

Set Mickey Mouse Deal

United Artists has completed a tieup arrangement with *Mickey Mouse Magazine*, the first number of which will appear May 15.

It will be called "A fun book for children to read to grownups," with 44 pages for the first issue of 200,000 copies.

Rob a Brooklyn Safe

After kidnapping L. W. McEachem, manager of the Patio, Flatbush Ave. and Midwood St., and forcing him to return to the theatre and open the safe, three bandits took between $2,000 and $2,500.

Philadelphians Ask Compromise on Duals

PHILADELPHIA, April 29.—A compromise calling for the establishment of an "arbitrary percentage of each major company's releases which shall be double featured, if the exhibitor desires," is urged in the current bulletin of the Independent Exhibitors' Protective Ass'n as a means of solving the duals problem.

"No restrictions should be placed on the type of picture which may be twin billed, nor should the theatre's run be affected in any way," adds the publication. "It is obvious that the weaker pictures will be used on the dual bills, so the producers need not fear that their specials will be part of double feature programs."

Asserting "it appears that between 30 and 40 per cent of the major companies' products are so weak that they show few theatres a profit," the organization suggests a double feature privilege of 33 1-3 per cent for "territories like Cleveland and Philadelphia."

IEPA Makes Fourth Addition to Allied

Affiliation of the I.E.P.A. of Philadelphia with national Allied makes four new independent units to join Sidney Samuelson's organization within the last year. Since Allied held its last convention new units to join have been those in Columbus, Atlanta and Washington, D. C. In Columbus the Allied unit is known as the I.T.O. of Ohio, in Washington it's Allied of D. C. and in Atlanta it's the G.F.T.A.

Samuelson states that the Philadelphia unit now makes 38 states for Allied. He believes that within a year the entire country will be covered by his group.

Two for Washington

WASHINGTON, April 29.—Construction will start shortly on two new 1,500-seat Warner neighborhood theatres, according to John J. Payette, general zone manager.

The houses will be in the 3400-block of Connecticut Ave., N. W., and in the 600-block Pennsylvania Ave., S. E. The latter house will be across the street from the present Avenue Grand.

The Uptown and Penn, as the new houses will be called, will have 500-seat balconies, and space for stores on either side of the main entrances.

Small Releases Wood

HOLLYWOOD, April 29.—Unable to complete negotiations for purchase of a second story assignment called for in the contract between himself and Sam Wood, Edward Small of Reliance has suspended the contract he had with Wood in order that the latter could join M-G-M.

Wood recently completed "Let 'Em Have it" for Small, and his next at M-G-M will be the coming Marx Brothers' feature.

Geo. H. Thompson Dead

LAUREL, Del., April 29.—George H. Thompson, 57, manager of the Waller here for more than 30 years, died at his home of complications resulting from a paralytic stroke suffered Feb. 19. He managed the first theatre here. He is survived by his widow, two sisters and five children.

the celebrated
NOEL COWARD



Presenting

NOEL COWARD

IN HIS FIRST MOTION PICTURE

"THE SCOUNDREL"

Written, Directed and Produced by
Ben Hecht and Charles MacArthur
A Paramount Release

A U T H O R • A C T O R • C O M P O S E R

Most widely publicized personality in the world of literature, music and stage. Millions have seen the motion pictures adapted from his stage successes, among them "Bitter Sweet"..."Private Lives"..."Design for Living"..."Cavalcade." Millions are eager to see him in his first screen appearance in "The Scoundrel."

"THE SCOUNDREL" World Premiere RADIO CITY MUSIC HALL, New York, May 2nd

Fox Is Named With Banker On Met Offer

(*Continued from page* 1)

Judge Julian W. Mack, who is contrasting the terms of Fabian's plan for Fox Met with that being offered by Joseph M. Schenck and Fox Theatres Corp. Beyond admitting that he had discussed with Fox the desirability of an investment in Fox Met and having been told by Fox that the latter considered Fox Met to "be a good circuit," Greenfield said he had held no other consultations with Fox on the Fabian plan. He said that Fox had "merely corroborated" his own opinions of Fox Met and the Fabian plan and that, following the discussions, he, Greenfield, had informed Fabian that Bankers' Securities Corp. would finance his plan on the terms outlined to the court earlier.

Offers Check in Evidence

Greenfield brought with him to court a certified check for $100,000 which he said he was prepared to post as "earnest money" to guarantee the performance of his share of the Fabian plan. The Philadelphia banker, a financial associate of Fox's of long standing, disclosed that Fabian had first discussed with him a proposal for financing a bid for Fox Met which Fabian intended making about a year or a year and a half ago. Greenfield also testified that Herman Starr, vice-president of Warners, also discussed with him at about the same time the probability of Warners participating in the Fabian bid being considered then. He said that he had had no recent talks with Starr about a Warner participation in the present Fabian plan, but testified that Warners "wanted to borrow from my company" last summer to participate in their bid for Fox Met with Loew's, but "we couldn't agree on terms," Greenfield said.

Greenfield, who qualified as a film and theatre expert by virtue of having served on the board of Loew's during the period when Fox held a stock control in Loew's, and having served at various times as a financial representative of Fox's and of the Stanley Corp. of America, belittled earlier testimony that product was important in the Fox Met situation. He said that the product talk was "all camouflage" and that Fox Met, as primarily a second run circuit, would have no difficulty in obtaining whatever product it needed.

Fabian Sticks to His Story

Fabian, the only other witness placed on the stand yesterday, reiterated his earlier testimony that he did not anticipate any difficulty in obtaining sufficient product for Fox Met's purposes under his plan, which would cancel the Skouras and Randforce operating contracts and result in loss of the Fox Film franchise held by the operators. He testified that he considered Fox Met to have only seven first run houses in New York and three in New Jersey, and admitted that without a tieup with some other circuit these houses would have difficulty in obtaining the needed product. He stated, however, that for his purposes he was relying on assurances given him by Starr that Warners would sell to Fox Met as they had in the past and by George Schaefer that Paramount product would be available to him if his plan were successful.

He stated that if it was necessary in order to obtain product for Fox Met, it might be possible to organize a third large competing circuit in the metropolitan area through an amalgamation of existing independent circuits with Fox Met. It was developed that under Fabian's plan approximately 20 Fox Met houses not covered by the Fox Met mortgage indenture would be withdrawn, but would not be under the Schenck plan, and that the 20 houses involved had contributed a profit of $239,000 to Fox Met's consolidated earnings last year.

William L. Bainton, of counsel for the Fox Met bondholders' committee, indicated that the committee is prepared to pass upon Fabian's plan as soon as certain provisions, now either undecided or omitted from the informal proposal, have been agreed upon and included in it.

Lost, That's All

Forty of N.T.G.'s Paradise beauties walked into the Ampa Naked Truth Dinner and took seats at a table to the left of the stage. They dined. Then they changed into their white, fuzzy costumes. Then they waited for two hours. Then they went out.

A searching party had discovered they were at the wrong party.

A trombone player spent most of the evening in the orchestra and later discovered he was also due at the other party. It was a big night.

Fox Units' Transfer Is Scheduled May 4

(*Continued from page* 1)

will take place on May 4 when Associated Theatres and Fox Midcontinent will assume operation of the approximately 200 theatres.

Associated will replace Fox Rocky Mountain, but Rick Ricketson will continue as operating head. Fox Midcontinent is the new company for Fox Midwest with Elmer C. Rhoden continuing at the helm.

Spyros Skouras will arrive here May 8 for a general survey of the local situation. From here he will continue to the coast.

National, the only bidder for the two circuits, held unsecured claims of more than $5,000,000 against Fox Midland and approximately $4,800,000 against the Denver corporation. Prior to the hearing on the sale, Federal Judge Reeves vacated a restraining order granted Lee H. Hamlin, ruling that the bondholders had failed to show they had a lien on the assets of the companies and the remedy was through other court channels.

Reid-Sisk to Do 12

HOLLYWOOD, April 29.—Cliff Reid and Bob Sisk will produce a minimum of 12 for RKO Radio next season. Sisk is now in New York and is expected back in two weeks.

Production Slumps; 31 Features Going

(*Continued from page* 1)

nine; Fox, four, three and five; Paramount, four, two and three; Columbia, four, one and three; Radio, three, three and five; Universal, two, zero and one; Roach, zero, one and zero, with the independent group checking up with five, six and seven.

Short subject production also dropped with M-G-M showing one short in work, two preparing and three in the cutting room. Universal had one, zero and zero; Radio, one, one and two; Columbia, zero, zero and two; Roach, zero, one and two; Warners, zero, zero and one, and the independent group three, five and two.

Group Film Ads Stir Campi Appeal Debate

Advertising groups of pictures generally without announcing playdates and admission prices was declared within the provisions of the code yesterday by Sidney Samuelson, president of Allied, who represented William Faulkner of the Park, Newark, N. J., at a Campi appeal hearing.

Warners' Hawthorne, Newark, brought the independent before the local grievance board recently for prematurely advertising more than 30 pictures on a "flyer." The local board decided in favor of Warners and Faulkner appealed.

Attorney Ruffman of the Warner legal staff asserted that the practice was a flagrant violation of the code, but Charles Casey, one of the two members of the appeal committee, disagreed with him. Ruffman stated that despite absence of the admission price and playdate, the Park violated the code. He set forth the argument that the code gives a subsequent run only the right to advertise producers' name, but not titles.

There was considerable discussion about the interpretation of the premature advertising section of the code by the committee and both litigants and it appeared that Campi itself will have to clarify the section.

Arthur Says He Did Not Pay Berinstein

Charges by Al Hanson, Fox West Coast city manager in Los Angeles, that Harry Arthur paid Ben Berinstein's fare to New York in connection with the rehearing of the coast schedule, were denied yesterday by Arthur.

"The charges are false and malicious," Arthur declared, "and were made for personal reasons."

Whether the rehearing on the Balboa situation tomorrow by Campi will be open for further testimony has not yet been decided. Both sides, however, are prepared to introduce new testimony when the session is called. An executive session will be held prior to the meeting to decide on admitting new evidence.

"G" Sets Frisco Record

SAN FRANCISCO, April 29.—"G Men" set a record when it pulled $15,000 for the first three days of its engagement at the Warfield, Friday, Saturday and Sunday. This is $5,000 above the usual take for the three opening days of a picture at the house.

Dallas Court Gets New Film Stoppage Case

(*Continued from page* 1)

a similar Fort Worth case has been decided by the U. S. District Court.

Still another case of this kind is pending in Oklahoma, but the U. S. District Court there has put the matter aside until a decision is handed down by the U. S. Circuit Court of Appeals on the Harry Huffman case which originated in Denver. The issues are the same in all three and involve an attack on the NRA's application to what is claimed to be intrastate commerce.

The Walker case is unusual in that he has already participated in a number of cease and desist orders against other exhibitors. He is president of the Theatre Owners' Protective Ass'n of Texas, opposition organization to Allied.

C. C. Esell, Dallas, national sales manager for bank night, insists further court action is useless until a decision has been rendered in one of the important cases, or the NRA is changed by new act of Congress.

Missouri Bank Night Situation Uncertain

(*Continued from page* 1)

only way in which she could get action, insists she will continue her fight.

Philadelphia Premiums Gain

PHILADELPHIA, April 29.—Premiums are at their height in this territory. When pictures are considered good premiums decline in value.

With doubles likely to spread as a result of the recent Federal court decision invalidating the majors' restrictions on dual bills, exhibitors are wondering what the fate of giveaways will be.

Warns on Ohio Lotteries

CLEVELAND, April 29.—The use of Screeno and all other games of like nature is a violation of the general code of Ohio, according to a bulletin issued by G. W. Erdmann, secretary of the Cleveland M. P. Exhibitors Ass'n. Section 13,063 of the General Code of Ohio prohibits the running of lotteries, drawings, raffles of any and all descriptions whether tickets to such lotteries, drawings or raffles are sold, given away or obtained free of charge.

Withdraw Detroit Cases

DETROIT, April 29.—Complaint of the Colonial, Jacob Schreiber, against the Roxy, Ben and Lou Cohen house, charging overbuying, scheduled to be heard by the local grievance board last Monday, was temporarily withdrawn by Sam Shapiro, Schreiber's attorney.

The board heard the case of M. A. Chargot, Pinegrove and Riviera theatres, Port Huron, against the Butterfield houses there a week ago and reserved its decisions until this week. However, two hours before a ruling was to be given, this case also was withdrawn by Chargot, leading to the belief that a satisfactory arrangement had been made between him and the circuit.

TOMORROW!

G-MEN

STRAND

Broadway & 47th St.

"Midnight" Is Twin Cities' Best Grosser

MINNEAPOLIS, April 29.—"Star of Midnight" was the big grosser of the week in the Twin Cities. In fact, it was one of the few money-makers. The take at the Orpheum here was $1,000 over the line at $6,500, while at the St. Paul Orpheum it was $1,500 up on a gross of $5,500.

"Reckless," day and dating in both cities, was good for $6,000 at the State here and $4,000 at the St. Paul Riviera, both over par. "Sweepstakes Annie" was in the money with $2,500 at the Palace here.

Total first run business in Minneapolis was $29,000. Average is $28,500. Total St. Paul business was $19,000. Average is $16,500.

Estimated takings:

Minneapolis:
Week Ending April 25:

"A NOTORIOUS GENTLEMAN" (Univ.)
ALVIN—(1,486), 15c-30c, 7 days. Five acts vaude. **Gross:** $4,000. (Average, $4,000)

"LIFE BEGINS AT 40" (Fox)
CENTURY—(1,650), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"LOVE IN BLOOM" (Para.)
LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending April 26:

"STAR OF MIDNIGHT" (Radio)
ORPHEUM—(2,900), 25c-40c, 7 days. Stage show. **Gross:** $6,500. (Average, $5,500)

"RECKLESS" (M-G-M)
STATE—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $6,000. (Average, $5,500)

"DOG OF FLANDERS" (Radio)
TIME—(300), 20c-25c, 4 days. **Gross:** $800. (Average for week, $1,500)

"SCHOOL FOR GIRLS" (Liberty)
TIME—(300), 20c-25c, 3 days. **Gross:** $700. (Average for week, $1,500)

"SWEEPSTAKES ANNIE" (Liberty)
PALACE—(900), 15c-25c, 7 days. Five acts vaude. **Gross:** $2,500. (Average, $2,000)

"THE UNFINISHED SYMPHONY" (Gaumont British)
WORLD—(400), 25c-55c, 7 days, 2nd week. **Gross:** $2,500. (Average, $3,000)

St. Paul:
Week Ending April 26:

"GEORGE WHITE'S 1935 SCANDALS" (Fox)
PARAMOUNT—(2,300), 25c-40c, 3 days. Stage show. **Gross:** $3,000. (Average for week, $5,500)

"THE WEDDING NIGHT" (U.A.)
PARAMOUNT—(2,300), 25c-40c, 4 days. Stage show. **Gross:** $3,000. (Average for week, $5,500)

"RECKLESS" (M-G-M)
RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

"STAR OF MIDNIGHT" (Radio)
ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $5,500. (Average, $4,000)

"McFADDEN'S FLATS" (Para.)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"THE SCARLET PIMPERNEL" (U.A.)
WORLD—(300), 25c-35c, 7 days. **Gross:** $2,000. (Average, $1,500)

'Frankenstein' K. C. Wow

KANSAS CITY, April 29.—"Bride of Frankenstein" gave the Tower the biggest Sunday business in its history, topping "Broadway Bill." Despite a downpour the crowd waited for seats from 3 P. M. on.

"Marietta" Portland Hit

PORTLAND, April 29.—"Naughty Marietta" has been seen by 142,000 persons in its first 21 days here, and it is being held for a fourth week. This sets a new run record for the house.

"Richelieu" Philadelphia Hit, $14,000

PHILADELPHIA, April 29.—"Cardinal Richelieu" doubled average at the Aldine by taking in $14,000. It may stay three weeks.

The rest of the town came back nicely after the Holy Week slump. "Hold 'Em, Yale," with the N. T. G. revue on the stage and an extra Monday night amateur contest with Graham McNamee as M. C., boosted the Earle to $14,000. The Fox also topped average, with $13,500 for "George White's 1935 Scandals."

Two other spots in town which did well enough compared to the average, were nevertheless disappointments. —"Naughty Marietta," which started like the proverbial house afire, began to slump with the second week. The take was $12,000, average. After getting off to a good start with a big premiere and personal appearances of Jolson and Keeler, "Go Into Your Dance" took $13,500 at the Stanley, a good figure, but not enough to warrant a second week.

Total first run business was $79,600. Average is $70,900.

Estimated takings for the week ending April 25:

"CARDINAL RICHELIEU" (U.A.)
ALDINE—(1,200), 35c-40c-55c, 6 days. **Gross:** $14,000. (Average, $7,000)

"THE WEDDING NIGHT" (U.A.) (2nd run)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $1,900. (Average, $2,400)

"NAUGHTY MARIETTA" (M-G-M)
BOYD—(2,400), 35c-40c-55c, 6 days, 2nd week. **Gross:** $12,000. (Average, $12,000)

"HOLD 'EM YALE" (Para.)
EARLE—(2,000), 25c-40c-50c, 6 days. Stage: N. T. G.'s Paradise Club Revue. **Gross:** $14,000. (Average, $12,000)

"GEORGE WHITE'S 1935 SCANDALS" (Fox)
FOX—(3,000), 40c-55c-65c, 6 days. Stage: Cross & Dunn, Paul Tisen, Luis & Gaby, Harold Cummings & Co. **Gross:** $13,500. (Average, $12,000)

"LADDIE" (Radio)
KARLTON—(1,000), 25c-35c-40c, 6 days. **Gross:** $2,500. (Average, $3,500)

"MISSISSIPPI" (Para.) (2nd run)
KEITH'S—(2,000), 30c-40c-50c, 6 days. **Gross:** $3,200. (Average, $4,000)

"GO INTO YOUR DANCE" (Warners)
STANLEY—(3,700), 35c-40c-55c, 6 days. and two performances. **Gross:** $13,500. (Average, $12,000)

"McFADDEN'S FLATS" (Para.)
STANTON—(1,700), 30c-40c-50c, 6 days. **Gross:** $5,000. (Average, $6,000)

"Worlds," Marxes, Portland, $11,500

PORTLAND, April 29. — "Private Worlds" at the Paramount with a stage show headed by the Four Marx Brothers was the heaviest draw for some weeks past. It secured $11,500, or $6,500 over average.

"Go Into Your Dance" at the Broadway rolled up $8,000, which is $3,000 over the regular take.

In its third consecutive week at United Artists, "Naughty Marietta" secured another $6,000, or $1,000 over average.

Total first run business was $34,000. Average is $24,700.

Estimated takings for the week ending April 20:

"GO INTO YOUR DANCE" (F. N.)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $8,000. (Average, $5,000)

(*Continued on page 10*)

It Worked!

Houston, April 29.—Francis Deering, Loew manager, raised $6.96 toward the French war debt and made the front pages for "The Scarlet Pimpernel."

It sounds complicated, but it was this way. He advertised for several French girls to sell flowers on the streets of the city. He got 'em, and their sales talk ran like this:

"We are native born French girls, and because there is a story of the French revolution running at Loew's State called 'The Scarlet Pimpernel,' we are selling these paper flowers to help our country pay its war debt."

"Bride," Show Pull $23,000, Chicago Lead

CHICAGO, April 29.—In a week of so-so grosses "Bride of Frankenstein" took $23,000 at the Palace. Willie and Eugene Howard in "Springtime Follies" were on the stage.

"Naughty Marietta" took $13,000, up by $2,000, at the Roosevelt, and "Love in Bloom," helped by Joe Lewis and others on the stage, reached $17,000 at the Oriental. Business was generally off.

Total first run business was $112,000. Average is $127,600.

Estimated takings:

Week Ending April 25:

"LIVING ON VELVET" (Warners)
CHICAGO—(4,000), 25c-50c-68c, 7 days. Stage: "Casino de Paree" revue. **Gross:** $24,000. (Average, $34,600)

"LOVE IN BLOOM" (Para.)
ORIENTAL—(3,940), 25c-40c, 7 days. Stage: Joe Lewis & Co., George Givot. **Gross:** $17,000. (Average, $15,000)

"BRIDE OF FRANKENSTEIN" (Univ.)
PALACE—(2,509), 25c-35c-50c, 7 days. Stage: Willie & Eugene Howard & Tamara in "Springtime Follies." **Gross:** $23,000. (Average, $22,000)

"CURIOUS BRIDE" (Warners)
GARRICK—(900), 25c-35c-40c, 7 days. **Gross:** $3,000. (Average, $5,000)

Week Ending April 26:

"THE WEDDING NIGHT" (U. A.)
UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $15,000. (Average, $17,000)

"NAUGHTY MARIETTA" (M-G-M)
ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $13,000. (Average, $11,000)

"PRIVATE WORLDS" (Para.)
APOLLO—(1,400), 25c-35c-50c, 2nd Loop week, 7 days. **Gross:** $4,000. (Average, $8,000)

"LITTLE MEN" (Mascot)
STATE-LAKE—(2,776), 20c-25c-35c, 6 days. Stage: Roscoe Ails, June Pursell, Benny Ross. **Gross:** $13,000. (Average, $15,000)

Powell Is Draw in Two Omaha Houses

OMAHA, April 29.—William Powell ran a dead heat with himself as a star in two films here. "Reckless" took $5,200, up by $200, at the Omaha, and "Star of Midnight," on a dual bill with "The Unwelcome Stranger," took the same amount at the Brandeis. The latter gross was better in comparison with average, however, as it was $1,700 over the line.

"Stolen Harmony" grabbed $8,500,

(*Continued on page 10*)

"Diggers" Is Big Noise in One L.A. Spot

LOS ANGELES, April 29. — "Gold Diggers of 1935" was a downtown sensation and a disappointment in Hollywood. At the Hillstreet it ran up to $12,700, over par by $4,700, but at Warners' Hollywood it was good for only $12,000, under the normal take for the house by $2,000.

The weather was good and so were grosses for the windup of Lent. "My Heart Is Calling" was away over average on a take of $4,000 at the Filmarte. "The Scarlet Pimpernel" was still strong in its fifth week at the 4-Star. "Stolen Harmony" topped the average mark with $19,000 at the Paramount. "Bride of Frankenstein" grabbed a fine $4,000 at Pantages, and the United Artists' dual, "Love in Bloom" and "It's a Small World," was good at $3,600.

Total first run business was $81,800. Average is $91,200.

Estimated takings for the week ending April 24:

"RECKLESS" (M-G-M)
CHINESE—(2,500), 30c-55c, 6 days. **Gross:** $8,200. (Average, $12,500)

"MY HEART IS CALLING" (Gaumont-British)
FILMARTE — (800), 40c-50c, 7 days. **Gross:** $4,000. (Average, $2,750)

"SCARLET PIMPERNEL" (U. A.)
4 STAR—(900), 30c-55c, 5th week, 6 days. **Gross:** $3,300. (Average, $3,250)

"GOLD DIGGERS OF 1935" (F. N.)
HILLSTREET—(2,700), 25c-65c, 6 days. **Gross:** $12,700. (Average, $8,000)

"RECKLESS" (M-G-M)
LOEW'S STATE—(2,500), 25c-65c, 6 days. **Gross:** $10,000. (Average, $14,000)

"STOLEN HARMONY" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: F. & M. revue, Pinky Tomlin, Trixie Friganza, Rube Wolf and his orchestra. **Gross:** $19,000. (Average, $18,000)

"LOVE IN BLOOM" (Para.)
"IT'S A SMALL WORLD" (Fox)
UNITED ARTISTS—(2,100), 25c-55c, 6 days. **Gross:** $3,600. (Average, $3,500)

"GOLD DIGGERS OF 1935" (F. N.)
WARNER BROS. (HOLLYWOOD) — (3,000), 25c-65c, 6 days. **Gross:** $12,000. (Average, $14,000)

"STRANGERS ALL" (Radio)
"I'LL LOVE YOU ALWAYS" (Col.)
WARNER BROS. (DOWNTOWN)—(3,400), 25c-40c, 6 days. **Gross:** $5,000. (Average, $12,000)

"BRIDE OF FRANKENSTEIN" (Univ.)
PANTAGES—(3,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,200)

"Midnight," Band Top in Providence

PROVIDENCE, April 29.—Combination film and stage unit offerings at the Albee and Fay's hit the high mark for the week, the former catching $8,800 with "Star of Midnight," and Benny Meroff and his band. Fay's caught a par $7,000 with "It's a Small World" and a revue, "Hollywood Secrets."

The Majestic was another house to do average business at $7,000 with the Jolson picture, "Go Into Your Dance." Loew's, booking "Reckless," was $2,000 under and the Strand was down $400 with "Hold 'Em, Yale" and "Million Dollar Baby."

Total first run business was $39,750. Average is $40,500.

Estimated takings for the week ending April 25:

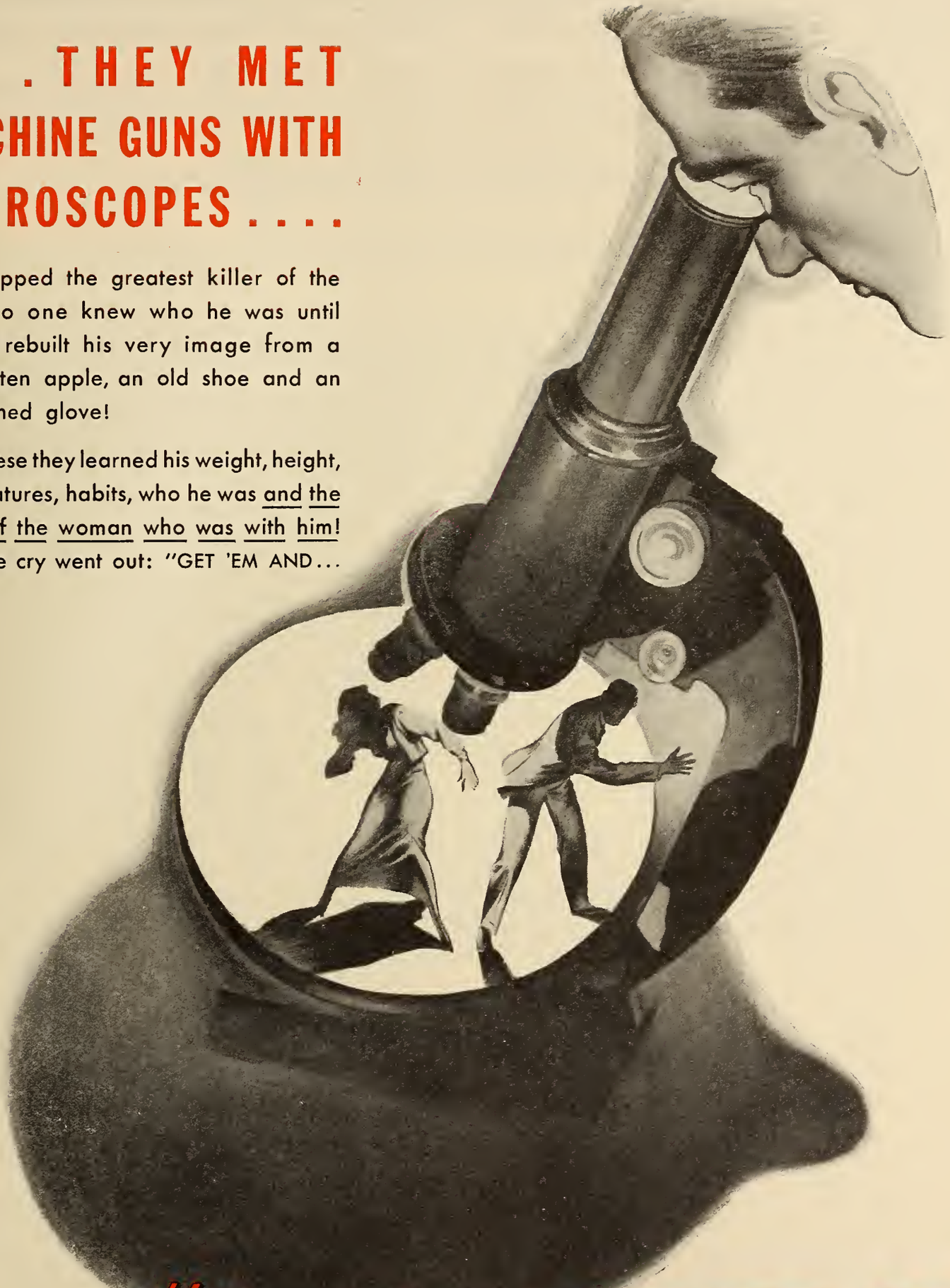
"HOLD 'EM YALE" (Para.)
"MILLION DOLLAR BABY" (Monogram)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,100. (Average, $6,500)

(*Continued on page 10*)

. . . . THEY MET MACHINE GUNS WITH MICROSCOPES . . . .

and trapped the greatest killer of the age! No one knew who he was until science rebuilt his very image from a half-eaten apple, an old shoe and an oil-stained glove!

From these they learned his weight, height, age, features, habits, who he was and the name of the woman who was with him! Then the cry went out: "GET 'EM AND...



"LET 'EM HAVE IT"

Slump Cracks Most Grosses In Pittsburgh

PITTSBURGH, April 29.—The worst Holy Week within memory was what showmen around town were saying last week. Even the Penn, with the only stage show in town, never got started and "Rumba," with the Rooneys and Timbergs in their own unit show, could attract only $15,000, or about $4,000 under average. Elsewhere, too, par wasn't remotely threatened, with grosses falling off from $1,000 up.

"Traveling Saleslady" at the Stanley was yanked late in the afternoon of its closing day to permit a special night premiere of "Go Into Your Dance" with Al Jolson in person and did only $5,200, while at the Alvin, "The President Vanishes" finally got a showing after being on the shelf for several months, but the house had nothing to write home about at $4,-200. The bottom fell out of "The Great Hotel Murder" at the Fulton on $2,800 and the Warner likewise took it on the chin at $3,750 for "The Case of the Curious Bride" and "I'll Love You Always."

Total first run grosses were $30,-950. Average is $42,500.

Estimated takings for the week ending April 18:

"THE PRESIDENT VANISHES" (Para.)
ALVIN—(2,000), 25c-40c, 6 days. **Gross:** $4,200. (Average, $6,000.)

"THE GREAT HOTEL MURDER" (Fox)
FULTON—(1,700), 15c-40c, 6 days. **Gross:** $2,800. (Average, $4,500.)

"RUMBA" (Para.)
PENN—(3,300), 25c-40c, 6 days. Stage: The Herman Timbergs and the Pat Rooneys. **Gross:** $15,000. (Average, $19,-000.)

"TRAVELING SALESLADY" (Warners)
STANLEY—(3,600), 25c-40c, 6 days. **Gross:** $5,200. (Average, $8,000.)

"CASE OF THE CURIOUS BRIDE" (Warners)

"I'LL LOVE YOU ALWAYS" (Col.)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $3,750. (Average, $5,000.)

"Midnight" Leads Lincoln at $3,100

LINCOLN, April 29.—"Star of Midnight" was the pacer last week and ran up $3,100 at the Lincoln. That's about $900 above average.

"Mississippi" finished strongly with $3,600, $500 to the good.

The Orpheum, leading off with "All the King's Horses" and Gertrude Avery's revue three days and four of "While the Patient Slept" and "Night Life of the Gods" grossed $2,200, $100 below par. The Varsity, with "My Heart Is Calling" and "Take the Stand," got $1,000, $500 down. The house is shuttered now for repairs. The Colonial, with three changes, "Frontier Days," "Great Hotel Murder" and "Behind Green Lights," took $1,000 even, $150 up.

Total first run business was $12,900. Average is $9,950.

Estimated takings:

Week Ending April 25:

"ALL THE KING'S HORSES" (Para.)
"WHILE THE PATIENT SLEPT" (Warners)
"NIGHT LIFE OF THE GODS" (Univ.)
ORPHEUM—(1,200), 10c-15c-25c, 7 days. Three days with Gertrude Avery's revue. **Gross:** $2,200. (Average, $2,300)

(*Continued on page* 10)

"Pecos" and Show High in Oklahoma

OKLAHOMA CITY, April 29.—"West of the Pecos," with the help of "Darktown Scandals" on the stage, made the best comparative showing of the week, getting $2,800 in four days at the Liberty. This is $300 over par for a week.

"Reckless" made a good showing at the Criterion, getting $5,500. The only other draw on the list was "Go Into Your Dance," which was good for $4,200 at the Midwest.

Total first run business $14,800. Average is $13,500.

Estimated takings for the week ending April 27:

"RECKLESS" (M-G-M)
CRITERION—(1,700), 10c-26c-36c-55c, 7 days. **Gross:** $5,500. (Average, $5,000)

"GO INTO YOUR DANCE" (F. N.)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $4,200. (Average, $4,000)

"THE IRON DUKE" (Gaumont British)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $1,800. (Average, $2,000)

"WEST OF THE PECOS" (Radio)
LIBERTY—(1,500), 10c-15c-26c-36c. Stage: "Darktown Scandals," 4 days. **Gross:** $2,800. (Average week, $2,500)

"FLORENTINE DAGGER" (Warners)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $500. (Average week, $2,500)

"Mississippi" and Bernie Top Buffalo

BUFFALO, April 29.—"Mississippi," with Ben Bernie and his band on the stage at the Buffalo, led a general Easter week increase in business. The $23,800 take was $9,500 over average.

Two other strong draws were "Reckless," which took $9,500 at the Great Lakes, and "Cardinal Richelieu," which reached $9,100 at the Hippodrome.

Total first run business was $54,700. Average is $42,800.

Estimated takings for the week ending April 26:

"MISSISSIPPI" (Para.)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Ben Bernie and band. **Gross:** $23,800. (Average, $14,300)

"TIMES SQUARE LADY" (M-G-M)
"WHEN A MAN'S A MAN" (Fox)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,700. (Average, $6,000)

"RECKLESS" (M-G-M)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $9,500. (Average, $8,000)

"CARDINAL RICHELIEU" (U.A.)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $9,100. (Average, $8,000)

"LET'S LIVE TONIGHT" (Col.)
"DEATH FLIES EAST" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $6,600. (Average, $6,500)

Marxes with "$10 Raise" Seattle High

SEATTLE, April 29.—Those Marx brothers and "$10 Raise" pulled the natives downtown in droves all week, with the result that the Paramount gross went $3,100 over normal for a total of $9,100.

In spite of this heavy draw, business elsewhere was somewhat better. "Star of Midnight" had a good $4,700 at the Blue Mouse, "Bride of Frankenstein" took $5,800 at the Orpheum, and "The Whole Town's Talking" pulled a fine $6,400 at the Liberty.

Total first run business was $43,050. Average is $30,500.

Estimated takings for the week ending April 27:

"STAR OF MIDNIGHT" (Radio)
BLUE MOUSE—(950), 25c-40c-55c, 7 days. **Gross:** $4,700. (Average, $4,000)

"LIFE BEGINS AT 40" (Fox)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $7,100. (Average, $7,000)

"THE WHOLE TOWN'S TALKING" (Col.)
LIBERTY — (1,800). 15c-25c-35c-50c, 7 days. **Gross:** $6,400. (Average, $4,000)

"GOLD DIGGERS OF 1935" (F.N.)
MUSIC BOX—(950), 25c-40c-55c, 7 days. **Gross:** $5,800. (Average, $4,000)

"$10 RAISE" (Fox)
PARAMOUNT—(3,050), 25c-35c-55c, 7 days. Stage: Marx Brothers in person. **Gross:** $9,100. (Average, $6,000)

"BRIDE OF FRANKENSTEIN" (Univ.)
ORPHEUM—(2,450), 25c-35c-50c, 7 days. Vaudeville headed by Britt Wood. **Gross:** $5,800. (Average, $5,500)

"RED MORNING" (Radio)
"ONCE TO EVERY BACHELOR" (Liberty)
REX—(1,600), 15c-25c, 7 days. Stage: Kolb & Dill in person. **Gross:** $4,150.

'Frankenstein' Frisco Smash; Pulls $16,000

SAN FRANCISCO, April 29.—"Bride of Frankenstein" was a sensation during the week. It got off to a flying start at the Orpheum and maintained the pace for seven days, with the result that it chalked up $16,000, over the line by $7,000.

"Cardinal Richelieu" and "Go Into Your Dance" were the only two other attractions to show strength. "Richelieu" pulled $10,000, over par by $2,000 at the United Artists, and the Jolson-Keeler musical hit $21,000 at the Warfield.

Total first run business was $83,000. Average without the Geary is $79,000.

Estimated takings:

Week Ending April 23:

"STAR OF MIDNIGHT" (Radio)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days, 2nd week. Stage, band. **Gross:** $10,500. (Average, $13,000)

Week Ending April 24:

"IT'S A SMALL WORLD" (Fox)
"GIGOLETTE" (Radio)
FOX—(4,600), 15c-30c-40c, 7 days. **Gross:** $8,500. (Average, $10,000)

Week Ending April 25:

"BRIDE OF FRANKENSTEIN" (Univ.)
ORPHEUM—(3,000), 15c-30c-35c-40c, 7 days. **Gross:** $16,000. (Average, $9,000)

"RUGGLES OF RED GAP" (Para.)
ST. FRANCIS—(1,400), 15c-35c-55c, 7 days, 4th week. **Gross:** $4,000. (Average, $8,000)

"CARDINAL RICHELIEU" (U. A.)
UNITED ARTISTS—(1,200), 15c-35c-40c, 7 days. **Gross:** $10,000. (Average, $8,000)

"NAUGHTY MARIETTA" (M-G-M)
PARAMOUNT—(2,670), 25c-35c-40c, 7 days. **Gross:** $10,500. (Average, $11,000)

"GO INTO YOUR DANCE" (Warners)
WARFIELD—(2,700), 25c-35c-40c-55c, 7 days. Stage, band. **Gross:** $21,000. (Average, $20,000)

Week Ending April 26:

"LOST CITY" (Regal)
GEARY—(1,400), 40c-55c, 7 days. **Gross:** $2,500.

Kansas Passes "Fury"

KANSAS CITY, April 29.—"Black Fury," which has aroused some of the censor boards, has been given a clean bill by the Kansas state censors.

"Reckless" Is Denver Draw Despite Snow

DENVER, April 29. — The heaviest snow in 20 years bumped box-offices last week. The snow lasted two days and melted rapidly. "Reckless" made the best showing with a take of $7,500, up by $1,500, at the Denver.

"Private Worlds" reached $5,000 at the Denham. This was $1,000 over par. "Gold Diggers of 1935" demonstrated its lasting powers by getting $1,750 at the Broadway, following two good weeks at the Aladdin.

Total first run business was $25,200. Average is $23,000.

Estimated takings for the week ending April 25:

"WHEN A MAN'S A MAN" (Fox)
ALADDIN — (1,500), 25c-35c-50c-60c, 7 days. **Gross:** $1,750. (Average, $2,500)

"STRAIGHT FROM THE HEART" (Univ.)
BROADWAY—(1,500), 25c-40c, 3 days. **Gross:** $200.

"GOLD DIGGERS OF 1935" (F.N.)
BROADWAY—(1,500), 25c-40c, 5 days, following two weeks at the Aladdin. **Gross:** $1,750. (Average for week, $1,500)

"HOLD 'EM YALE" (Para.)—4 days
"PRIVATE WORLDS" (Para.)—3 days
DENHAM—(1,500), 25c-35c-50c. **Gross:** $5,000. (Average for week, $4,000)

"RECKLESS" (M-G-M)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $7,500. (Average, $6,000)

"ANNE OF GREEN GABLES" (Radio)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $5,500. (Average, $5,500)

"PRINCESS O'HARA" (Univ.)
PARAMOUNT—(2,500), 25c-35c-50c, 7 days. **Gross:** $3,500. (Average, $4,000)

G. M. Brennan Gaining

BOSTON, April 29. — George M. Brennan, executive of Ross Federal Service, has been taken home from the hospital, to which he was sent recently after collapsing in his office. He has had a nervous breakdown. It is expected he will return to work within three or four weeks.

"Tonic" and Davis Indianapolis High

INDIANAPOLIS, April 29.—"Spring Tonic" and the return of Charlie Davis to his home town accounted for the best gross here last week. The take was $8,000, which is $1,000 over the line for the Lyric.

"Go Into Your Dance" reached $7,500 at the Indiana. This beats average by $500.

For its third week "Life Begins at 40" drew $2,250 to the Apollo, and "Ruggles of Red Gap," as a second run at the Circle, took $3,000.

Total first run business was $25,250. Average is $26,500.

Estimated takings for the week ending April 27:

"LIFE BEGINS AT 40" (Fox)
APOLLO—(1,100), 25c-40c, 3rd week, 7 days. **Gross:** $2,250. (Average, $4,000)

"RUGGLES OF RED GAP" (Para.) (Second Run)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $3,000. (Average, $4,000)

"GO INTO YOUR DANCE" (F. N.)
INDIANA—(3,133), 25c-40c, 7 days. **Gross:** $7,500. (Average, $7,000)

"SPRING TONIC" (Fox)
LYRIC—(2,000), 7 days. Stage: Charlie Davis. **Gross:** $8,000. (Average, $7,000)

"RECKLESS" (M-G-M)
PALACE—(3,000), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,500)

Regina Molseed Ill

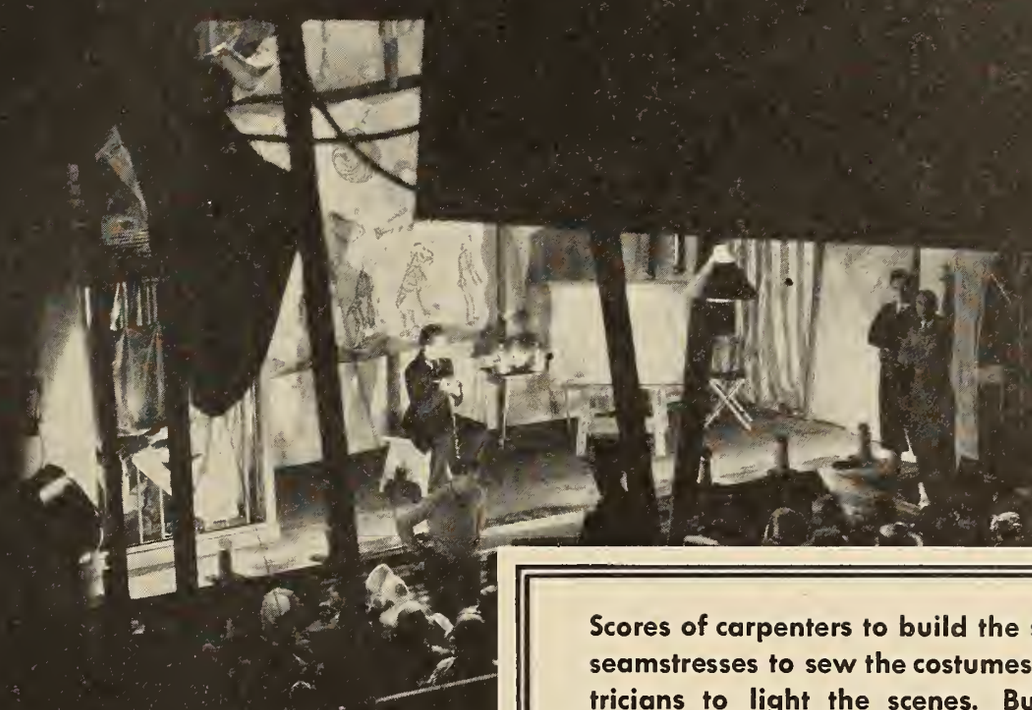
OMAHA, April 29.—Miss Regina Molseed, code secretary, who has been ailing of late, finally gave up coming down to the office to stay in bed and attempt a complete cure. Expects to be on duty in a few days.

A Better Show on the Screen

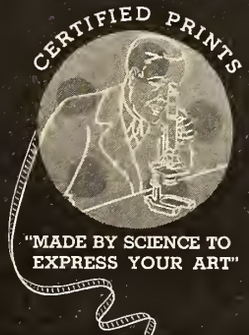
with **CERTIFIED PRINTS**

from **CONSOLIDATED**





Scores of carpenters to build the sets; a squad of seamstresses to sew the costumes; dozens of electricians to light the scenes. But the audience cares nothing about this. It's the *show* that counts. And it's the prints that *perform* the show. That's why it is so important to use Certified Prints . . . scientifically produced in the world's finest laboratories to give perfect expression to the showmanship in the master negative.



CONSOLIDATED FILM INDUSTRIES, INC.

NEW YORK HOLLYWOOD

Powell Is Draw in Two Omaha Houses

(Continued fram page 6)

with a revue on the Paramount stage.

Total first run business was $26,100. Average is $24,000.

Estimated takings:

Week Ending April 25:

"STOLEN HARMONY" (Para.)

PARAMOUNT — (2,800), 25c-35c-40c, 7 days. Stage: French Revue with Mlle Corinne and 45 people. **Gross:** $8,500. (Average, $8,000)

Week Ending April 24:

"RECKLESS" (M-G-M)

OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $5,200. (Average, $5,000)

Week Ending April 24:

"STAR OF MIDNIGHT" (Radio)
"THE UNWELCOME STRANGER" (Col.)

BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $5,200. (Average, $3,500)

Week Ending April 25:

"PRIVATE WORLDS" (Para.)
"$10 RAISE" (Fox)

ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $7,200. (Average, $7,500)

"Worlds," Marxes, Portland, $11,500

(Continued fram page 6)

"BROADWAY BILL" (Col.)
(Second Run)

BLUE MOUSE—(700), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,700)

"McFADDEN'S FLATS" (Para.)
"RED HOT TIRES" (F. N.)

MAYFAIR—(1,700), 25c-35c-40c, 7 days. **Gross:** $3,000. (Average, $3,000)

"BRIDE OF FRANKENSTEIN" (Univ.)

ORPHEUM—(1,700), 25c-35c-40c, 7 days. Stage show. **Gross:** $4,000. (Average, $5,000)

"PRIVATE WORLDS" (Para.)

PARAMOUNT — (3,008), 25c-35c-40c, 7 days. Stage show. **Gross:** $11,500. (Average, $5,000)

"NAUGHTY MARIETTA" (M-G-M)

UNITED ARTISTS—(945), 25c-35c-40c. 7 days, 3rd week. **Gross:** $6,000. (Average, $5,000)

"Midnight" Leads Lincoln at $3,100

(Continued from page 8)

"STAR OF MIDNIGHT" (Radio)

LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $3,100. (Average, $2,200)

"MY HEART IS CALLING"
(Gaumont British)
"TAKE THE STAND" (Tower)

VARSITY—(1,100), 10c-15c-25c, 7 days. **Gross:** $1,000. (Average, $1,500)

"FRONTIER DAYS" (Capitol)
"GREAT HOTEL MURDER" (Fox)
"BEHIND THE GREEN LIGHTS" (Majestic)

COLONIAL—(750), 10c-15c, 7 days with three changes. **Gross:** $1,000. (Average, $850)

Week Ending April 26:

"MISSISSIPPI" (Para.)

STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $3,600. (Average, $3,100)

"Midnight," Band Top in Providence

(Continued fram page 6)

"IT'S A SMALL WORLD" (Fox)

FAY'S—(1,600), 15c-40c, 7 days. Stage: "Hollywood Secrets." **Gross:** $7,000. (Average, $7,000)

"STAR OF MIDNIGHT" (Radio)

RKO ALBEE—(2,300), 15c-40c, 7 days. Stage: Benny Meroff and band. **Gross:** $8,800. (Average, $7,000)

"GO INTO YOUR DANCE"· (Warners)

MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"RECKLESS" (M-G-M)

LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $10,000. (Average, $12,000)

"FIGHTING PIONEER" (Cameo)
"CIRCLE OF DEATH" (Cameo)

RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $850. (Average, $1,000)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Werewolf of London"

(Universal)

HOLLYWOOD, April 29.—A weird story produced and acted in a manner calculated to bring a maximum of thrills and chills, this picture maintains the horror pace set by Universal. Fast-moving with vivid action and dialogue plus nerve-tingling makeup changes building dramatic suspense, the show capitalizes the full entertainment value of its eerie premise.

With a locale in Tibet and London, the picture tells the stark, fantastic story of Henry Hull, a scientist-botanist, who falls the victim of a strange malady. Although possessing the roots of a rare plant, the juice of which is known as an antidote, the buds are stolen by a similarly afflicted Oriental scientist, Warner Oland. Hull, under the spell of full moonlight and knowing the vicious thing into which he will be transformed, turns into a werewolf and precipitates a series of murders that terrorize London. About to kill the one he loves best, Valerie Hobson, his wife, whom he suspects of being too friendly with Lester Matthews, Hull is slain by Scotland Yard officers after he has killed Oland.

Hull and Oland are outstanding in difficult roles. The meager romantic contrast is nicely carried by Miss Hobson and Matthews. The chief comedy relief is carried by haggish Ethel Griffies and Zeffie Tilbury. Minor roles are filled by Clark Williams, Charlotte Granville, Spring Byington, J. M. Kerrigan and Louis Vincent. The eerie writing quality of Robert Harris, who collaborated with Harvey Gates on the screen play, is expertly amplified by Stuart Walker's intelligent handling of the personnel and production backgrounds.

The show affords a wide field for sock exploitation.

Production Code Seal No. 714. Running time, 75 minutes. "A"

"Kentucky Blue Streak"

(C. C. Burr-Puritan)

HOLLYWOOD, April 29.—In "Kentucky Blue Streak," Junior Coghlan, as a high-minded jockey, takes a job on an outlaw track to lift the mortgage on the old homestead. Convicted of manslaughter on circumstantial evidence, he goes to prison for two years, leaving his sister, Patricia Scott, in the clutches of the conniving district attorney, played by Cornelius Keefe. Such mild melodrama is suitable only for dual bills in uncritical spots.

Eddie Nugent finds himself in a spot when Coghlan breaks jail to ride a big race and save the family fortunes, but he manages to thwart the villains, save the boy and win the sister's love. Margaret Mann plays the mother. Ray E. Johnson directed from the story by C. B. Carrington and screenplay by Homer King Gordon.

Just as well not to show this one in Kentucky because of strong western accents and obviously California backgrounds for Kentucky Derby race shots.

Reviewed without production code seal. Running time, 63 minutes. "G."

Looking 'Em Over

"Dinky"

(Warners)

That grand little trouper, Jackie Cooper, quite grown up now, gives another sterling performance here despite the hindrance of a poor story. Cooper fans may be slightly disappointed in the picture as a whole, but there is enough entertainment in it to satisfy.

The yarn has Jackie's widowed mother, Mary Astor, sent to prison on a charge of fraud despite her innocence. The youngster is happy in a military school and ignorant of his mother's plight. Her attorney, Roger Pryor, aids her in deceiving her child and a strong friendship grows up between the three. When Cooper's schoolmates discover his mother is in prison, he runs away from their taunts and moves to an orphanage next door to the academy. A reunion is staged when the real culprit is caught and exonerates Miss Astor and the ending finds Cooper back at the academy and promoted to the rank of sergeant.

Directors D. Ross Lederman and Howard Bretherton handled Cooper's

(Continued on page 12)

Paramount to Keep Its Flexible Sales

(Continued fram page 1)

date is said to be that the theatre company now in receivership will be out by June 15 ready to start a new slate. All theatre men will attend as in the past.

All branch managers, district heads, salesmen and theatre men abroad will attend the three-day international convention which starts in Paris on May 9. Representatives from Europe, British Isles and Northern Africa will be on hand. Fred W. Lange will open the session and John W. Hicks, Jr., will preside.

Popeye Carnival Clubs are being organized in every key city starting June 1. "The Virginian" will be revived sometime in June.

Product announcement will call for 65 features and 100 single reel shorts plus 104 issues of the newsreel.

Johnston Finishing Setup of Republic

(Continued fram page 1)

new Republic organization, particularly for Kansas City, Los Angeles and Minneapolis.

It is expected contracts will be signed in a day or so with Robert Withers, Midwest Film Distributors, Kansas City; Gilbert Nathonson, Monogram Pictures of Minneapolis, Inc., and Howard Stebbins, Monogram Pictures, Inc., Los Angeles.

Under their new contracts, they will incorporate the name Republic in their company titles and will handle Republic product exclusively.

Before leaving for the west, Johnston closed with Nat Steinberg and Bernard Rosenthal, Monogram franchise holders in St. Louis, to handle Republic pictures there. Their company will be known as Republic Pictures of St. Louis, with Steinberg president and Rosenthal secretary-treasurer.

Johnston expects to remain here for at least six days and plans several production conferences in the meantime with Trem Carr. I. E. Chadwick will produce "My Old Kentucky Home" for Republic, incorporating the music of Stephen Foster.

Ruling on Leonia's Clearance Up Again

(Continued fram page 1)

Authority overlooked the rental angle, local branch heads declare. Adam Adams of the Park Lane, Palisades, has contracts with distributors for 14 days after Englewood with protection over the Leonia. According to the Campi order, Adams must follow Leonia seven days.

It is held that the only solution to the problem is for Campi to declare Leonia and Palisades opposition and have each exhibitor bid for the product.

Plan Pathe Reunion

BOSTON, April 29.—A Pathe reunion is scheduled for May 1 at the Club Devkelder here. It will include all former employes of Pathe here, including Bill Cuddy and others. Harry Smith, RKO booker, has charge of plans. His assistant is Charlie Lynch of the RKO shipping department. Dinner and dancing are on the program.

"Frankenstein" Ads Fail to Halt Kids

KANSAS CITY, April 29.—The perversity of human nature is demonstrated here this week at the Tower where "The Bride of Frankenstein" is drawing an unusually heavy child attendance. The picture is proving to be a family attraction, and Barney Joffee, manager, is at loss to explain, inasmuch as his ads stressed it is "not for the young, the scary or the nervous."

Reviewers on local papers also pointed out the picture is not suitable for children, but over the week-end many parents brought their families.

Joffee decided he would not refuse admission to children since, he said, measures taken with the previous "Frankenstein" picture and other horror films, such as age limitations and the sale of only adult admissions, have proved to be subterfuges and parents cannot be prevented from bringing their children.

Maloy Foes Restored To Jobs in Chicago

CHICAGO, April 29.—Four of the six so-called rebel operators under the regime of the late Tom Maloy have been restored to jobs and are working for the first time since ousted in December, 1932. They are Ed Hulette, Louis Neukom, Frank Morris and George Laris. With Joe Fritz and Phil Kore, they were parties to a suit seeking an accounting of union funds.

It is understood that, in going back to work, they will withdraw from the suit, since similar action is being sought in court by Harland Holmden, who is operating the union for the I. A. T. S. E. Benjamin Schultz, who has been acting as counsel for the operators, states that the suit in behalf of the remaining two operators has not been dropped.

London Films Lines Up 12 for New List

LONDON, April 29.—London Films is lining up 12 features for its next season's program. With "Congo Raid" complete and the finishing touches being put on "100 Years from Now," Alexander Korda has already started work on five scripts of next year's list.

The scripts upon which work has been started are: "Mary Read," James Bridie's play; "Nijinsky," "Joseph and His Brothers," "Claudius, the God" and "Lawrence of Arabia."

Others on the list include: "Sir Tristram Goes West," "Young Mr. Disraeli," "The Man Who Could Work Miracles," "Elizabeth of England," "Elephant Boy," "Franz Lizst" and "The Broken Road."

"Lancer" Hit in London

LONDON, April 29.—"Lives of a Bengal Lancer" was described as offensive to millions of Mohammedans in India during the course of a debate started by Lieutenant Colonel Sir Arnold Wilson in Parliament.

Columbia Pays Dividend

Columbia Pictures has declared its 25th consecutive quarterly dividend of 75 cents per share on the preference stock. It is payable June 1 to stockholders of record May 15.

De Courville to Visit

LONDON, April 29.—Albert de Courville leaves shortly for a New York visit. Well known for his revues at the Hippodrome and Palladium, de Courville has been directing pictures. His latest is "Things Are Looking Up" with Cicely Courtneidge, William Gargan and Max Miller.

Chevalier Back on Stage

NICE, France, April 29.—Maurice Chevalier has signed a contract to resume stage performances here May 3. He says: "I am glad I'm finished with pictures. They do not suit my temperament."

Writers to Talk Credits

HOLLYWOOD, April 29.—The Academy Writers' Committee will hold its second meeting here Wednesday before the conference scheduled with producers.

Most of the meeting will be devoted to a discussion of credits. Howard Green is chairman of the committee.

Move Office to Gardiner

BOSTON, April 29.—Raymond S. Reed, sales development manager for Heywood-Wakefield Co., theatre chair manufacturers, has moved the company's general offices from this city to Gardiner, Mass. A showroom will be continued here.

Colonels from East Leave for Ky. May 2

Easterners bound for the second annual dinner of Kentucky colonels to be held at the Kentucky Hotel, Louisville, on Friday night, the eve of the running of the Derby, will leave from New York on special cars over the Pennsylvania on Thursday around noon. Out of Washington they will travel over the Chesapeake and Ohio, pulling into Louisville on Friday morning.

Gov. Ruby Laffoon of Kentucky will be the guest of honor at the dinner, which will be followed by dancing.



That's good old baseball lingo—but when they slide out of old, broken-down, hard and lumpy seats in your theatre, it's just too bad for the "gate". To keep your old patronage and attract new, GET NEW CHAIRS!

Ask Us, "How can I reseat and pay for new chairs conveniently?"

American Seating Company

Makers of Dependable Seating for Theatres and Auditoriums

General Offices: Grand Rapids, Michigan

BRANCHES IN ALL PRINCIPAL CITIES

NRA MEMBER U.S. WE DO OUR PART

COMFORT—*The Greatest Star Of Them All!*

Minnesota Governor Vetoes Tax Measures

MINNEAPOLIS, April 29.—Gov. Floyd B. Olson's veto of the Minnesota Omnibus tax drew cheers from the ranks of the industry as represented here. It carried an amusement tax proposal unanimously opposed by exhibitors and distributors.

The close of the legislative session without a tax bill acceptable to the Governor, however, may make necessary a special session and there is a possibility a fight will have to be made all over again to kill the measure. There was also other cause for rejoicing in amusement circles because the daylight saving bill, also regarded with alarm, failed to get through in the final crush of legislation. The bill banning compulsory playdates suffered the same fate, apparently due to the attorney general's ruling on a similar bill in Ohio.

Study New California Tax

SACRAMENTO, April 29.—The joint steering committee of both houses of the State Legislature which is considering the problem of raising $250,000,000 in new taxes today was studying a proposal of Senator Duval, its chairman, to slice the income levy recently passed by the Assembly in half and add numerous nuisance taxes, including a charge of 30 cents ad valorem on $100 valuation.

The new plan, minus the admission levy, is nearly as unacceptable to studios as the other. With administration approval given to the one per cent levy on gross transactions, which is favored by the studios, the steering committee, controlled by Governor Merriam, is expected to reverse itself in order to hold the industry.

Mo. Bomb Law Stirs Campaign

KANSAS CITY, April 29.—Coincident with the affixing of Governor Park's signature to a bill passed by the Missouri legislature making it a felony to possess a bomb with intent to destroy property or injure a person, the Citizens Protective Council here is waging a campaign against labor racketeering.

The new law makes illegal possession of a bomb punishable by imprisonment. The state has a law providing penalties up to death for bombing, but heretofore had none dealing with possession of bombs.

The local council has offered a cash reward for the arrest and conviction of perpetrators of bombing outrages.

Members of the I. T. O. and other exhibitors have indicated they will support the council's efforts. Three exhibitor leaders, L. J. McCarthy, Fox Midwest district manager, George S. Baker, manager of the Publix Newman, and Ed Dubinsky, head of Dubinsky Bros. circuit, are listed on the council's directorate.

Michigan Smoking Move On

DETROIT, April 29.—A bill to permit smoking in theatres has been introduced in the Legislature by Representative Louis J. Schneider of Detroit. Smoking in projection booths and other enclosed places in a theatre would be prohibited. Smoking by patrons would be subject to regulation by fire marshals.

The Detroit City Council recently passed an ordinance prohibiting smoking in local theatres. Gabe S. Goldwater, fire marshal, is against the practice.

Attorneys here say, however, he would be forced to issue permits in certain cases should the State bill be passed.

Wisconsin Two-Man Bill In

MADISON, Wis., April 29.—A two-man-in-a-booth bill has made its appearance in the Assembly. Opposition is being lined up.

Looking 'Em Over

"Dinky"

(*Continued from page* 10)

emotional scenes well, but their treatment of the rest of the scenes is only fair. Camera work of Arthur Edeson is good.

Henry O'Neil, George Ernest, Sidney Miller and Henry Armetta are very good in supporting roles. Betty Jean Haney also handles a small part well.

Exhibitors would do well to concentrate on Cooper's name value. Production Code Seal, No. 757. Running time, 65 minutes. "G."

"So, You Won't Talk"

(*Warner-British*)

LONDON, April 20.—The Warner-First National studio at Teddington has a nice comedy in this Monty Banks vehicle, directed by William Beaudine from a Tom Geraghty original. There is good story value, of a type which enables Banks, playing a silent part, to show the physical resource and facial expressiveness of his pre-talkie efforts. Individual incident has plenty of boisterous humor, and the support is good.

Rich man Fielding, driven to distraction in his last moments by the chatter of legacy-seeking relatives, makes a will leaving his fortune to his grandson, Tony, one of the proprietors of a Soho cafe, on condition that, for 30 days, he lives in the house with the other relatives without either speaking or writing. If he fails, they get the money.

Two elderly nieces and one vampish grand niece try their hardest to trick, force and coax Tony into speech. They are assisted by a shady racing friend of Tony's, who stages a wholesale murder scene as a last effort to break the silence and succeeds only for it to be revealed that the conspirators have forgotten summertime and that Tony has already won.

Banks' pantomimic achievements are 90 per cent of the film, but Vera Pearce and Bertha Belmore, as the elderly gold diggers, Enid Stamp-Taylor, Muriel Angelus, Ralph Ince and Claude Dampier, the latter excellent as the simpleton watchdog on Tony, all help to make it a live piece of work. If it comes to America, it should be found a satisfactory release.

Running time, 85 minutes. "G." ALLAN

Toeplitz Plans Five

LONDON, April 29.—Toeplitz Prod. plans to make five features in the next two years. Already set are "Crime Don't Pay," a London gangster story by Bechoffer Roberts, author of "The Old Gentleman"; "Byron in Italy,'; an original by Leon Koghnitsky; "Legend of King Arthur," by Karl Zuckmayer, author of "The Blue Angel," and "The Golden Age," by A. P. Antoine. A fifth picture awaits confirmation of the author's contract.

Paul Graetz's impending visit to New York ties in with distribution deals for this series.

Films Held Aid to Army

HOLLYWOOD, April 29.—Major Gen. James B. Allison, chief signal officer of the U. S. Army, stressed the value of films in training officers in a talk at an Academy luncheon today. He intimated a closer unity between the army and the industry as a future objective. Major Nathan Levinson, Warners' technical head, in introducing Allison suggested young officers get their initial experience in the technical departments of the studios.

Wall Street

Loew's Pfd. Gains 1¼ on Big Board

	High	Low	Close	Net Change
Columbia, vtc	42⅛	42½	42⅛	.....
Cons. pfd (1v)	17¼	17¼	17¼	— ¼
Eastman	140½	138	139¾	—4½
Eastman pfd	150	150	150	+ ½
Fox Film "A"	10½	10⅜	10½	+ ⅛
Loew's, Inc.	38¼	37⅝	37⅞	+ ⅜
Loew's, Inc., pfd.	106¾	106¾	106¾	+1¼
M-G-M, pfd	28	28	28	.....
Paramount Publix	3⅝	3½	3⅝	.....
Pathe Exchange.	5⅝	5⅝	5⅝	— ⅛
Pathe "A"	9½	9½	9½	.....
RKO	1⅝	1½	1½	.....
Universal pfd	36⅝	36⅝	36⅝	.....
Warner Bros.	3⅛	3⅛	3⅛	.....

Technicolor Up ½ on Curb

	High	Low	Close	Net Change
Technicolor	19⅜	18⅞	19⅜	+ ½

Bond Issues Off Slightly

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	9¾	9¾	9¾	.....
Keith B. F. 6s '46	77	77	77	+ ⅝
Loew's 6s '41 ww deb rights	104⅜	104¼	104¼	— ⅜
Paramount B'way 5½s '51	53⅛	53⅛	53⅛	.....
Paramount F. L. 6s '47	84½	84½	84½	—1½
Paramount Publix 5½s '50	85¾	85¾	85¾	+ ¼
Warner Bros. 6s '39 wd	56¼	55¼	55¼	—1¾

(*v*) *Paid this year.*

(Quotations as at close of April 29)

Meyer Gruber Resigns

BOSTON, April 29.—Meyer Gruber, New England manager for First Division, has resigned. He has been succeeded by Harry Selig.

Britain's New Tax Is Light on Theatricals

(*Continued from page* 1)

where all the performers whose words and actions constitute the entertainment are actually present and performing, and the entertainment consists solely of one or more of the following items, namely, a stage play within the meaning of the Theatres Act, 1843, a ballet, a performance of music (whether vocal or instrumental), a lecture, a recitation, a music hall or other variety entertainment, a circus or a travelling show."

The scale for theatres with living performers is as follows: From 13 cents to and including 17 cents, one-cent tax; 18-22 cents, two-cent tax; 23-27 cents, three-cent tax; 28-32 cents, four-cent tax; 33-37 cents, five-cent tax; 38-42 cents, six-cent tax. The tax goes up two cents for each 10-cent increase in admission scale above 42 cents.

Film theatre taxes begin at three cents and are higher in every bracket. They follow: From 13 cents to 15 cents, three-cent tax; 16-20 cents, four-cent tax; 21-25 cents, five-cent tax; 26-30 cents, six-cent tax. From 30 cents the tax rises two cents for every 10-cent increase or fraction thereof in admission scales.

Less Favorable to Films

It will be noticed that the flesh and blood theatre is given an advantage right through the scale; it pays on a 32-cent seat four cents, while the cinema pays six cents on a 30-cent seat. It also gains from the fact that the grading is more favorable for the theatre; its lowest range is 12 to 17 cents against the cinema's 12 to 15 cents, and its higher scale is based on a figure of 42 cents against the cinema's 30 cents.

In practice, a 9d (18 cents) seat in a theatre will pay ¾d (one cent) tax while a cinema seat of the same value will pay three cents. A shilling (24 cents) seat in a theatre will include 1d (two cents) and tax and in a cinema 2d (four cents).

Trade opinion, delighted with the relief given to the cheaper seats, has not so far found any official expression with regard to the new principle of differentiation, but in some quarters fear is expressed that it reflects an official tendency to regard the entertainment tax as a permanent source of revenue.

It is pointed out that, under the new system, it will probably be easy to calculate the respective contributions to revenue of "living" theatres and other forms of entertainment and that the former have been given a position of advantage which may make them disinclined to support any campaign for the complete abolition of the tax. In fact, it is thought, theatrical interests may press future chancellors for further concessions for the "living" theatre at the expense of the more prosperous film houses.

L. A. Board Meets Today

LOS ANGELES, April 29.—The local zoning board meets tomorrow to set a date when the Los Angeles schedule shall become effective, with the deadline May 15.

Franklin Denies Rumor

HOLLYWOOD, April 29.—Harold B. Franklin today denied a report he was negotiating for 15 theatres here.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 102 NEW YORK, WEDNESDAY, MAY 1, 1935 TEN CENTS

New British Firm Aims at U. S. Market

Headed by Capt. Dixey; Capital $875,000

By BRUCE ALLAN

LONDON, April 30.—Capt. A. C. N. Dixey, member of Parliament from Penrith, heads Anglo-American Renters, Ltd., capitalized for £175,000 (about $875,000) for British and American distribution of British films.

Dixey has been joint managing director of London Films with Alexander Korda and is still a London shareholder. The new corporation is located at the same address as London Films, but it is stated there is no connection between the concerns. New offices will be opened shortly, according to company officials.

London financial interests are said to be backing the company to the extent of £1,000,000, with the intention

(*Continued on page 4*)

"Miserables" Gets $60,115 at Rivoli

"Les Miserables" ended its first week at the Rivoli with a handsome $60,115. For the week ending tonight, the Rialto will do in the neighborhood of $8,000 on "Hold 'Em Yale."

"Little Miss Marker" has replaced "One Night of Love" at the Astor. Walter Reade's revival picture policy for the house seems to be clicking. On the extra four days of "One Night of Love" the tally was about $1,500. "Roberta" may follow the Shirley Temple picture.

"The Florentine Dagger" at the Mayfair garnered around $7,000. Daylight saving time didn't help Broadway houses any.

Writers' Guild Makes New Academy Attack

HOLLYWOOD, April 30.—The Screen Writers' Guild is continuing its skirmishes with the Academy. It has sent telegrams to all guild members stating that those who join the

(*Continued on page 4*)

National Will Film Allied Men at Meet

Talking pictures of all exhibitors attending the Allied convention in Atlanta on May 21-23 will be made by National Screen. The same stunt

(*Continued on page 6*)

Says Disaster Threatens K.C. On Bank Night

Mrs. Baier Makes Charge In Appeal to Campi

KANSAS CITY, April 30.—Bank night threatens to develop a disastrous situation for Kansas City unless effectively checked by Campi, that authority is informed by Mrs. A. Baier of the Lindbergh in her appeal from the local grievance board's dismissal of her complaints against the Belmont and Prospect theatres here.

Her appeal deals with other business stimulators adopted by Kansas City exhibitors, and declares: "If bank nights, china nights, etc., are allowed to continue, not only will the exhibitors who refrain from using such devices be harmed but also the

(*Continued on page 4*)

1st Runs Under L. A. Schedule on May 15

LOS ANGELES, April 30.—The zoning board today passed a motion to place the local clearance schedule in effect May 15, with the plan being "applicable to the exhibition of all features in any city entitled to exhibition on national release dates." The schedule will be effective on that date on first runs only, allowing subsequent run houses several days' clearance to adjust themselves to the new setup.

A committee consisting of John

(*Continued on page 4*)

Republic in Allied Exchanges on Coast

LOS ANGELES, April 30.—The Los Angeles and San Francisco exchanges of Allied Distributing Co. yesterday were acquired by Floyd St. John, operator of cooperative exchanges in the distribution expansion move of the newly organized Republic Pictures. Monogram exchanges are assuming Allied releasing contracts, the deal including Liberty Pictures and Weiss Bros., formerly distributing through M. H. Hoffman exchanges.

Pittsburgh's Price War Ends with Deal

PITTSBURGH, April 30.—A four-month price war will come to a close Friday when the Stanley, Alvin and Penn, raise their night scale for combination bills from 40 to 55 cents.

(*Continued on page 6*)

Loew's Net Jumps

Loew's, Inc., reports net profit of $4,345,337 for the 28 weeks ending March 14. This is an increase of $371,885 over the same period for last year. It equals $31.78 on the preferred and $2.64 on the common.

The company's share of operating profit after subsidiaries' preferred dividends was $7,015,676. Depreciation and taxes totaled $2,670,339.

New 1% Gross Tax Presented In California

SACRAMENTO, April 30.—A new one per cent gross transactions tax backed by the studios, calling for a revenue producing power up to $100,000,000 annually, was submitted today by three assemblymen. The measure would eliminate the need for income, sales, admission and other nuisance taxes.

In the Senate strong emphasis is being laid on an ad valorem tax of 30 cents on $100 valuation to bolster the revenue program, containing an income levy half the Federal rate, an admission tax, a sales impost and other nuisance taxes.

Reade to Open Four Theatres on June 28

Walter Reade will open four summer resort houses June 28. They are the Strand, Long Branch; St. James, Lyric and Rialto, Asbury Park. Lee Newbury, who has the Ocean, Asbury Park, for which Reade buys, will open his house about the same time the three others in the same town relight.

Harmon Yaffa on Sunday will close the Gem, Washington Heights, for alterations. Joe Rosenzweig recently took over the Empress, also in the Heights, from Sol Safire, who has retired. Consolidated recently shut the Ideal on Eighth Ave.

Schlesinger Has 26 Set for New Season

Leon Schlesinger is set to produce 13 Merrie Melodies in three-color Technicolor process and 13 Looney Toons in black and white next season, the short subject producer stated yester-

(*Continued on page 6*)

Final Fox Met Bids Must Be Entered Today

Court Sets Time Limit; Hearing Nears End

Paramount, Warners, K-A-O or any other interest considering the making of a cash bid for Fox Metropolitan Playhouses must have its proposal before the court today to obtain consideration, Federal Judge Julian W. Mack indicated yesterday when counsel for the Joseph M. Schenck-Fox Theatres' reorganization plan for Fox Met stated that they would complete their case this morning.

Following today's hearing, the court stated, an adjournment would be taken until some time next week in order to give the Fox Met bondholders' committee an opportunity to consider both the Schenck plan and the proposal for reorganization being made by Si Fabian. While the latter plan is not formally before the court or the committee a written agreement embodying the complete Fabian proposal will be prepared within the next

(*Continued on page 4*)

President Favors Quick NRA Action

By BERTRAM F. LINZ

WASHINGTON, April 30.—Plans for a temporary extension of the Recovery Act today met with a check when, following a visit to the White House by Senator Harrison of Mississippi, chairman of the Finance Committee, and a group of senators, it was indicated that President

(*Continued on page 4*)

French Trade Deal Under Discussion

WASHINGTON, April 30.—Paving the way for discussion of better treatment of American films in France, the State Department today announced that it has inaugurated negotiations for a reciprocal trade agreement with

(*Continued on page 6*)

M-G-M Will Finance Shows Extensively

M-G-M is preparing to launch extensively into financing plays on Broadway next season. Three prominent producers whose plays will get monetary support from the company

(*Continued on page 6*)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Jack Warner to Sail

Jack Warner is slated to sail on the *Majestic* tomorrow for conferences with Irving Asher, in charge of Warner production in England. Definite date of the company's coast convention is contingent upon Warner's return from abroad. Present indication is that the sales session will start around June 6.

Felder Again Exhibitor

M. G. Felder, former distributor of Bio Carbons, is reentering exhibition. He has taken a lease on the Maplewood, Maplewood, N. J., and assumes operation June 1. Leon Rosenblatt is now operating. Felder is negotiating for two other houses across the Hudson.

Breen Going Abroad

HOLLYWOOD, April 30.—Joseph I. Breen will leave May 15 for a trip to England, Ireland, France and Germany which will last two months. While in England, Breen probably will discuss the workings of the Production Code Administration with British producers.

Reisman to Return Soon

Phil Reisman, head of the RKO Radio foreign department, is due back from abroad around the middle of May. He is now in London.

No Ampa Meeting Set

There will be no meeting of Ampa this week. The boys are still recovering from Saturday night.

Insiders' Outlook

By RED KANN

THE Associated Press, by Berlin cable:

The pocketbooks of European movie stars will be opened and investigated during the forthcoming congress of the industry, it was learned today, to see if salaries can be limited and made uniform.

The possibility of equalizing wages in all European nations, so that a star in one country would make approximately the same as a star in a neighboring nation, will be discussed.

And, having discussed it, the results will hover around zero. An idea such as this found its way into those strenuous days that marked code formulation in Washington. Limitation of star salaries was discussed by direct suggestion of the White House and something done about it in the mass of preface that preceded the code itself. Months elapsed and nothing happened until the day came when the NRA publicly went down to defeat with the statement the restricting clause, never removed from paper, had been indefinitely suspended. . . .

▼

The European nations now attending the international film congress in Hitler's No. 1 city, may be successful in evolving a theory for star salary limitations: as government on the Continent goes these days, dictatorship and Fascism has touched a new high. The effect, however, of placing a fixed maximum on individual enterprise would hamper far more than it would aid home producing industry which seems to be the thought behind the scheme. The film business in its essentials is the same over the the world and what prevails here has application elsewhere as well. . . .

▼

The stars who are stars, it can be demonstrated, earn what they are paid. The overpaid are to be found in that long array of players who have been built up to exorbitant salary levels by pyramided and inordinate bidding of producers, egged into deals out of proportion to merit by the slickness of agents. Today there are in Hollywood dozens of players getting ridiculous salaries who are merely satisfactory window dressing in casts to which they add no particular distinction. To drop them would be to find no hue and cry from the paying public, for they would not be missed. To stifle stars who attract, which would be tantamount to launching an attempt that could not succeed, would be to find them moving to new trademarks at more money. . . .

MAX REINHARDT, whose opinion on matters such as this commands respect based on performance, today has something to say about the argument having to do with the filming of classics as written or not at all. Confining his answer to "Midsummer Night's Dream," he says this:

What is drama on the stage is drama on the screen, and no excuse can be found for adding a word to the perfect speeches of Shakespeare. In the production of 'Midsummer Night's Dream' I soon realized that the camera injects movement and action in many scenes where the same tempo on the stage would necessitate dialogue. This has made possible the curtailment of speeches—a word or a sentence here or there—even an entire speech.

Except for this, the film is as Shakespeare wrote it. Plus, of course, the gorgeous fantasy and spectacle that is made possible by the boundless scope of the camera.

The proof is to come, of course. It is in the film. . . .

▼

It took courage to attempt a picture like "The Scoundrel," what with the average filmgoing mentality leveled off at about fourteen years of age or somewhat higher, if you want to be generous about it. Like a brittle drawingroom play, its mood and its talk are sophisticated to a degree infrequently aimed for in films. That's where its troubles begin and probably will rest where the box-office is concerned. As a picture, however, it is alternately amusing and dramatic and constantly interesting with its highlight the first appearance in films of Noel Coward. He does amazingly well in what is a new field for him. Produced, as well as written and directed by Ben Hecht and Charles MacArthur, the two harum-scarums of Astoria, "The Scoundrel" emphasizes the earlier impression which banged around in this column that the combination has something to give to the producing industry under guidance familiar with the public's demands. There was Hecht's "Thunderbolt," for instance. And his, as well as MacArthur's "The Front Page.". . .

▼

Those reports that a certain major circuit was about to inject new life into vaudeville by a plan calling for standard shows made up of ten acts and handled on percentage—for the acts—can be routed out of your deliberations right now. It's being disposed of with this: "You can't revive something the public doesn't want.". . .

▼

Asked what he thought about the trend toward classics, Mox Shabbus, exhibitor on the rim of Hollywood, deposed and said: "When I see 'David Copperfield' and 'Lives of a Bengal Lancer' on a single bill, that's a classic."

Circus Charity Work Described at Forum

How the Circus Saints and Sinners started and what its objectives are were told to members of the Motion Picture Club at the weekly forum yesterday.

Fred D. Benham, former newspaper writer, described the start of the organization for the purpose of furnishing homes for old and indigent circus men and women, and said it now has 450 members. Tony Sarg told of the meetings of the Dexter Fellowes Tent at the Hotel Gotham and said that Ringling had just given 40 acres of land near Sarasota where individual homes will be started soon.

Dorothy Herbert, rider with Barnum & Bailey and Ringling; Jennie Rooney, aerialist; Eli Sugarman, editor of *Billboard*, and Louis Nizer also spoke. Jack Alicoate was toastmaster.

Canadian Authors' Funds Gain Rapidly

TORONTO, April 30.—Treasury funds of the Canadian Performing Rights Society are now $113,000, whereas they were $17,000 in 1931, it has been developed in the investigation of the society now being conducted by Judge Parker for C. H. Cahan, Federal Secretary of State.

Rates are fixed at what the society decides they ought to be without regard to business conditions it has been testified by Henry T. Jamieson, president. He admitted very frankly that he was not interested in the ability of licensees to pay. Fees for the year will amount to $39,000, he testified. He also said half the stock was owned in the United States and the other half in the United Kingdom.

Goldberg Takes Over Merged Cincy Office

LOUISVILLE, April 30.—Lee L. Goldberg, secretary of Big Feature Rights Corp., has taken charge of the merged First Division and Majestic exchanges in Cincinnati. Interested with him in the venture are Col. Fred Levy, president of Big Feature Rights, and Maurice Chase.

A. H. Kaufman, Indianapolis, has been appointed sales manager of the local office. Joseph Goldberg and Israel Landau continue as office manager and shorts manager, respectively. The local exchange, which served Kentucky and Tennessee, has been in existence 20 years.

DuPont Denies Early Sales of a New Film

DuPont Film Mfg. Corp. yesterday denied it was readying for the market a new inflammable cellophane film that would reduce negative costs approximately 70 per cent. A spokesman for the company said:

"We have no intention at the present time of mentioning the new film and although such a film has possibilities it is far from a reality."

A BIG HAND

from the critics for "Vagabond Lady"

"Vagabond Lady" loaded with bubbling comedy situations and sprightly dialogue. Sam Taylor gives it well-paced direction, and the entire cast performs nobly. Robert Young in fine form as the playboy. A good number for the whole family, in any house.

—Hollywood Reporter

"Vagabond Lady" provides laughter for popular entertainment. Will take care of itself nicely anywhere. Director Sam Taylor keeps the comic antics stepping at fast pace, hammers the laughs out rapidly. Robert Young and Evelyn Venable make a fine romantic pair in the gay, farcical mood of the tale.

—Daily Variety

A swell comedy-drama that moves along at high speed loaded with laughs, action, and human interest situations. Should register big with every member of the family. Robert Young is tops as the breezy son. Sam Taylor's direction never allows for a dull moment.

—Film Daily

A brisk comedy romance, keynoted by sparkling fun. Speed in witty situations and action together with surprise situations, give it a character appealing to audiences.

—Motion Picture Daily

Give your fans a solid 73 minutes of fun. Smartly paced, with laughs in every foot, the Hal Roach production of "Vagabond Lady" is likable entertainment. Sparkling, clean, different. A truly worthwhile picture.

—Billboard

Smart dialogue, apt direction, plenty laughs. "Vagabond Lady," intriguing title, for the family trade should more than please. Hilarious scenes, plenty smart lines.

—Jay-Emmanuel Publications

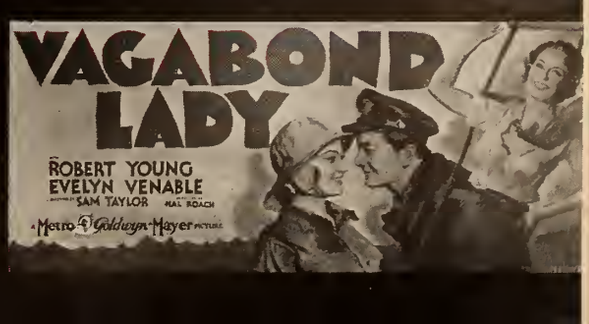
Sweet little picture will turn out to be a real box office honey. This picture never loses its tempo. It moves from start to finish like a favorite coming down the home stretch. The romance and comedy is welded together into perfect entertainment.

—Showmen's Trade Review

PERSONAL!

M-G-M TO HAL ROACH!

Hooray Hal, this is positively the best feature - length comedy you've ever made. Cheers for Robert Young, Evelyn Venable, director Sam Taylor and your whole studio!



Final Fox Met Bids Must Be Entered Today

(Continued from page 1)

day or two and submitted to the committee, it was stated. Cash bids, if any, will be received today and after the committee has considered all proposals it will make its report to the court and hearings will then be resumed to consider the committee's findings.

Indications now are that neither the Schenck nor the Fabian plan will receive the committee's approval without numerous vital changes being made in both. It has also been made apparent by both the court and the committee's representatives throughout the hearings that a cash bid for the circuit without too many strings attached to it would receive preferential consideration over either the Schenck or Fabian bids.

In the absence of cash bidders, one of the changes which might have to be made in Fabian's plan before it would receive the court's approval would be the inclusion of a provision for a fixed sinking fund which would permit the complete amortization of the new $10,000,000 bond issue proposed in the Fabian plan within a 10-year period, together with a specific limitation on the declaring of dividends prior to the completion of amortization.

"Such a provision," Judge Mack remarked yesterday, "has been especially in the court's mind since the start of these proceedings. It would eliminate the possibilities of milking the new company at the expense of the bondholders."

Fabian Is Cross-Examined

Fabian was subjected to cross-examination throughout most of yesterday's session, with much of the questioning being framed to shake his earlier testimony that the Fox Film franchise of Fox Met, which his plan would dispense with, is not essential to the successful operation of the circuit. Fabian fell back continually on his earlier testimony that he relied on statements made to him by George Schaefer, Paramount general manager, and Herman Starr, Warner vice-president, that the product of those companies would be available for the Fox Met first runs if his bid for the circuit was accepted. Fabian admitted, however, that if for any reason Schaefer and Starr were unable to make good on their oral commitments he didn't know what he would do for product. He added that Fox Met had no assurance of receiving United Artists and 20th Century product under the Schenck plan because, he said, Loew's already has the first run franchise and that, moreover, United Artists' sales deals, even when recommended by Schenck, were subject to the possible veto of the company's individual producers. He also stated that Fox Met had always bought United Artists' second run and saw no reason why it couldn't continue to do so under his plan.

Morton Bogue, of counsel for the Fox Met bondholders' committee, drew from Fabian the statement that Paramount's interest in a bid for Fox Met was confined to Atlas Corp. and H. A. Fortington and did not extend to the entire Paramount board nor to the entire creditor group known in Paramount reorganization circles as the Fortington group, which includes Erpi, Lehman Bros. and Allied Owners, in addition to Atlas and Fortington. The testimony corroborated information published in MOTION PICTURE DAILY of April 27.

Questioned further yesterday on his alleged delivery to Warners of confidential information relative to the Fox Met operations during Fabian's regime as advisor to the receiver for the circuit, during periods in which Warners were interested in bidding for Fox Met, Fabian insisted that all of the information he had divulged had been approved by either the receiver or counsel for the receiver. However, he admitted retaining in his own possession after leaving the employ of the receiver operating reports of a confidential nature which the receiver's counsel said yesterday he regarded as the property of the receiver.

President Favors Quick NRA Action

(Continued from page 1)

Roosevelt was unwilling to accept any compromise but stood firm for immediate enactment of legislation revising the law and extending it for two years.

Opposition of Donald R. Richberg, chairman of the National Industrial Recovery Board, and Secretary of Labor Frances Perkins was said to have influenced the President against adoption of the plan, suggested as a means of postponing a bitter fight on continuance of the NRA and of expediting the consideration of other pending legislation. Following the conference it was indicated that the fight to provide for temporary extension of the present law until next March would not be abandoned. The Senate Finance Committee tomorrow will meet to determine what course it shall pursue with respect to the legislation.

1st Runs Under L. A. Schedule on May 15

(Continued from page 1)

Botero, Harry Hicks and Al O'Keefe will help Minnie Koppel, board secretary, work out schedules as to price, classification changes, etc. Copies of the schedule are slated for exchanges about May 6.

M. E. Comerford Walking

WASHINGTON, April 30.—M. E. Comerford, who has been ill here for some time, has sufficiently recovered to be permitted daily walks by his physician, Dr. Walter A. Bloedorn. It is expected Comerford will be completely well in about two weeks more.

Hoblitzelle Plans Eight

DALLAS, April 30.—Eight new theatres are planned by the Hoblitzelle circuit within the next 12 months. All of the houses will be constructed in Texas towns.

"Romance" in Bronx

"Romance of Palestine," Motion Picture Bureau's film of modern Palestine, opened at the Modern Prospect in the Bronx yesterday.

Says Disaster Threatens K.C. On Bank Night

(Continued from page 1)

distributors will be forced to decrease the number of pictures that are now being released and will likewise be compelled to produce cheaper product which will be of little or no value to any theatre.

"At the present time," Mrs. Baier's brief continues, "practically all suburban theatres in Kansas City are giving away dishes, silverware, running children's bargain shows, using 'trading stamps,' etc. If bank night at the Prospect and Belmont theatres is allowed to continue, it is reasonable to assume that at least 75 per cent of the theatres in Kansas City will adopt the scheme. This will lead to a most disastrous condition not only for my theatre and a few others which do not wish to cheapen their operations by running lotteries, but will grow until all first run theatres will be compelled to resort to similar tactics to protect their huge investments. For the past year or more, Kansas City has led the way for the nation in the number of theatres using premiums, etc. This is bound to increase beyond all reasonable limits if the Code Authority does not take advantage of the power invested in it in order to stop such unbusiness-like practices as bank night."

Holds Decision Unfair

The woman exhibitor charges in her appeal that Rube Finkelstein of the Belmont and F. L. Scovill of the Prospect "have put on bank night at their respective theatres in absolute defiance of the Kansas City grievance board and the Code Authority appeals committee, as per all prior decisions rendered against theatres in Kansas City." She feels, she says, that the local board did not hand down a fair decision in the present cases, inasmuch as it ruled the distance between complainant and respondent theatres precluded the element of competition "without considering the fact that all theatres in Kansas City are competitive due to the existing clearance schedule now in effect which is based on admission price only."

Mrs. Baier sent Campi a copy of an opinion by the state's attorney general of Missouri to State Senator J. C. McDowell in which bank night, cash night and other gift enterprises were declared to be prohibited by the Missouri constitution.

She asks that Campi reverse the local board's decision "for the salvation of producers, distributors and exhibitors," and use whatever means it possesses to stamp out bank night and similar schemes. Unless the decision is reversed, Mrs. Baier declares her investment and the investment of other exhibitors will be "a total loss."

Delay Lease Complaint

Complaint of United Artists and Columbia against Jack W. Springer, Sam Cocalis, H. R. Amusement Co., Herman Reisner, Trio Manhattan Theatre Corp. and Moe I. Hanellin for alleged fraudulent transfer of a lease on the Manhattan theatre was postponed yesterday by the local grievance board on request of Benjamin Rich. Louis Nizer, attorney for the exchanges, consented to the adjournment until next Tuesday.

Harry C. Arthur, operator of the Balboa, Los Angeles, and executives of Fox West Coast will be on hand today for the rehearing by Campi on the Balboa zoning issue in the coast schedule.

Newark Pool 18 Months

NEWARK, April 30.—Lou Levin's deal with Warners for pooling of his Elwood, Newark, with the major circuit's Capitol, Belleville, and the local Regent is for a period of 18 months. The arrangement became effective April 7.

The pooling deal climaxed a drawn out clearance and zoning fight between Levin and Warners with the independent represented in the legal tiff by David T. Wilentz, attorney general for New Jersey.

New British Firm Aims at U. S. Market

(Continued from page 1)

of absorbing Reunion Films, Ltd., which includes among its directors, Victor Creer, nephew of Lord Greville, and Peter Witt, once German junior tennis champion, who has specialized on Continental films.

Anglo-American is said to be negotiating for the Consolidated Studio at Ellstree used by Korda for model work on the Wells picture, "100 Years from Now."

An agreement has been reached with American interests, it is said, which assures release for all the company's product.

Writers' Guild Makes New Academy Attack

(Continued from page 1)

Academy are committing an act of disloyalty to their own organization.

Members are asked not to be fooled by an Academy telegram which promised concessions through the Academy arbitration setup. This was described as a move to prevent recognition of the guild and as an effort to intimidate writers into accepting the Academy's arbitration system by belittling the guild method.

The guild's directors last night named a conciliation committee and an advisory council. On the former are Seton Miller, chairman; Stephen Morehouse Avery, Claude Binyon, Delmar Daves, Albert Hackett, Philip Klein, Gladys Lehman, Mary McCall, William Slavens McNutt, E. E. Paramore, Raymond Schrock, Tristram Tupper. The council is composed of Ralph Block, Marc Connolly, Gene Fowler, Rupert Hughes, George Kaufman, Charles Kenyon, Anita Loos, McNutt, John Lee Mahin, Frances Marion, Dudley Nichols, Samson Raphaelson, Arthur Richmond, Donald Ogden Stewart, Jo Swerling, L. Wolfe Gilbert.

Hobart to Come East

HOLLYWOOD, April 30. — Henry Hobart of First Division, now conferring with Nicholas Ludington, will leave for New York this week.

THEY PROVED THAT GUNS LEAVE THEIR AUTOGRAPH ON EVERY BULLET FIRED!



No one knew where the fatal bullet came from until science matched its tell-tale grooves with the rifling of a pistol barrel. No other bullet could have been fired from that gun . . . no other could have pulled the trigger than the man . . . or the woman . . . they were hunting! Now they knew . . . and the cry went out: "GET 'EM AND . . .

"LET 'EM HAVE IT"

French Trade Deal Under Discussion

(Continued from page 1)

that country, on which public hearings will be held by the Committee for Reciprocity Information June 24.

Figures on exports of film to France, prepared by the Department of Commerce, show that there has been but a slight decline in footage since 1929 and that the value, due to devaluation of the dollar, has actually shown an increase. Motion picture exports for last year, it was stated, totalled 27,072,527 linear feet valued at $568,551 against 27,413,567 feet valued at $488,222 in 1929.

France is the eighth European country with which steps have been taken to negotiate trade agreements and the 18th country to participate in such conversations. Four agreements have been completed and signed, with Cuba, Brazil, Haiti and Belgium, but only the first-named has actually been put into effect.

M-G-M Will Finance Shows Extensively

(Continued from page 1)

will be Max Gordon, Sam Harris and Billy Rose.

A subsidiary company to handle the legitimate production venture will probably be formed within the next few weeks. Gordon, who arrives from the coast Friday, will discuss the new M-G-M arrangement with J. Robert Rubin on his arrival. There are no set number of plays listed for backing.

Rose, who plans to open with "Jumbo" at the Winter Garden shortly, yesterday conferred with Rubin on the play. Ben Hecht, Charles McArthur, the authors, and Larry Hart, who wrote the music with Dick Rodgers, also were present.

M-G-M's plan to finance Broadway productions follows success of Warners, which now has "Three Men on a Horse" and "Ceiling Zero" current.

Sam Marx, story head at the studio, arrived Monday to look over the play mart and confer with Bertram Block and Rubin. He's also looking over a number of stories for next season's lineup. Marx will be here about two weeks before going west.

Schlesinger Has 26 Set for New Season

(Continued from page 1)

day. The 26 subjects will be distributed by Warners.

Up to this time, Schlesinger has been producing the Merrie Melodies with the two-color process, but this year the Walt Disney three-year exclusive contract for the three-color Technicolor process expires.

While in the east Schlesinger is working on a "by-product" deal which he expects to close before Saturday when he departs for the coast.

Lauste's Apparatus Sent to Washington

Approximately 70 to 80 pieces of apparatus which figured in the experiments of Eugene Lauste, veteran worker in sound pictures and subsequently annexed by Bell Telephone Laboratories, are on their way to the Smithsonian Institution, Washington, where an exhibit is being arranged.

Reproductions may be made later by Bell and turned over to the Society of M. P. Engineers.

Purely Personal

JAMES and MRS. ROOSEVELT, JOHN HAY WHITNEY, CHARLES MACARTHUR, BEN HECHT, WILLIAM S. and MRS. PALEY, JUDGE JULIAN MACK, NICHOLAS M. SCHENCK, JOSEPH M. SCHENCK, MRS. AVERILL HARRIMAN, GEORGE S. and MRS. KAUFMAN, MRS. JOSEPH P. KENNEDY, JAY and MRS. O'BRIEN, ELSA MAXWELL, RAYMOND MOLEY, Commissioner ROBERT MOSS, Borough President BERNARD S. DEUTSCH, MRS. GERARD SWOPE, OWEN D. YOUNG, Secretary of State EDWARD J. FLYNN, Postmaster JAMES A. FARLEY, GERARD and MRS. BROOKS, OGDEN and MRS. MILLS and J. ROBERT RUBIN attended a preview of "The Informer" and a reception afterwards at the Music Hall yesterday.

•

EDWARD BOWES was host at a cocktail party last night at his apartment in the Capitol Theatre building. What with an assortment of pleasant conversation and pleasant liquid divertissement, it was all very pleasant.

•

GEORGE W. WEEKS, Gaumont British general sales manager, gets back today from Philadelphia. CLINTON M. WHITE, the company's assistant sales manager, leaves for Albany today.

•

FRANK MCCARTHY and JACK SCHLAIFER—a twosome at the Tavern around lunch time. HAL HORNE, same place, but solo. Then there were PAT GARYN and M. VAN PRAAG.

•

AL JOLSON and RUBY KEELER will attend the first showing of their picture, "Go Into Your Dance," at the Capitol tonight.

•

TIM LEAHY is at the French Hospital recovering from a heart attack.

CATHERINE MCNELIS' tea for WALTER CONNOLLY at the Warwick yesterday drew a crowd. Among those present were AL WILKIE, SI SEADLER, EARL WINGART, HAL HORNE, PAUL GULICK, A. P. WAXMAN, NELLIE REVEL, CONSTANCE CUMMINGS, EDMUND GWENN, KENNETH MCKENNA and ELIZABETH RISDON.

•

EDDIE CANTOR will be accompanied to Hollywood on Saturday by NICK PARKE, the NICK PARKYAKAKAS of the radio, who will have a role in the comedian's next for SAMUEL GOLDWYN.

•

SAM WARSHAWSKY has just finished another play. This one is called "The Double Bed" and is "ready to be rolled on farcical castors into the managerial arena." That's the way he puts it.

•

JOSEPH BERNHARD, head of Warners' theatres, left town yesterday on a business tour of Philadelphia, Pittsburgh, Cleveland and Washington. He'll be back the end of the week.

•

MRS. NATE SPINGOLD (MADAME FRANCES) is staging a party tonight at her business establishment for BEE LILLIE, FANNY BRICE and HELEN MORGAN.

•

GRAD SEARS, FRED JACK, EDDIE CANTOR, GEORGE WHITE and BENNY HOLTZMAN among the diners at Moore's.

•

B. JUFE, head of Allied Seating Co., has taken over the whole first floor at 341 West 44th St.

•

ED FAY was in town from Providence yesterday.

Roxy Gets "The Bride"

"The Bride of Frankenstein" will play the Roxy the week of May 10, the Music Hall yesterday having indicated it will not pick up the film.

Under his booking deal with the Roxy, Arthur Mayer of the Rialto asserts his house was to play action and thrill pictures. It is understood he has presented his side of the story to the Paramount legal department for its consideration. Louis Phillips, however, could not be reached last night as to any decision reached.

Heywood Loss Is Cut

Heywood-Wakefield Co., including subsidiaries, reports a net loss of $96,256 for the quarter ending March 31, after depreciation. This compares with a net loss of $115,100 for the same period last year.

"Vampire" in Two Spots

"Mark of the Vampire," M-G-M's mystery thriller, is going into two Broadway spots at once. It is set to open at 6 o'clock tonight in the Rialto and the Mayfair.

Lighten Briskin Duties

HOLLYWOOD, April 30.—Addition of B. P. Schulberg and Ralph Kohn to Columbia's executive personnel is expected to lighten Sam Briskin's burden at the studio.

Deutsch Dinner May 7

More than 350 leaders in civic, business, professional and political circles have joined the committee sponsoring the testimonial dinner to be held next Tuesday evening at the Commodore in honor of Aldermanic President Bernard S. Deutsch upon his completion of six years as president of the Jewish American Congress.

Harry M. Warner is chairman of the committee of sponsors and Louis Nizer is chairman of the executive committee.

Salesmen Seek Members

M. P. Salesmen, Inc., is in the midst of a drive for new members, according to Jack Ellis, president. The aim is to get every local film salesman lined up in the organization. On Saturday afternoon a meeting in the form of a luncheon will be held at the Claridge.

Say 1,500 on Part Time

Approximately 1,500 theatres are operating on a basis of one or two nights a week, according to distributor sources. These theatres are in small towns where operation is mostly confined to week-ends.

"U" Club to Have Dance

The Universal Club will hold a moonlight dance at the Astor roof on June 1.

National Will Film Allied Men at Meet

(Continued from page 1)

was pulled at the M.P.T.O.A. convention in New Orleans.

Exhibitors who appear in the various shots will be sent the trailers gratis. Herman Robbins, president; George Dembow, his assistant; Morton Van Praag, general sales manager; and Ben Rosenberg, special representative handling the Metropolitan New York territory for National, will attend the three-day session.

At a meeting of the New Jersey Allied unit yesterday, attendance at the convention was one of the principal topics. Committees on substitutions, reviewing, the code, supply buying and film buys reported.

Pittsburgh's Price War Ends With Deal

(Continued from page 1)

The agreement was reached after conferences extending over a period of weeks.

When they are showing pictures only, the Loew, Harris and Warner organizations have agreed to charge 40 cents, except on Saturdays and holidays, when the price goes up an additional 10 cents.

The battle started in January when the Alvin, playing films and presentations at 40-cent top, refused to tilt its price, forcing the Penn first and then the Stanley into a similar scale. Under the new agreement, however, the Alvin will be forced into the same admission bracket as the larger Penn and Stanley.

Horlacher Deal Is Made

Horlacher's Film Delivery Service has been appointed the New York representatives for Smith Film Service in Buffalo. All local pickups for upstate delivery will be made by Horlacher under the arrangement.

Wall Street

Eastman Pfd Up 2 on Big Board

	High	Low	Close	Net Change
Columbia, vtc	42⅛	41⅝	41⅝	— ½
Consolidated	4½	4½	4½	.....
Cons. pfd (1v)	17½	17	17¼	.....
Eastman	140	138	138	—1¾
Eastman, pfd	152	150	152	+2
Fox "A"	10½	10¼	10½	.....
Loew's	38⅛	37⅝	37⅝	— ½
Paramount	3⅝	3½	3½	— ⅛
Pathe	¾	⅝	⅝	.....
Pathe "A"	9	9	9	— ½
RKO	1⅝	1½	1⅝	.....
Warner	3⅛	3	3	— ⅛
Warner, pfd	19½	19½	19½	—1

Curb Issues Off Slightly

	High	Low	Close	Net Change
Technicolor	19¼	19	19	— ⅜
Trans Lux (.10K)	2⅜	2⅜	2⅜	— ⅛

Paramount Bond Issues Gain

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	107⅜	9¾	107⅜	+1⅛
Keith B. F. 6s '46	77	77	77	.....
Loew's 6s '41 ww deb rights	104½	104¼	104¼	.....
Paramount B'way 5½s '51	53¼	53⅛	53¼	+ ⅛
Paramount F. L. 6s '47	88	86	87¾	+3¼
Paramount Publix 5½s '50	89½	87	89	+3¼
Warner Bros. 6s '39 wd	56	55¾	56	+ ¾

(*K and v*) *Paid this year.*

(Quotations as at close of April 30)

"If women could only be as charming during a love affair as they are after it is over, how much longer one's mad devotion would last."



the famous

NOEL COWARD

distinguished author, actor and composer, makes his first screen appearance in

"THE SCOUNDREL"

The dramatic portrayal of a man who laughed at the realities of life and found that he had lost his soul. Written, directed and produced by Ben Hecht and Charles MacArthur . . . A Paramount Release

"THE SCOUNDREL" World Premiere RADIO CITY MUSIC HALL, Tomorrow.

A DEDICATION

Today at the Strand Theatre, New York will get its first glimpse at the motion picture, "G-Men."

Warner Bros. take this occasion to dedicate this picture officially to the men whose daring and devotion halted America's March of Crime...to acknowledge publicly their debt of gratitude to the fearless Federal Agents whose heroic exploits and inspiration made this picture possible.

Miss Louella Parsons has called "G-Men" "a grand tribute to the Department of Justice." We hope it is that – and something more.

For Warner Bros. have consistently demonstrated their belief that the screen is not merely a medium of entertainment. It is an institution significant socially and responsible morally. Its obligation is to inform, to interpret, to lead, and – most important of all – to establish an enduring record of our forward marching civilization.

We believe that "G-Men" fulfills, as few pictures have before, that end and those purposes. Its importance as an exciting new entertainment is dwarfed by its significance in the scheme of humanity's affairs – right here in America – at this very hour.

Other pictures have glorified fabled figures of the past. But Warner Bros. have chosen to celebrate the heroes of the present – to create a graphic and enduring record of that stirring chapter in American history written by Uncle Sam's stalwart Legion of the Law – the

G-MEN

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Senate Group For Extending NRA to April

Move Comes in Spite of President's Desires

By BERTRAM F. LINZ

WASHINGTON, May 1.—Extension of the Industrial Recovery Act until April 1, next, was agreed upon today by the Senate Finance Committee by a vote of 16 to three.

Defying the opposition of Administration leaders, the committee voted to report a resolution which will continue the law as at present, except that no price fixing shall be permitted in any code, except those dealing with mineral natural resources; no trade engaged wholly in intrastate commerce shall be eligible for a code; and the President is to have a certain

(*Continued on page 4*)

Program Revised For Allied Meet

Details of a revised program for the four-day meet of Allied which gets under way May 20 at the Piedmont Hotel, Atlanta, have been set. They call for afternoon meetings throughout, with golf in the morning, and social activities at night.

Only the directors will meet the first day, May 20. This session is scheduled to get started at 4 o'clock. In

(*Continued on page 8*)

Mexico Houses Dark For Labor Holiday

By JAMES LOCKHART

MEXICO CITY, May 1.—Mexico theatres were closed today while workers celebrated the Mexican Labor Day, but exhibitors were less disturbed than last year because of their recent troubles with paper money.

Because of the demonetization of silver, theatres have been forced to turn away customers lately. There is a shortage of one-peso notes, the smallest denomination in circulation at present being five pesos. It is expected the situation will be relieved by May 15.

Kane Settlement of $35,440 Is Favored

Settlement of a suit for $35,440 brought against Paramount International by Robert T. Kane, former general manager of Paramount foreign production, through the allow-

(*Continued on page 8*)

Court Refuses to Permit More Delay on Met Plans

Refusing to permit further delay for the presentation of new plans of reorganization for Fox Metropolitan Playhouses, Federal Judge Julian W. Mack yesterday advised Paramount interests considering the making of a $4,000,000 cash bid and two new proponents of reorganization plans to submit their proposals at once and turned over to the Fox Met bondholders' committee for their consideration the plans offered by Joseph M. Schenck and Si Fabian.

The Atlas Corp. and H. A. Fortington, representing financial interests on the new Paramount board, asked for a delay until May 15, when the new Paramount board will be formally elected, to submit their proposal for the making of the $4,000,000 cash bid by Paramount. Refusing to consent to the delay, the court advised that the bid be prepared at once and submitted to the Fox Met bondholders' committee subject to approval by the new Paramount board.

Requests for additional time in which to propose plans of reorgani-

(*Continued on page 4*)

In Trade Papers

George Schaefer, Paramount general manager, was questioned at the Fox Met reorganization hearings yesterday on the source of his knowledge of important developments in connection with the submission of plans of reorganization for the circuit.

"In this business," Schaefer said, "much of our information comes from the trade papers."

Illinois Sale Tax Receiving Heavy Support

SPRINGFIELD, Ill., May 1.—The full force of the state administration has been put behind the three per cent sales tax bill pending in the House. It passed the Senate April 24 by a vote of 30-14, but since that time it has been broadened to include theatre admissions.

Another bill to impose a 10 per cent tax on admissions to raise funds for blind pensions has also been introduced.

The sales tax is a result of the demand of the Federal government that

(*Continued on page 7*)

Jones Sees Color Boom by Next Fall

A prediction that "by the end of summer" the industry will begin to concentrate its efforts on films in natural tints was voiced yesterday by Robert Edmond Jones, scenic artist, who served as "color designer" on the production of Pioneer's "Becky Sharp," which has been done in the new three-process Technicolor.

Speaking at an interview at the home office of RKO Radio, which will

(*Continued on page 8*)

Price Raises Agreed on in Coast Zoning

Moves to peg first runs in Balboa, Florence Ave., Inglewood and Huntington Park zones at 40 cents and at the same time have theatres in Florence zoned off Los Angeles instead of Huntington Park were discussed yesterday by Campi at a special meeting. The press was barred, but Harry Arthur, Irving Lesser, Al Hanson and Edward Alperson were admitted to give further testimony.

Although Arthur consented to increase the Balboa admission to 40 cents, Campi adjourned until this

(*Continued on page 4*)

Laffoon Colonels Off for the Derby

Laffoon's colonels, that nationwide staff of Kentucky aides-de-camps, are off today for the annual dinner tendered them by their commander-in-chief. Celebrities, minor celebrities, and the personalities that make up the regiment are converging on the appointed rendezvous, Louisville.

The battalion from New York and New England points this morning will entrain on a "special" to Wash-

(*Continued on page 8*)

Dicker on for Republic and Mascot Merger

Johnston, Yates, Levine In Huddle on Coast

HOLLYWOOD, May 1.—W. Ray Johnston, president of Republic Pictures, and Herbert J. Yates, president of Consolidated Film Industries, Inc., and Republic's financial backer, are huddling with Nat Levine, head of Mascot, on a deal which may result in acquisition of Levine's company by the new Johnston organization.

Reports also persist that, as part of the plan to make Republic the outstanding factor in the independent field, Liberty and Majestic will be absorbed as well. All of the units are financed by Consolidated.

Behind the Mascot angle is the understanding that seven of the Monogram exchanges now handling Levine's output have gone into the Republic setup, which provides its exchanges may distribute no other film. Whether Levine, therefore, will go completely Republic or make deals with other exchanges in those territories is the so far undetermined point.

Fox Film 13-Week Net Is $616,806

Fox yesterday issued its report f.. 13 weeks to March 30 showing a consolidated net operating profit, after all charges, including $100,000 for Federal income taxes, of $616,806. This compares with a loss of $233,143 for the 13 weeks to Dec. 29, 1934, and a profit of $805,376 for the first quarter of 1934.

On the basis of the 2,436,409 shares of Class "A" and "B" stock outstanding, the consolidated net profit for the first three months of 1935,

(*Continued on page 8*)

Toeplitz Plans Two Here, Says Graetz

Toeplitz Productions plans to make two pictures in Hollywood and two in England in cooperation with an American company, Paul Graetz, represent-

(*Continued on page 8*)

Warner Trailer Suit To Go Over to Fall

Warners' $1,000,000 suit against National Screen will not come up for hearing in the New York Supreme

(*Continued on page 8*)

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"U" Sets Soldier Deal

Universal yesterday was awarded a contract to supply features and shorts to 75 soldiers' homes and hospitals by the U. S. Veterans' Administration in Washington. The contract, which was closed by Herman Stern of Universal's non-theatrical department, goes into effect July 1 and is for one year. This is the fifth consecutive year this contract has been awarded to Universal.

Cantor Party Growing

Eddie Cantor's entourage is growing. When he gets away on the *Virginia* for the coast Saturday he will have with him, in addition to Nick Parke, the Parkyakarkas of radio fame, his daughter, Marjorie, who is acting as his secretary; Phil Rapp, who will do the dialogue on Cantor's next film, and Fred Kohlmar, Goldwyn casting director.

Report Kemp to M-G-M

HOLLYWOOD, May 1.—It is reported that Hal Kemp, head of the NBC Artists' Bureau, will soon join M-G-M in an executive post.

No information about the transfer of Kemp was obtainable at the New York office yesterday, although it was admitted that the deal might have been handled on the coast.

New Exchange Formed

Mannie Myers, Benjamin Levine and Robert Greenblatt have formed the Treo Film Exchange of New York, Inc., and will be located here.

Purely Personal

SID RECHETNIK and ARNOLD ALBERT, both of the Warner publicity department, were standing in front of the Strand yesterday watching the selling of tickets to "G-Men." Suddenly they found themselves pressed into service as ushers to handle the crowds and at a late hour last night they hadn't recovered from the beating they took.

•

FRED JACK, Warner southern district manager; HARRY SEED, Buffalo branch manager, and RAY SMITH, Albany manager, who were in town for conferences with GRAD SEARS and ANDY SMITH, returned to their respective offices yesterday. While here they visited SAM SAX at the Brooklyn Vitaphone plant.

Quip of the Day

Vice-president in charge of this and that, as well as closing theatres, are familiar posts in the industry.

Latest, however, is vice-president in charge of torch bearers. It's being used in connection with a fellow who carries a torch for a different feminine companion each week.

ALLEN RIVKIN, well known in Hollywood purlieus, has written a travesty on that scene called "Knock on Wood." I. ROBERT BRODER, the playwright's attorney, yesterday sold it to ELIAS WEINSTOCK for immediate production. WEINSTOCK is associated with the Shuberts.

•

Y. FRANK FREEMAN returned from Miami late Tuesday night. He started out for home by plane but bad weather grounded him in Washington and he finished the trip by train.

•

JOE SEIDELMAN, the postcard habit being something more or less permanent with him, writing from Sydney: "A long way from home, but a great country. See you in July."

•

MARGARET WALLMAN is delaying her start for Italy. Additional work on "Anna Karenina" is keeping her at the M-G-M lot.

•

JAN KIEPURA, who was to have come over in May, will not arrive in America until Sept. 2. He's under Paramount contract.

•

EUGENE and MRS. PICKER, ISIDORE FREY, SAM DEMBOW, JR., and LEON SCHLESINGER among those catching "Anything Goes" Tuesday night.

•

J. H. HOFFBERG has booked "El Pulpo Humano" (The Human Vulture) into the Compoamore theatre starting tomorrow.

•

F. H. RICHARDSON will address Philadelphia, Baltimore and Washington exhibitors shortly on projection.

•

ED FONTAINE, Paramount district manager with headquarters in Chicago, is visiting his home office.

•

HERMAN ROBBINS is heading toward the Adirondacks this week-end.

•

AL ALTMAN back from that trip to Boston and other New England spots.

SAMMY COHEN, who leaves the United Artists home office for a business trip to Europe today, was the guest of honor at a surprise luncheon at the M. P. Club yesterday tendered by his fellow workers. The hit of the gathering was a picture of COHEN bearing the caption: "SAMMY COHEN snapping at a plate of borscht."

•

IRVING TAYLOR and VICTOR MIZZY, N. Y. U. undergraduates who wrote the lyrics and music for the university's recent varsity show, will appear in person at the Roxy this week as the result of winning FRED ALLEN's amateur contest.

•

DR. FRIEDRICH WOLF, author of "Sailors of Cattaro" and "S. O. S. Iceberg," will lecture on "Russian and German Films" at the Manhattan Industrial Hall May 4 under auspices of the new film magazine, *Filmfront*.

•

EDDIE GOLDEN, NORTON RICHEY, HERMAN ROBBINS, WILLARD MCKAY, SAM DEMBOW and RALPH ROLAN had their mid-day repast in the same hostelry yesterday. It was "21," but they weren't all in one party.

•

TRAVIS BANTON, Paramount fashion designer, who got in from Europe Tuesday, left by plane for the coast yesterday.

•

BOB GILLHAM, CHARLES REAGAN, AL WILKIE, ED FONTAINE and BARRETT MCCORMICK at the N.Y.A.C. fights.

•

N. L. NATHANSON and his wife are in town again from Toronto. And again at "21" for luncheon yesterday.

•

FAY WRAY gets in today from London on the *Washington*. She'll leave for Hollywood late this week.

•

JAMES EDWARD GRANT'S "The Duster" has been bought by Paramount for the possible use of GEORGE RAFT.

•

CLIFTON WEBB and NELSON EDDY are back in Hollywood after being away on personal appearance tours.

•

WALTER NOBLE BURNS' yarn, "The Robin Hood of Eldorado," has been bought by M-G-M.

•

BOB SISK among those listening to EARL SANDE reminisce at the Stork Club between songs.

•

MARIA SERMOLINO is on her way to Europe on the *Rex* for a six-weeks vacation.

•

MRS. TITO GUIZAR is on her way to Detroit to join her husband.

•

DONALD OGDEN STEWART in from studioland and en route to Europe.

•

MAX GORDON arrives from Hollywood tomorrow.

•

A. H. BLANK is in town from Des Moines.

•

HAL HORNE is down with a bad cold.

•

JOE HORNSTEIN has the grip.

Dembow Finds South Having Big Pickup

Optimistic over general business conditions and noting a decided improvement in the South, George Dembow, assistant to Herman Robbins, president of National Screen, states there are more houses operating now than at any time since the advent of sound.

Within the past two years approximately 2,000 theatres have reopened, he asserts. Dembow was away for six weeks and visited Atlanta, New Orleans, Dallas, Los Angeles, San Francisco, Denver, Salt Lake City, Chicago and then New York. It's an annual custom.

"Atlanta, New Orleans and Dallas have shown signs of outstanding improvement in the last year," he says. "The percentage for these southern cities is far greater than any other part of the country. Los Angeles is fair. Portland and Seattle are a little backward. San Francisco is sluggish, the same as in the East. Salt Lake City and Denver are a little better."

Practically every section of the country is witnessing some theatre building, Dembow holds. Exhibitors are more cheerful today than they have been in a long while. They feel that the product this season has been considerably improved, he contends. Theatre owners today are not expecting to get rich, but are satisfied to stay in business and make a living.

Warner Appeal Move Loses in St. Louis

ST. LOUIS, May 1.—The U. S. Circuit Court of Appeals has ruled that permission must be obtained from that tribunal before an appeal can be carried there in reorganization cases under the amended bankruptcy act. One of the cases affected is that of the St. Louis Properties Corp., Skouras theatrical holding company.

In the St. Louis Properties case Federal District Judge Charles B. Davis on July 11, 1934, held that a reorganization proposed in the involuntary debtors' suits was unnecessary, as reorganization by the bondholders and the sale of the properties, the Ambassador and Missouri theatres buildings and site and the New Grand Central Theatre and ground lease, had already been approved by the court.

The petitioners, Vitagraph, Inc., Warner Bros.' Artists' Bureau, Inc., Safety Payroll and Banking Service Co. and Francis M. Allen of Chicago, a bondholder, had sought to stop the foreclosure until their own plan of reorganization could be submitted.

Max Ruben Rites Today

DETROIT, May 1.—Funeral services will be held tomorrow for Max Ruben, who died here yesterday morning. Ruben was head of the Amusement Supply Co. of this city and had been connected with the trade for over 25 years.

Roach Flying to Derby

HOLLYWOOD, May 1.—Hal Roach is flying to the Kentucky Derby tomorrow. Later he will attend the M-G-M sales convention in Detroit and Kansas City, after which he will go to New York for additional home office conferences on the new season's product.

Frisco's Oldest Inhabitant Can't Remember When—



"I seen a lot o' great goin's-on out hyar in my time, pardner. I rode trail with th' Vigilantes . . . I wuz settin' smack-dab in a front-row seat at th' Big Fire. Ask me 'bout most anything that's happened hyar in Frisco in the last eighty year, an' I'm the feller that kin tell you. But I been rackin' my brains an' I'll be gosh-danged if I kin remember any o' them talkie pitchers that's ever kicked up sech an all-fired ruckus in this town ez this hyar "G-Men." I even ast th' theayter fellers at th' Warfield an' they come right out an' admitted that their cash-books an' records an' sech like proved I wuz right...

1 DAY Biggest in 3 Months
2 DAYS Biggest in 9 Months
3 DAYS Biggest in 21 Months
4 DAYS Biggest in History!

FRISCO'S NEVER SEEN ANYTHING LIKE WARNER BROS.'

G-MEN

Price Raises Agreed on in Coast Zoning

(Continued from page 1)

morning when he will be called in again to confirm the agreement. Fox West Coast has agreed to peg its Huntington Park house at 40 cents, but Campi now wants to get Warners' reaction to the plan. Warners have a house in the zone, but Harold S. Bareford, alternate for Harry M. Warner, was absent from the meeting yesterday. It is hoped he will agree.

Before definitely adopting the 40-cent proposal, Campi today will attempt to learn if any independent houses in the Huntington Park and Florence Ave. zones will be affected. If it is found there are objections, the scheme may fall through.

Arthur yesterday told Campi he was more concerned with admission prices than availability. He said he didn't mind if Inglewood plays seven days after downtown Los Angeles, but wanted top admission pegged at 40 cents. Inglewood now charges 35 cents.

Aim Is to Keep Scales Up

Campi's move to peg at 40 cents is designed to keep up admissions. Under the schedule, Arthur's Balboa at 35 cents can play 21 days after downtown Los Angeles. The Fox Florence must charge 40 cents to play seven days after Huntington Park, which follows seven days after Los Angeles, and, allowing for three to four days playing time in Huntington Park, the Fox Florence must wait about 17 to 18 days after Los Angeles.

Under the plan suggested yesterday, the Florence at 40 cents will come under the Los Angeles city zoning price schedule and play three weeks after closing of first run dates. If the top price is 35 cents, the house will have to wait 28 days.

While Balboa and Florence will adopt the same price schedule each will retain its identity.

Robert E. McLaughlin and Joseph L. Klein, representatives of the Federal Trade Commission in Washington, sat in at the hearing. After an hour, Klein had to leave to attend another meeting, but McLaughlin sat through the entire session. Both men stated their presence was in "an unofficial capacity." Farnsworth said they were on hand because of the Fox West Coast consent decree.

Nathan Yamins was chairman. After the coast schedule has been disposed of this morning, Campi will go into a huddle on approximately 50 appeals.

Paper Defends Bank Night

SARASOTA, Fla., May 1. — Bank night is defended in an editorial in the *Sarasota Herald*. Besides stimulating business, it "certainly does no one any harm," says the publication, which adds:

"A patron of the theatre on bank nights sees the regular picture with no increased admission charge, and in addition has the opportunity to win the bank night award. It just happens to be one of the affairs that is operated above the surface, gives value for the money expended in the purchase of a ticket and for that reason is easy to shoot at. It is unlike other lotteries where only the chance to win is the lure held out to the patron.

"A gnat's heel analysis of the Florida law might result in the plan getting legal disapproval, but it is so inoffensive, so fair and above the board that no one should even suggest that sort of a decision by the courts. If we do nothing more offensive to law and society than to patronize the movies on bank nights, there is no reason why we should lose the title of law-abiding people."

Court Refuses to Permit More Delay on Met Plans

(Continued from page 1)

zation were also denied to John Kadel, attorney for B. S. Moss, reported to be backed by Sam Rosoff, subway contractor, and Frank Rubel, ice manufacturer, and another by Nicholas Atlas, attorney, representing a Fox Theatres Corp. stockholders protective committee. Both were advised by the court that any proposal they might have should be submitted to the Fox Met bondholders' committee at once if it was to receive consideration.

Hearings on the Schenck and Fabian plans were concluded yesterday following lengthy testimony by George Schaefer, Paramount general manager, of a nature favorable to Fabian's bid. An adjournment of the court proceedings was taken until May 9 to give the Fox Met bondholders' committee time in which to consider both plans and to negotiate better terms, if possible, with their proponents. Indications at the end of yesterday's hearings were that both the Schenck and Fabian proposals have an equal chance at this time of being accepted, with ultimate success probably resting with the plan which, during the next week, makes the most concessions to the committee.

Must Provide for Amortization

Neither plan would be accepted, it has been indicated, without a provision calling for complete amortization of the new bonds which the plans propose to issue within a 10-year period and with definite restrictions on dividends which may be declared during that time. It has also been indicated that more cash than the $750,000 offered by Schenck and the $1,000,000 by Fabian may be required. Schenck's plan would also have to include a commitment that he would remain with the new Fox Met company for either five or 10 years and give the circuit definite assurances of receiving United Artists and 20th Century product on favorable terms. All of these points are expected to figure in the negotiations with the bondholders' committee during the next week, and an initial draft of the concessions both Schenck and Fabian are willing to make must be in the hands of the committee by Saturday.

Schaefer's testimony refuted to a large extent the contentions of earlier witnesses that the Fox Film franchise held by Skouras and Randforce, which the Fabian plan would dispense with, is essential to Fox Met. Schaefer stated that Fox Met's seven first runs and 77 subsequents represent approximately $600,000 revenue to Paramount annually and would be worth at least $500,000 to any major producer. Buying power of that kind, he said, cannot be ignored by a distributor, and he advanced the opinion that not only could Fox Met command all of the product it needed but that, if the Fabian plan was accepted and the Skouras and Randforce Fox Film franchise canceled, the Fox product might be obtained by Fox Met regardless. Schaefer substantiated this opinion by declaring it to be his belief that if Skouras and Randforce were without theatres it would constitute a breach of their Fox Film franchise and that product would thus be returned to the open market with a likelihood that Fox Met under Fabian could obtain it.

Schaefer disclosed that Keith-Albee-Orpheum had canceled its franchise for half the Paramount product last spring, to take effect next July 1, and that subsequent talks with Herbert B. Swope, K-A-O board chairman, and Leslie Thompson, K-A-O president, had foundered on the question of price.

"Swope thought that K-A-O should be able to get Paramount pictures on the same terms that it buys Fox and Warners," Schaefer said.

Schaefer testified that under no conditions would he sell to K-A-O again except with the specific proviso that Fox Met's seven first runs also have access to the product. He said that he believed this to be necessary because if K-A-O canceled the franchise, as it is now permitted to do, Paramount could also lose the important Fox Met revenue thereby. This could result because Fox Met obtains the Paramount product under an agreement with K-A-O whereby Fox Met, in return, permits K-A-O to day and date the Fox product which is under contract to Fox Met. He said that Paramount derives about as much total revenue from Fox Met as from K-A-O.

Says Para. Can Create Chain

Schaefer said that if Paramount failed to make a deal with K-A-O it could organize a new first run metropolitan circuit picked from independent key neighborhood houses, with the seven Fox Met first runs as a nucleus. He said that the same consideration proffered Fabian on Paramount product would be available to the circuit if Schenck headed it, explaining that he had called Fabian in to discuss the situation only because Fabian was a "new element" in the situation and he wanted assurance from him that Paramount "would be protected" if his bid was successful. He said he felt that Paramount did not need this assurance if Schenck's bid was successful, as under it Skouras operation, which "was friendly to Paramount," would be continued.

Schaefer placed Skouras, Randforce and Fabian in the same operating category, "the best in the metropolitan area," and testified that under Fabian's operation the Brooklyn Paramount, with higher film costs and equally high rent, had been taken out of the red.

Schaefer said that he knew of no Paramount interest now that wanted to "pick up" Fox Met and hold it until the company could take it over, but admitted that Maurice Newton of Hallgarten & Co., a Paramount director, discussed such a proposal with him at the time of Loew's and Warners' bid for Fox Met a year ago.

Senate Group For Extending NRA to April

(Continued from page 1)

period of time in which to review existing codes and see that they are amended to carry out the first two requirements.

Future status of exhibitors under the law was seen tonight as dependent upon a determination as to whether they are engaged in interstate or intrastate commerce, it having been consistently contended by a large group that they are in the latter category. Other than this, no change will be necessary in the film code, although it is anticipated that adoption of the resolution would be followed by a reopening of the agreement to permit consideration of changes which have been suggested, should exhibitors be classified as in interstate commerce.

President Roosevelt was understood yesterday to have stood firm for reenactment of the present law, but the fact that Senator Pat Harrison, chairman, and other Administration supporters on the committee approved the resolution indicates their belief that the President will accept it.

Temporary extension of the law will enable the Senate to proceed with other important legislation which is awaiting attention and at the same time postpone a bitter controversy which would have made enactment of new legislation a lengthy and possibly doubtful matter.

At the same time, it is pointed out, postponement of the legislation to next session will give time for the Supreme Court to pass on many questions of constitutionality which have arisen under the present law.

Meanwhile, Senator Harrison predicted that 90 per cent of the criticisms voiced during the recent hearings before the Finance Committee will be corrected before next session by NRA officials. While many opponents of the NRA will accept the compromise more readily than new legislation, there are indications that even a temporary continuance of the Recovery Act may be vigorously opposed.

Writers' Group Accepts

HOLLYWOOD, May 1.—The membership committee of 26 named by the Screen Writers' Guild Monday filed formal acceptance today. The group, which will work with the advisory committee and membership board, consists of Charles Brackett, Adele Buffington, Winifred Dunn, Edward Eliscu, Abem Finkel, James Gleason, Warren Groat, Henry Johnson, Arthur Kober, Milton Krims, Jesse Lasky, Jr., Mary McCarthy, Brian Marlow, Edwin Justus Mayer, Alice D. G. Miller, Peter Milne, E. E. Paramore, Jr., Frank Partos, Paul Perez, Charles Condon, Joel Sayre, Dore Schary, Bernard Schubert, Paul Gerard Smith, Sidney Sutherland, Dwight Taylor.

"I refuse to discuss anything with a woman who cries in advance."



the distinguished

NOEL COWARD

Famous the world over as gifted author, actor, composer, playwright. Enthusiastic audiences have acclaimed his successful stage plays "Cavalcade"..."Private Lives"..."Bitter Sweet"..."Design for Living." His songs are sung and played from coast to coast and on both hemispheres ..."I'll Follow My Secret Heart"..."Some Day I'll Find You" ..."I'll See You Again"..."A Room with a View." His potential audience of millions is eagerly awaiting his first screen appearance in

"THE SCOUNDREL"

Written, directed and produced by Ben Hecht and Charles MacArthur

A Paramount Release

"THE SCOUNDREL" World Premiere RADIO CITY MUSIC HALL, New York, Today

'Duke' Proves Washington's Hit, $5,400

WASHINGTON, May 1.—"The Iron Duke" proved its strength last week by skyrocketing the Belasco gross to $5,400, a new high for the foreign picture house. In anticipation of the increased patronage, the house opened its 352-seat balcony. The picture went into a second week.

Loew's Palace with "Reckless" took $18,500, or $4,000 over average. The feature was held.

"All the King's Horses" at the Loew's Columbia brought in $3,800, which is $700 over average. The Earle, with "Go Into Your Dance" and a show drew $20,200, some $2,600 over par. "Four Hours to Kill," supported on the stage by George Olsen and his orchestra, went over average by $500, to a gross of $21,000. Second week of "Star of Midnight" at RKO-Keith's slipped—largely because of the opening of "Reckless"—to $8,500, or $2,900 under the average first week.

Total first run business was $81,400. Average is $72,700.

Estimated takings, exclusive of tax:

Week Ending April 25:

"GO INTO YOUR DANCE" (Warners)
EARLE—(2.218), 25c-77c, 7 days. Stage: Herb Cook and Three Little Words, Gracie Barrie, Bob Hall, Three Cossacks, Donatella Brothers & Carmen. **Gross:** $20,200 (Average, $17,600)

"ALL THE KING'S HORSES" (Para.)
LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days. **Gross:** $3,800. (Average, $3,100)

"FOUR HOURS TO KILL" (Para.)
LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: George Olsen and Orchestra, Nita & Jack Gordon, Ethel Shutta, Bobby Borger, Dick Gardner, Jack Gifford, Adrian Freione. **Gross:** $21,000. (Average, $20,500)

"RECKLESS" (M-G-M)
LOEW'S PALACE—(2,370), 35c-77c, 7 days. **Gross:** $18,500. (Average, $14,500)

"THE UNWELCOME STRANGER" (Col.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,100)

"STAR OF MIDNIGHT" (Radio)
RKO-KEITH'S—(1,836), 25c-55c, 7 days, 2nd week. **Gross:** $8,500. (Average, first week, $11,400)

Week Ending April 26:

"THE IRON DUKE" (Gaumont-British)
BELASCO—(1,052), 25c-65c, 7 days. **Gross:** $5,400. (Average, $1,500)

To Study Patent Pools

Organized studies of patent pools affecting various industries are to be attempted by a newly formed group called The American Economic Foundation. Percival White, consulting economist and author of books on flying, is director, and Warren M. Persons, consulting economist, is an officer.

Film patent pools will be included, if clients request it, White said yesterday.

Omaha House Closing

OMAHA, May 1.—The Paramount has been ordered closed Thursday by A. H. Blank, head of the Tri-State Circuit. The house had been making the grade after a third reopening within the year until the street car strike began 10 days ago.

Writers Name Three

HOLLYWOOD, May 1.—Sigmund Romberg, Nunnally Johnston and Harlan Thompson have been named to the editorial board of the *Screen Writers' Guild Magazine.*

"$10 Raise," Show $10,000, Portland

PORTLAND, May 1.—$10 Raise" and an accompanying stage show at the Paramount lifted the take to $10,000, or just double average.

"Naughty Marietta" in its fourth week at the United Artists, secured the average gross, setting a record to date this year.

At the Orpheum "Night at the Ritz" and "Dog of Flanders," plus a stage show, secured $6,000, or $1,000 over par.

Total first run business was $31,700. Average is $24,700.

Estimated takings for the week ending April 27:

"G MEN" (Warners)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $8,000. (Average, $5,000)

"BRIDE OF FRANKENSTEIN" (Univ.)
BLUE MOUSE—(700), 15c-25c, 7 days, 2nd downtown week. **Gross:** $1,700. (Average, $1,700)

"LOVE IN BLOOM" (Para.)
"DEATH FLIES EAST" (Col.)
MAYFAIR—(1,700), 25c-35c-40c, 7 days. **Gross:** $3,000. (Average, $3,000)

"NIGHT AT THE RITZ" (Warners)
"DOG OF FLANDERS" (Radio)
ORPHEUM—(1,700), 25c-35c-40c, 7 days. Stage show. **Gross:** $6,000. (Average, $5,000)

"$10 RAISE" (Fox)
PARAMOUNT—(3,008), 25c-35c-40c, 7 days, stage show. **Gross:** $10,000. (Average, $5,000)

"NAUGHTY MARIETTA" (M-G-M)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days, 4th week. **Gross:** $5,000. (Average, $5,000)

"Roberta" Strong In Montreal Boom

MONTREAL, May 1. — It was one of the best seven-day periods in many a moon for main-stem houses. one result being a hold-over at two theatres. "Roberta" sprang to the top with a take of $15,000 for the Palace and was given a further run. Likewise, at the Princess, "Folies Bergere" was responsible for $10,000, one of the best totals in a long time, and the second week sign was hung out.

"Mississippi" brought $10,500 to the Capitol while Loew's garnered $9,000 with "Sequoia." Easter holidays had much to do with the box office strength.

Total first run business was $49,000. Average is $40,500.

Estimated takings for the week ending April 27:

"MISSISSIPPI" (Para.)
"FOUR HOURS TO KILL" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,500. (Average, $9,500)

"THE DEFENSE RESTS" (Col.)
IMPERIAL—(1,914), 20c-30c-35c, 7 days. Added: "It Happened One Night." **Gross:** $4,500. (Average, $3,500)

"SEQUOIA" (M-G-M)
"THE GAY BRIDE" (M-G-M)
LOEW'S—(3,115), 30c-34c-40c-50c-60c, 7 days. **Gross:** $9,000. (Average, $10,500)

"ROBERTA" (Radio)
PALACE—(2,600), 30c-34c-40c-50c-65c, 7 days. **Gross:** $15,000. (Average, $11,000). Held Over.

"FOLIES BERGERE" (U. A.)
"BEHIND THE EVIDENCE" (Col.)
PRINCESS—(2,272), 30c-35c-50c-65c, 7 days. **Gross:** $10,000. (Average, $6,000). Held Over.

"Bride" Hits Los Angeles' Top, $6,500

LOS ANGELES, May 1.—"Bride of Frankenstein" was a hit at the Pantages. It grabbed $6,500, more than double par.

"G-Men" was outstanding at the Hillstreet with $13,250, but it failed to make an impression at Warners' Hollywood, where the $12,800 take was under normal by $1,200.

In its second week at the Filmarte "My Heart Is Calling" ran up to $4,000, above average by $1,250.

Total first run business was $82,650. Average is $91,200.

Estimated takings for the week ending May 1:

"WEST POINT OF THE AIR" (M-G-M)
CHINESE—(2,500), 30c-55c, 6 days. **Gross:** $4,900. (Average, $12,500)

"MY HEART IS CALLING" (Gaumont-British)
FILMARTE—(800), 40c-50c, 2nd wk., 7 days. **Gross:** $4,000. (Average, $2,750)

"VANESSA" (M-G-M)
STAR—(900), 30c-55c, 6 days. **Gross:** $4,600. (Average, $3,250)

"G-MEN" (F. N.)
HILLSTREET—(2,700), 25c-65c, 6 days. **Gross:** $13,250. (Average, $8,000)

"WEST POINT OF THE AIR" (M-G-M)
LOEW'S STATE—(2,500), 25c-65c, 6 days. **Gross:** $7,200. (Average, $14,000)

"PRIVATE WORLDS" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: F. & M. revue, Loyce Whiteman, Rube Wolf and his orchestra. **Gross:** $19,000. (Average, $18,000)

"RECKLESS" (M-G-M)
UNITED ARTISTS—(2,100), 25c-55c, 6 days. **Gross:** $3,200. (Average, $3,500)

"G-MEN" (F. N.)
WARNER BROS. (HOLLYWOOD)—(3,000), 25c-65c, 6 days. **Gross:** $12,800. (Average, $14,000)

"GOLD DIGGERS OF 1935" (F. N.)
WARNER BROS. (DOWNTOWN)—(3,400), 25c-40c, 6 days. **Gross:** $7,200. (Average, $12,000)

"BRIDE OF FRANKENSTEIN" (Univ.)
PANTAGES—(3,000), 25c-40c, 7 days. **Gross:** $6,500. (Average, $3,200)

Hit Omaha Night Games

LINCOLN, May 1.—Move here to floodlight all ball yards in the city parks is giving local showmen gray hair. Terrific summer heat kills matinee business, anyhow, and houses are dependent on night time play, to which this free softball admission looms as a menace.

Robert Livingston, manager of the Capitol here, is making a drive before the City Council to have them rescind the decision.

Ralph Murphy Re-Signed

HOLLYWOOD, May 1.—Ralph Murphy, director, has been signed to a new one-year contract by Paramount. He is currently working on "Men Without Names," a Department of Justice story formerly called "Federal Dick."

Tries 5-Hour Kid Shows

PORTLAND, Me., May 1. — Five-hour children's programs have been introduced into the Empire, Abraham Goodside house, by Manager Harlan Boucher. They draw the youngsters Saturday mornings.

Thelma Todd Re-Signed

HOLLYWOOD, May 1. — Thelma Todd has been re-signed by Hal Roach for an additional year. She will continue the comedy series with Patsy Kelly.

"Your Dance" Sensational In Cleveland

CLEVELAND, May 1.—It was a big week in all the first runs. One gross, $15,500 for "Go Into Your Dance" at Warners' Hippodrome, was sensational. Par is $6,000.

Joe Penner pulled $18,500 with "Princess O'Hara" at the RKO Palace, going $3,500 over par. "Reckless" tipped the scales at $3,000 over the $10,000 average at the State. "Lost City" was big with $4,750, or $1,350 over average at the Allen. Toto, the clown, divided box-office honors with "Let's Live Tonight" at the Circle, resulting in $900 over the usual $3,000 gross.

Total business was $59,750. Average is $41,000.

Estimated takings for the week ending April 26:

"LOST CITY" (Principal)
ALLEN—(3,300), 25c-35c, 7 days. **Gross:** $4,750. (Average, $3,000)

"GO INTO YOUR DANCE" (F. N.)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $15,500. (Average, $6,000

"PRINCESS O'HARA" (Univ.)
RKO PALACE—(3,100), 30c-40c-60c, 7 days. Stage: Joe Penner, four acts of vaudeville. **Gross:** $18,500. (Average, $15,000)

"RECKLESS" (M-G-M)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $13,000. (Average, $10,000)

"LOVE IN BLOOM" (Para.)
LOEW'S STILLMAN—(1,900), 25c-35c, 7 days. **Gross:** $4,100. (Average, $4,000)

"LET'S LIVE TONIGHT" (Col.)
CIRCLE—(1,925), 25c-30c-35c, 7 days. Stage: Toto & Co. and five acts of vaudeville. **Gross:** $3,900. (Average, $3,000)

"Midnight" at Top of Heavy Detroit Rush

DETROIT, May 1.—Business picked up with a rush here last week, the Fox leading the parade. "Star of Midnight," with Guy Lombardo heading the stage show, hit a remarkable $25,100, over normal by $10,100.

The Michigan also was in the big money with $25,300 on "Go Into Your Dance," with Morton Downey on the stage. "The Whole Town's Talking" at the Broadway-Capitol, with Mary Brian heading the stage show, took $12,600.

Total first run business was $85,200. Average is $70,000.

Estimated takings for the week ending April 25:

"PRINCESS O'HARA" (Univ.)
"IT'S A SMALL WORLD" (Fox)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $4,100. (Average, $5,000)

"STAR OF MIDNIGHT" (Radio)
FOX—(5,100), 15c-55c, 7 days. Stage, Guy Lombardo band and 5 acts vaudeville. **Gross:** $25,100. (Average, $15,000)

"RUGGLES OF RED GAP" (Para.)
"WOMAN IN RED" (F. N.) (2nd Run)
FISHER—(2,975), 10c-40c, 7 days. **Gross:** $4,200. (Average, $5,000)

"GO INTO YOUR DANCE" (F. N.)
MICHIGAN—(4,100), 15c-55c, 7 days. Stage, Morton Downey, Alice White and 4 acts vaudeville. **Gross:** $25,300. (Average, $20,000)

"CASINO MURDER CASE" (M-G-M)
"TIMES SQUARE LADY" (M-G-M)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $3,800. (Average, $5,000)

"RECKLESS" (M-G-M)
UNITED ARTISTS—(2,070), 15c-55c, 7 days. **Gross:** $10,100. (Average, $10,000)

"WHOLE TOWN'S TALKING" (Col.)
BROADWAY-CAPITOL—(3,448), 10c-40c, 7 days. Stage: Mary Brian and 4 acts vaudeville. **Gross:** $12,600. (Average, $10,000)

Connecticut Group Opposing Checkers

NEW HAVEN, May 1.—More than 50 Connecticut exhibitors have written to exchanges, saying they will refuse hereafter to admit Ross Federal checkers. This action followed a meeting of the M. P. T. O., headed by Dr. J. B. Fishman.

While exhibitors are in favor of the Warner policy of employing its own checkers, they are opposed to the use by other distributors of Ross checkers. They insist, despite Ross denials, that checkers have divulged confidential information to distributors other than those interested in particular pictures.

Newsreel Cameramen Conference Delayed

Because Louis Krouse, vice-president of the I.A.T.S.E., is in Syracuse on union matters, Deputy Administrator William P. Farnsworth has postponed today's scheduled meeting with newsreel heads until Campi meets again.

The conference with newsreel executives and the international union officials is to clarify working time of cameramen.

Illinois Sale Levy Getting Big Support

(*Continued from page* 1)

Illinois raise $36,000,000 annually for the care of unemployed.

Would Probe Mass. Dog Racing

BOSTON, May 1.—The Senate refuses to appropriate any money for the administration of dog racing, blocking the House's $35,000 appropriation. The Ways and Means Committee of the House recommends that instead of banning dogs this year a special recess committee be appointed to investigate the sport here and report to the next legislature on the advisability of repealing the dog racing clauses. The petition goes to the Joint Rules Committee.

Favor Ohio Bookmaking

COLUMBUS, May 1.—The House Judiciary Committee today recommended adoption of a bill legalizing bookmaking on horse races with a licensing system supervised by the Racing Commission. Costs of the licenses would be $1,000 with $200 a year additional for each clerk employed. The estimated revenue is $1,000,000, but passage is doubtful.

Change Coast Dog Bill

SACRAMENTO, May 1.—Proponents of the dog racing bill with parimutuel betting have announced they will seek an amendment to the local option provision permitting counties to vote whether or not they want tracks.

This is held to remove the protection sought by the industry.

Dress Review Held By General Casting

HOLLYWOOD, May 1.—One hundred and fifty women were reviewed at General Casting Agency over the last week-end for selections as dress extras. Those selected from this group will compete with others and be placed on a selected list of 500 by the agency. A review of men extras will be held next Sunday.

Looking 'Em Over

"The Woman in the Dark"

(*Select-Radio*)

Poor, persecuted Fay Wray travels through approximately four-fifths of this feature in varied stages of discomfort because she is misunderstood by Ralph Bellamy, Melvyn Douglas, Roscoe Ates and several other members of the cast. Director Phil Rosen's efforts do not help matters much and audiences stand in danger of being in the dark when it comes to deciding what the picture is all about.

The yarn has Bellamy freed from prison, where he served a term for killing a man in a fight. Miss Wray finds shelter in his cabin while running away from Douglas. When the latter, accompanied by a friend, tries to take her back to his home a fight ensues with Douglas' friend struck by Bellamy. He is then forced to flee when it is reported the man is dying. After many complications, with everyone accusing Miss Wray as a double-crosser, things are cleared up and all ends well.

As one-half of a double bill program this film should prove satisfactory. Sada Cowan adapted the screen play from a story by Dashiel Hammett.

Reviewed without production code seal. Running time, 60 minutes. "G."

"Huszarszerelem"

(*Danubia Pictures*)

Gay, lilting tunes and richness of humor should make this Muveszfilm production a treat for Hungarian audiences. Since the film has no English subtitles those without a knowledge of the language will find little more than the musical content to entertain them.

The picture suffers from that fault common to musical romances—staleness of story. Again you get the tale of the dashing officer who falls in love with his colonel's little girl. These two familiar roles are taken in this instance by Paul Javor and Irene Agai, who play in the true romantic spirit.

As in almost all stories of this sort there is an earlier romance that crops up to roughen the road of true love. In "Huszarszerelem" ("Hussar Romance") the other woman is an entertainer at an inn frequented by the officers of the regiment and their lady friends. While she does her darnedest to break up the romance between Javor and Mlle. Agai, the lovers in the end are in each other's arms.

The picture has been well photographed, handsomely dressed and splendidly recorded, with the acting more than adequate. Steven Szekely directed.

No production code seal. Running time, 80 minutes. "G."

"Die Csardasfuerstin"

(*Ufa*)

Those who like musical entertainment will revel in "Csardasfuerstin" ("The Czardas Duchess"). Ufa has made a distinguished production of the Emmerich Kalman Hungarian operetta—something lovely to hear and to look at. The film weaves a powerful romantic spell with its story of the love of a titled officer for a beautiful songbird. The music is light, magically tuneful and first-rate in quality. The film is also strong in humor.

The film brings again to these shores the fascinating Marta Eggerth. She and Hans Soehnker are the lovebirds of the piece. The officer falls in love with her at first sight.

The man's parents have already chosen a fiancee for him. They will not countenance an alliance between their son and a woman of the stage. It looks hopeless for a while for the lovers. In time, however, matters are straightened out to the happiness of all concerned when the youth's affianced goes off with another chap and his parents relent.

Fraulein Eggerth and Soehnker play the leading roles in fine fashion. They are supported capably by Paul Kemp, Paul Hoerbiger, Inge List and many others.

This is a high-class production, with beautiful and lavish settings, fine photography and a wealth of good taste.

George Jacoby directed with intelligence.

The picture, which boasts some expansive scenes, is worth seeing. It has English subtitles.

No production code seal. Running time, 102 minutes. "G."

Seek Road Revival

Plans to revive roadshows extensively are being considered by members of the legitimate theatre code authority. The regular meeting slated for yesterday has been put off until next Wednesday.

Dinner for Thad Barrows

BOSTON, May 1.—Thad Barrows, president of Local 182 of the I. A. T. S. E., Operators' Union, will be tendered a testimonial dinner May 12 at the Cocoanut Grove.

Short Subjects

"Little Black Sambo"

(*Celebrity*)

An amusing story is made of the adventures of the little black boy who is harassed by a tiger and his playful dog's attempt to impersonate the tiger. Condensed action and constant innovations lend to its appeal. Recommended. No production cole seal. Running time, 8 mins. "G."

"Screen Snapshots No. 8"

(*Columbia*)

The dinner of the Screen Actors' Guild is the scene in this case. Presented in an interesting manner, it introduces a number of screen celebrities and their wives, doing their bits. As part of the entertainment, Bert Kelton does a burlesque fandango. John Boles sings and Edward Everett Horton yawns his party to sleep. Recommended. Running time, 10 mins. "G."

"Five Puplets"

(*Educational*)

This latest Terry-Toon cartoon is good entertainment. It has several laughs worked into an amusing story and the musical score accompanying is appropriate. The animal world is excited when the stork is seen flying overhead and all manner of tricks are tried by the men to prevent the bird from landing at their home. The stork finally presents five puppies to Mrs. Dog and the reel then shows how the infants are cared for. Production Code Seal, No. 0387. Running time, 7 mins. "G."

"The Life of the Party"

(*Educational*)

Those five little negro children, The Cabin Kids, will undoubtedly add to their popularity on the strength of their performance here. They do three songs to provide practically all of the entertainment. When the great singer expected at Walter Fenner's party fails to show up he discovers the kids singing in his kitchen and brings them out to perform for his guests, who also join in themselves in an impromptu show. Others in the film are Jean Cleveland, Thelma Sheron, The Pope Sisters and the Six Mountain Melodeers. Production Code Seal, No. 0401. Running time, 10 mins. "G."

"The Brementown Musicians"

(*Celebrity*)

This is a well done color cartoon that contains everything expected. It should generally satisfy. The story concerns the Grimm fairy tale characters, barnyard denizens, who prove the downfall of the farm they live off and how they are thrown on their own resources, the adventures they have as they pursue a musical livelihood. All ends well as they return home to find their master being robbed. They rout the thieves and are taken back into the fold. Recommended. No production code seal. Running time, 8½ mins. "G."

Reach No Decision

Pathe interests met yesterday to discuss First Division without reaching any definite decisions, according to one spokesman. Developments having a bearing on the future of the company may crystallize in about a week, it was added.

Jones Sees Color Boom by Next Fall

(*Continued from page 1*)

distribute "Becky Sharp," Jones declared that the improvement in color photography has placed the industry "on the threshold of a new art"—an art which in his estimation will instil in the public "a sense of color it never had before." The new opportunities opened up by color photography, he said, made him "look forward to an association of beautiful color and great music."

Jones asserted color "is not going to turn the industry upside down as sound did," because the problem involved is not so much a technical one as an artistic one in that it depends for its solution on men and women with an inherent gift of color.

"I don't think," he added, "that color will come overnight as sound did, because the public is partly familiar with color already."

As in the case of sound, it will take the public some time to get accustomed to color films, according to Jones, who added that studios will find the new development "somewhat more expensive" than black-and-white photography, while rushes would not be made available in less than two days. He made it emphatic, however, that "no mechanical problem will be involved."

The use of color, Jones asserted, will give greater dramatic and emotional value to a story, add realism and make it easier to create moods on the screen. "Color moves along the dramatic action just as music moves along the story in an opera," remarked Jones.

The stars will also welcome color photography in Jones' opinion. "It will make the stars look even more lovely and more glamorous," he declared.

Senators Agree to Act on Copyrights

WASHINGTON, May 1.—Members of the Senate Patents Committee met today to consider the course to be followed with respect to copyright legislation and agreed to push the bill in response to pressure from the State Department.

Public hearings appear to be unlikely. Complaints and requests for a hearing have been received from Ascap, the Authors' League and the Music Publishers' Protective Ass'n., which may be taken up in informal conferences.

It is understood, film, radio and other interests which presented their views to the State Department some weeks ago are more or less satisfied.

The committee will meet again May 8 for further discussion of the bill.

Mastroly Sues for His Living Expense

LOS ANGELES, May 1.—Frank Mastroly has left for New York after filing suit in Superior Court to determine whether Universal should pay his living expenses in addition to his salary while he is filling an executive post in the New York office.

Mastroly seeks declarative relief, and says that his three-year contract specifies executive duties in the Los Angeles district. Universal claims the contract doesn't limit its right to transfer.

Wall Street

Little Change on Big Board

	High	Low	Close	Net Change
Columbia. vtc....	44½	41⅝	44⅜	+2¾
Cons., pfd (1v)..	17	17	17	— ¼
Eastman 139½	136	136	—2	
Eastman. pfd.....152	152	152	.....	
Fox "A"	10⅝	10¼	10½	.....
Loew's	38⅝	37⅝	37⅜	.....
Paramount	3¾	3½	3½	.....
Pathe	⅝	⅝	⅝	.....
RKO	1½	1½	1½	.....
Warner	3⅛	3	3	.....

Technicolor Off ⅛ on Curb

	High	Low	Close	Net Change
Technicolor	19	18⅞	18⅞	— ⅛
Trans Lux (.10K)	2⅜	2⅜	2⅜	.....

Keith Bonds Gain 1⅛

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11	10½	10¾	— ⅛
Keith B. F. 6s '46	76⅛	76¾	78⅛	+1⅛
Loew's 6s '41 ww deb rights 104½	104½	104½	+ ¼	
Paramount B'way 5½s '51.....	53½	53⅛	53½	+ ¼
Paramount F. L. 6s '47	88⅛	88	88⅛	+ ⅜
Paramount Publix 5½s '50	89½	88⅜	88⅜	— ⅝
Warner Bros. 6s '39 wd	56	55¾	56	.....

(*K and v*) *Paid this year.*

(Quotations as at close of May 1)

Toeplitz Plans Two Here, Says Graetz

(*Continued from page 1*)

ing Toeplitz, stated yesterday upon his arrival on the *Champlain*.

While it is reported Toeplitz's affiliate will be Universal, Graetz said he had a number of offers he was considering and will leave for Hollywood in two weeks to work on the deal. It is believed that when he arrives on the coast he will confer with Carl Laemmle, who cabled Graetz before his departure from England.

Toeplitz plans to arrive here shortly, the time depending on the outcome on Graetz's negotiations. Graetz, managing director of Paris Export Film Co., which distributes all First Division films on the Continent, also handles exporting for Toeplitz. He denied that Gaumont British would not distribute "The Dictator" in the United States.

Graetz would not comment on the Universal angle, but said that Toeplitz is anxious to line up with a company that has some big names. The four pictures planned will be produced on a large scale, he said.

Failure of Vocafilm Blamed on Electrics

WILMINGTON, May 1. — Vocafilm went out of business in 1929 after investing $700,000 fighting monopoly and at that time had produced more than 100 films without getting distribution because of allegedly unfair practices of Erpi, Western Electric and A. T. & T., David R. Hochreich, former president of Vocafilm, testified today in the action brought by General Talking Pictures and Duovac against the defendants named.

Hochreich also testified Burt Adams, a Paramount representative, had told him of the existence of a contract between Paramount and Erpi whereby the former was to sell films only to those exhibitors whose theatres were equipped with Erpi reproducers.

Program Revised For Allied Meet

(*Continued from page 1*)

the evening there will be a reception for Sidney and Mrs. Samuelson.

Golf on Tuesday, the 21st, will start at 9:30 A. M. at the East Lake Country Club. Governor Talmadge will address the first business session at 2 o'clock, and Mayor James L. Key will present the keys to the city. In the meantime, at 4 o'clock, tea will be served for women visitors at the Governor's mansion, and there will be a dance at 9 o'clock that night. More golf Wednesday, a bridge luncheon at 1 o'clock, business session an hour later, and a show by a negro choir at Big Bethel Church in the evening. Thursday there will be a sightseeing trip in the morning and a barbecue at Stone Mountain at noon, with a business session at 2 P. M., and a dinner-dance at the East Lake Country Club in the evening.

Kane Settlement of $35,440 Is Favored

(*Continued from page 1*)

ance of a $21,000 bankruptcy claim by Kane against Paramount Publix is proposed in a petition submitted to Special Master John E. Joyce by the Paramount trustees yesterday for hearing on May 7.

Kane held a three-year contract terminating in July, 1933, at $1,500 per week, plus an annual bonus of $25,000, the petition states. In 1932, Kane's salary was reduced to $1,063 per week and the bonuses were reduced to an aggregate of about $44,000. The contract was disaffirmed by the Paramount trustees in May, 1933, and Kane's suit against Paramount International for $35,440 for breach of the contract was then filed.

In proposing the settlement of the suit by permitting Kane to file a $21,000 claim against Paramount Publix and allowing it in that amount, the petition states that the trustees do not believe that they have a valid counter claim against Kane for $39,900 of entertainment expenses and miscellaneous charges which were found to have been credited to him without being specifically authorized in his contract.

FWC Men to Go West; Hanson Takes Plane

Al Hanson, Los Angeles city manager for Fox West Coast, will leave by plane for Los Angeles this afternoon. Edward Alperson, buyer for the circuit, will entrain for Milwaukee tomorrow and after spending a few days with Harold J. Fitzgerald will head for the coast. He plans to be gone about three weeks.

Spyros Skouras early next week will flit to the coast, stopping off at Kansas City for two days to confer with Elmer C. Rhoden and Rick Ricketson on reorganization plans for Fox Midwest and Fox Rocky Mountain.

Two Held on Film Charge

Two men, Abraham Schrier of 608 Prospect Ave., and James Cartenuto of 626 Manida Ave., both addresses in the Bronx, were held by the police yesterday on charges of possessing 167,000 feet of film alleged to have been stolen from the DuPont plant at Parlin, N. J., on March 2.

Laffoon Colonels Off for the Derby

(*Continued from page 1*)

ington. From the Capital, they go over the Chesapeake & Ohio to Louisville.

Among those with reservations on the special train, colonels all, are: George Fitts, Roy Norr, Charles C. Pettijohn, Jack Alicoate, Senator Rice of Vermont, Jack Connolly, R. B. White, president of Western Union, Sam Dembow, Jr., Harry Brandt, N. L. Nathanson, Ted Curtis, Bill German, Will Rogers and Myles Lasker.

At Louisville they will be met by Bert Wheeler and Bob Woolsey, whiskers, broad-brimmed hats, frock coats and all the liquid accoutrements that befit the "kernels." "Kentucky Kernels" will be revived with the stars appearing in person.

As the Derby is run on Saturday, no doubt the talk all the way to Louisville will center about how they will run, performances and the odds.

General Alicoate, head colonel, will play host to Wheeler and Woolsey. They will sit in the governor's box at Churchill Downs and will present a personal prize to the victorious jockey of the Derby.

Fox Film 13-Week Net Is $616,806

(*Continued from page 1*)

after all charges, including Federal income taxes, totals to 25 cents per share. Gross income was $10,740,822.

The consolidated earned surplus at Dec. 29 was $3,006,812. After adding the net profit and deducting foreign exchange adjustments of $2,607, the consolidated earned surplus at Mar. 30, 1935, stands at $3,621,011, all of which has accumulated since the effective date of reorganization of the company April 1, 1933.

No theatre earnings are included in the above figures from National Theatres Corp. in which Fox Film has an interest of 42 per cent.

Warner Trailer Suit To Go Over to Fall

(*Continued from page 1*)

Court before October at the earliest. The case will not be heard this month, since Warners, according to the rules, must notify the court 12 days before the first of the month that it will go ahead with the trial. This the complainant has not done.

Indications are that Warners will not seek a trial in June and with the courts suspending in July for the summer the earliest possible time the case can possibly be heard is in October. The crowded calendar put over from June automatically puts September out of the running.

"G-Men" Standout

Smiles wreathed Warner faces yesterday on the strength of the opening hours' draw of "G-Men" at the Strand. Claiming a new attendance record, the company declared 2,100 tickets were sold by 10 A. M. with the SRO sign up 40 minutes later. Starting today, the picture will get under way at 8 A. M. and continue until 5 o'clock the following morning.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Put Theatres' '33 Profit at $6,639,000

Census Bureau Analyzes Takes in 9,499 Spots

By BERTRAM F. LINZ

WASHINGTON, May 2.—A gross profit of $6,639,000 was shown for 1933 by the 10,265 theatres canvassed by the U. S. Census Bureau in its survey of amusement enterprises last year, according to figures made public by the bureau tonight.

Operating expenses amounted to $408,874,000, against box-office receipts of $415,152,000, the bureau found in analyzing the returns. Operating expenses were defined by the bureau as including payroll, rent, interest, traveling expenses, advertising, taxes, insurance, light, heat, power and similar expenditures.

The statistical who, what and when of the theatre industry in 1933 appears in detail on pages 6 and 7 today.

A breakdown of the figures shows that 9,499 houses had an indicated

(*Continued on page 6*)

Assert W. E. Sound Equipment Forced

WILMINGTON, May 2.—Testimony was presented by Horace Truitt, projectionist at Madison, Ga., and Jacob Levin, General Talking Pictures salesman, and a deposition was read from Abel Carey Thomas of Warners in the trial of the anti-trust suit of General Talking Pictures and Duovac Radio against Erpi, Western Electric and A.

(*Continued on page 11*)

Calls Canada Music Fees Finance Racket

TORONTO, May 2.—On the resumption of an investigation by Judge Parker, authorized by the Federal Secretary of State, into the operations of the Canadian Performing Rights Society, Arthur Slaght, counsel for the Toronto Musical Protective

(*Continued on page 11*)

Du-Art-Universal Suit Is Withdrawn

Du-Art Film Laboratories, Inc., and Universal have settled their differences out of court and the suit,

(*Continued on page 14*)

Michigan Now Has Playdate Ban Measure

Restrictions Similar to Those in Ohio Law

LANSING, Mich., May 2.—Another one of those bills designed to outlaw designated playdates has popped up. This one is now before the Michigan House. It makes violations a misdemeanor subject to fine.

A similar bill passed in Ohio was ruled unconstitutional by the Attorney General and is headed for a court test. Another is pending in Minnesota.

FWC Loses Fight to Boost Balboa Scale

Efforts by Fox West Coast to get Harry Arthur's Balboa to increase its admission from 35 cents to 40 cents in order to maintain a 21-day play off Los Angeles failed yesterday when Campi at its adjourned session decided not to disturb the coast schedule adopted at its previous session.

At the same time, Code Authority advised F. W. C. to bring complaints

(*Continued on page 7*)

Push British Deal On Technicolor Use

HOLLYWOOD, May 2.—Sir Adrian Baillie, Bombay producer here representing British capital, has postponed his departure for New York until next week, as he is still negotiating for the British rights to the Technicolor patents. The deal, as it now stands, calls for the formation of a

(*Continued on page 11*)

Rumor Woolf Shift

London, May 2.—Rumors are afloat again that C. M. Woolf, joint director of Gaumont British, will leave that company to join another distributing firm.

Gossip associates his name with Anglo-American Renters, Ltd., formed here a few days ago with Capt. A. C. N. Dixey, member of Parliament, as its head.

First of 2 M-G-M Meets on Tomorrow

First of the two M-G-M regional conventions will open in Detroit Saturday and will continue to Monday. Eastern branch managers, district managers and salesmen will attend the three-day session at the Book-Cadillac.

J. S. MacLeod and William R. Ferguson left for the auto city yesterday to complete convention details. From there they will go to Kansas City to prepare for the western sales group which will convene at the Muehlbach May 8 for a three-day session.

While M-G-M is expected to announce the same number of features

(*Continued on page 11*)

Dent Coming Here On Picture Deals

LONDON, May 2.—Arthur Dent, managing director of British International, is on his way to New York on the *Ile de France* which arrives Wednesday. He will put on trade shows for "Mimi," "Blossom Time," "Abdul," "Dance Band," "Red Wagon" and "Drake," the last named

(*Continued on page 11*)

Para. Creditor Groups Favor Zukor Regime

Continuance of Present Officers Foreseen

The four leading Paramount creditor groups behind the company's reorganization are in agreement on continuation of the present Paramount management headed by Adolph Zukor, spokesman for the creditors revealed yesterday.

The agreement means that, with the election of officers of the new Paramount, which may take place within the next two or three weeks, Zukor would be continued as president; George J. Schaefer as vice-president and general manager; Austin C. Keough as secretary and head of production matters in the east, and Y. Frank Freeman in charge of theatre operations.

An agreement on a chairman of the board and on a candidate to fill the long vacant post of treasurer of the company has not been reached yet. The latter office in the future will probably be closely associated with the new finance committee and,

(*Continued on page 10*)

New Fox Met Bids Believed Unlikely

With tomorrow set by the Federal court as the deadline for consideration of any new offers for acquisition or reorganization of Fox Metropolitan Playhouses, and no new proposals made yesterday, indications are that the Joseph M. Schenck and Si Fabian reorganization plans will be the

(*Continued on page 2*)

Quigleys Greeted On London Arrival

By BRUCE ALLAN

LONDON, May 2.—Martin and Mrs. Quigley arrived from Paris today and were officially welcomed at Victoria Station by Neville Kearney, representing the Federation of British Indus-

(*Continued on page 11*)

Predicts Unlimited Listing for Extras

HOLLYWOOD, May 2.—Attorney Eugene H. Marcus, representing the extra organizations, made a formal announcement last night at the open

(*Continued on page 7*)

Frisco's Theatres Bumped By City, Postal Rulings

SAN FRANCISCO, May 2.—Exhibitors here have received three swift kicks from both Uncle Sam and the local politicians within the past few days.

Kick No. 1 occurred when the local board of supervisors passed an ordinance restraining distribution of printing matter which includes, of course, theatre calendar programs. The ordinance provided that distributors must obtain a permit from the chief of police, that each piece of matter must contain the permit number and its origin and must be folded so that the wind cannot blow it away. These are surmountable obstacles, but the ordinance gives residents the privilege of displaying a sign prohibiting distribution of printed matter on the property of the resident. A special permit from each resident displaying such a sign would have to be obtained.

Kick No. 2 was from Uncle Sam. This was an order from postal

(*Continued on page 6*)

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Wall Street

Trading Irregular on Big Board

	High	Low	Close	Net Change
Columbia, vtc	45½	44½	44¾	+ ⅜
Consolidated	4⅝	4⅝	4⅝	+ ⅛
Cons., pfd (lv)	17	16⅞	17	.....
Eastman	137½	135	137	+1
Eastman, pfd	153	152	152	.....
Fox "A"	10½	10¼	10½	.....
Loew's	38⅜	37⅝	38¼	+ ⅝
Loew's, pfd	106½	106½	106½	— ¼
M-G-M, pfd	27¾	27¾	27¾	— ¼
Paramount	3⅝	3½	3½	.....
Pathe	⅝	⅝	⅝	.....
Pathe "A"	9⅛	8¼	8¼	— ¾
RKO	1½	1½	1½	.....
Warner	3⅛	3	3	.....

Columbia Gains 1⅞ on Curb

	High	Low	Close	Net Change
Columbia	447⅞	447⅞	447⅞	+1⅞
Technicolor	18¾	18⅜	18⅜	— ½

Para. Pub. Bonds Gain ⅝

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	10⅝	10⅜	10½	— ¼
Loew's 6s '41 ww deb rights	104½	104⅜	104½	.....
Paramount B'way 5½s '51	53¾	53¼	53¼	— ¼
Paramount F. L. 6s '47	88⅜	87⅜	88⅜	+ ¼
Paramount Publix 5½s '50	89	88⅜	89	+ ⅝
Warner Bros. 6s '39 wd	56	56	56	.....

(*V*) *Paid this year.*

(Quotations as at close of May 2)

Kaufman Made Producer

HOLLYWOOD, May 2. — Edward Kaufman, writer, has been made an associate producer by Radio.

Insiders' Outlook

By RED KANN

WARNERS are financially interested in "Three Men on a Horse," "Ceiling Zero" and "Fly Away Home," three current Broadway plays which are getting along minus worries. This successful dabble into the realms of the legitimate theatre is leaving its mark on several other burning ambitions and now Metro is working out a deal with Max Gordon, Sam Harris and Billy Rose. Paramount is flirting—or perhaps the romance is already consummated—with Laurence Stallings, Bob Sherwood, Max Anderson, Sidney Howard and Philip Barry, as producing playwrights, and with Arthur Hopkins as producer. United Artists once financed "The Red Cat," which subsequently found itself transformed into celluloid as "Folies Bergere." In and out of the producing field for years with alliances such as these, the observation which appears obvious to this space is that major film companies should make up their minds to stay in. They buy the hits always and the mediocrities usually. Stage producing is penny ante by comparison with the cost of making pictures, but the talker rights that accompany the above and other deals to come easily are worth the gamble. Just so long as Hollywood depends on a percentage of its material from the New York stage, so should the union between the two be cemented. . . .

▼

Washington check-up: Reports that Senator Huey Long was about to embark in the film business as producer of a series of films dealing with his "Share-the-Wealth" plan were denied yesterday as "unfounded" by Earle J. Christenberry, the senator's secretary. If any company has been formed bearing the Long monicker, Christenberry added, it has been done without his consent. Long has no intention of producing films. "We try to keep out of things we know nothing about," he declared, "and this is one of them." Such modesty, at least, is commendable. In the meantime and from another scene—New Orleans, this time—come telegraphic flashes voicing the widespread belief current there that Long plans to do the very thing his secretary denies. . . .

▼

Hollywood fun: Donald Ogden Stewart, on and off for two years, worked on the script of "Marie Antoinette" which Norma Shearer will make when impending motherhood is reached and gone. On the Metro lot the other day, said Stewart: "Two weeks from today, I'll be on the *Bremen*." Herman Mankiwiecz: "You'll be on the what? Listen, Don, I'm going to send you a wire. It'll be addressed to you, but don't blame me if others read it. I'll even tell you the message now: 'Never mind Goering. It's H. that you want.'" Said another: "Wouldn't I love to be on the dock at Hamburg when the German customs officials open your trunk and those matzohs fall out?" Two days later, Stewart sent an official studio memo on its rounds. It read: "Have switched passage from the *Bremen* to the *Washington*." . . .

▼

Funny twist. Nick Schenck today again finds himself in control of the Fort Lee property on which stands Palisades Amusement Park, the scene of an early endeavor in conjunction with his brother, Joe. It came about through a sheriff's sale to satisfy a $250,000 mortgage held by Mrs. Nick and one for a similar amount held by Clarence Hand, an official of the operating company to which the Schencks sold out a few years ago when film production, distribution and exhibition asserted their demands for full time. There is little, in fact practically no, possibility that Nick S. will operate. His hours are crowded as they stand. . . .

▼

All kinds of exhibitors make up the theatre industry. One type is represented by the men who run the Cort and the Embassy in Newark. At the former, a recent double feature was comprised of "Jesus of Nazareth" and "Baboona" with five shorts thrown in. At the Embassy, it was "The Life of Christ" and "Once to Every Bachelor." . . .

Report Bergerman Deal

HOLLYWOOD, May 2.—It is reported here that Stanley Bergerman, who checks out of Universal Saturday, may join the production staff at Radio. Bergerman has refused to comment on his future activities, but it is believed he plans a trip to New York late next week pending the outcome of present negotiations.

"Diamond Jim" First

HOLLYWOOD, May 2.—"Diamond Jim," based on the life of "Diamond Jim" Brady, and now in its third week of production at Universal, will be the first of that company's releases for 1935-36.

RKO Sets Austrian Deal

RKO has closed a deal with Leopold Barth of Vienna covering the distribution of the coming season's product throughout Austria. Harry W. Leasim of the RKO Paris office handled the deal.

New Fox Met Bids Believed Unlikely

(*Continued from page 1*)

only ones to be considered by the Fox Met bondholders' committee.

Last-minute offers which may still come in under the wire appear to be confined to Paramount financial associates, B. S. Moss and the Fox Theatres' stockholders' protective committee, with little indication yesterday that a bid from any of these would materialize. Moreover, it is extremely doubtful that any offer except in the form of an outright purchase for cash of the committee's $12,800,000 of bonds at not less than 35 cents on the $1 would receive consideration even if it were to be made. Such a bid for the purchase of the bonds would contemplate a subsequent reorganization of Fox Met under the direction of the bidder.

Bid Is Held Unlikely

It appeared highly unlikely yesterday that any such cash bid from the interested Paramount associates would materialize. Federal Judge Julian W. Mack, who has jurisdiction over the Fox Met reorganization, has pointed out that the Paramount proposal could be made with the approval of the trustees of the company and of Federal Judge Alfred C. Coxe, who has jurisdiction over the Paramount reorganization, with the proposal being made subject to the later formal approval of the new Paramount board following its election on May 15. The Atlas Corp. - Fortington interests, which represent the Paramount proposal of a reported $4,000,000 cash offer, said yesterday that they had been advised of Judge Mack's stand and had turned the subject of a bid over to the Paramount management. The latter disclaimed knowledge of the matter and referred inquiries back to the Atlas-Fortington offices.

A canvass of other Paramount creditor groups whose representatives on the new Paramount board would ultimately have to pass upon the proposal if it is made, revealed that Fox Met would have to be "an unusual bargain" for Paramount before the bid would be approved. The general attitude was that Paramount has enough theatre outlets now and any moves for theatre expansion would be subject to lengthy deliberation.

The Moss bid, reported to contemplate a cash offer of $4,500,000, with the backing of Sam Rosoff, subway contractor, and Frank Rubel, ice manufacturer, likewise appeared to be still remote, although it was stated that a decision might be made tomorrow. The Fox Theatres' stockholders' bid appears to be even less likely to materialize.

"G-Men" Gets Off to Fast $11,000 Start

"G-Men" at the Strand got off to a fast start Wednesday, grossing $11,000 for the day. The house was opened at 9 A. M. and didn't close until 20 hours later, to reopen yesterday at 8 A. M. Considerable of the draw is due to the extensive bill posting in the neighborhoods. Second week of "Black Fury" tallied $13,500.

"Informer" to Music Hall

"The Informer," based on Liam O'Flaherty's novel, opens at the Music Hall, May 9.

WOMEN WILL ADORE ITS DARING INTRIGUE

THEY'LL GASP

—when a beautiful intruder boldly invades a gay bachelor's apartment one minute after a murder.

THEY'LL GLOW

—when, to capture his heart, she becomes his captive... in a breathlessly dangerous game of love.

THEY'LL GLORY

—in the gorgeous gowns and stunning settings... the rapid-fire pace... the thrilling excitement.

AND THEY'LL BRING THE MEN IN WITH THEM!



LADIES LOVE DANGER

MONA BARRIE • GILBERT ROLAND

DONALD COOK • ADRIENNE AMES • HARDIE ALBRIGHT

HERBERT MUNDIN • JOHN WRAY

Produced by Edward T. Lowe *Directed by* H. Bruce Humberstone

Screen play by Samson Raphaelson

From a story by Ilya Zorn *Adaptation by* Robert Ellis and Helen Logan

FOX



G-M

CONTINUOUS PERFORMANCE 8 A. M. TO



—DAILY NEWS

WARNER BROS.'

EN

5 A. M. AT NEW YORK STRAND NOW!

Put Theatres' '33 Profit at $6,639,000

(Continued from page 1)

gross profit of $4,164,000, operating expenses being $352,152,000 and box-office receipts $356,316,000.

The 644 film and vaudeville houses listed appear to have broken even, their gross receipts and operating expenses both being $50,266,000.

The 122 legitimate stage and opera houses had an indicated gross profit of $2,115,000, receipts being $8,611,000 and operating expenses $6,496,000.

Not all branches of the theatre industry in all states went into the black in 1933, the figures indicate. In 18 states, one or more branches showed a loss. In Maryland film houses were in the black, but others just broke even.

In Connecticut, Massachusetts, Ohio and West Virginia film theatres showed losses; in Michigan, Minnesota, New Jersey, Pennsylvania, Rhode Island, Utah and Wisconsin, where there was no breakdown, losses were shown for the theatre industry generally, and in Idaho. Indiana, Iowa, Kentucky, Maine, New York and Oregon the film and vaudeville houses finished in the red.

Figures for New York

The bureau's report on New York shows that 820 film houses had receipts of $85,150,000 and operating expenses of $82,118,000, and 30 legitimate theatres had receipts of $3,907,000 and expenses of $2,335,000, while 29 film and vaudeville theatres had receipts of $4,850,000 and expenses of $6,101,000.

In California 455 film theatres had receipts of $20,367,000 and expenses of $19,531,000. 163 film and vaudeville houses had receipts of $13,929,000 and expenses of $13,240,000, and 11 legitimate theatres had receipts of $927,000 and expenses of $889,000. Pennsylvania's 745 houses of all kinds took in $30,891,000 and had expenses of $33,636,000, which appeared to be the worst break suffered in any state.

A comparison of box-office receipts and operating expenses for each state, classified where broken down by the census bureau, is given in the accompanying table.

Film Payroll Is Fifth

HOLLYWOOD, May 2.—Film payrolls represented almost a fifth of the wages paid in the Los Angeles County Industrial area in 1933, according to a U. S. Census Bureau report released by the Department of Commerce.

The report states that 9,022 workers were paid $15,460,019. The number of companies operating was 39, as compared to 67 in 1931 and 52 in 1929.

Materials, equipment, fuel and electrical power expenditures amounted to approximately $17,092,643.

The estimated value of the studio output was $97,748,377 compared to $119,416,293 for 1931 and $129,274,246 in 1929.

Total wages paid to all industrial workers in the country during 1933 amounted to $86,307,124.

Theatre Intake and Outlay

WASHINGTON, *May 2.—This is a breakdown of the theatre industry in the United States for* 1933:

	Number	Box-Office Receipts	Operating Expenses
Alabama:			
Motion picture	117	$1,673,000	$1,572,000
M. P. & vaudeville	9	143,000	115,000
Arizona:			
Motion picture	25	637,000	634,000
All other	8	473,000	452,000
Arkansas:			
Motion picture	110	1,472,000	1,276,000
California:			
Motion picture	455	20,367,000	19,531,000
M. P. & vaudeville	163	13,929,000	13,240,00
Legitimate	11	927,000	889,000
Colorado:			
Motion picture	101	1,997,000	1,924,000
All other	22	602,000	554,000
Connecticut:			
Motion picture	125	5,812,000	6,139,000
All other	16	1,860,000	1,404,000
Delaware:			
All	23	940,000	895,000
District of Columbia:			
All	25	4,805,000	4,434,000
Florida:			
All	94	1,746,000	1,642,000
Georgia:			
Motion picture	147	3,912,000	3,611,000
All other	11	213,000	165,000
Idaho:			
Motion picture	61	705,000	637,000
All other	10	250,000	258,000
Illinois:			
Motion picture	447	19,454,000	18,781,000
All other	106	14,337,000	14,305,000
Indiana:			
Motion picture	287	7,218,000	7,125,000
All other	10	234,000	236,000
Iowa:			
Motion picture	306	5,313,000	5,059,000
All other	12	245,000	261,000
Kansas:			
Motion picture	198	2,232,000	1,933,000
M. P. & vaudeville	56	2,332,000	2,221,000
Legitimate	6	27,000	25,000
Kentucky:			
Motion picture	149	3,461,000	3,398,000
All other	7	475,000	513,000
Louisiana:			
Motion Picture	147	4,604,000	4,600,000
All other	5	34,000	25,000
Maine:			
Motion picture	71	1,115,000	1,038,000
All other	4	35,000	45,000
Maryland:			
Motion picture	144	6,336,000	5,709,000
All other	4	167,000	167,000
Massachusetts:			
Motion picture	270	20,854,000	21,635,000
M. P. & vaudeville	10	979,000	915,000
Legitimate	10	976,000	779,000
Michigan:			
All	406	14,124,000	14,491,000
Minnesota:			
Motion picture	314	7,523,000	7,504,000
Legitimate	3	89,000	152,000
Mississippi:			
Motion picture	92	1,254,000	1,155,000
Legitimate	3	25,000	21,000
Missouri:			
Motion picture	278	8,014,000	7,901,000
All other	43	2,242,000	2,185,000
Montana:			
Motion picture	72	780,000	691,000
M. P. & vaudeville	12	756,000	727,000
Nebraska:			
Motion picture	231	2,590,000	2,508,000
All other	10	216,000	205,000
Nevada:			
Motion picture	19	474,000	404,000
New Hampshire:			
Motion picture	47	1,322,000	1,164,000
New Jersey:			
All	238	19,179,000	20,188,000
New Mexico:			
Motion picture	26	390,000	333,000
M. P. & vaudeville	4	107,000	93,000

(Continued on page 7)

City, Postal Rulings Bump Frisco Houses

(Continued from page 1)

authorities instructing daily newspapers not to accept theatre advertising mentioning bank-nights.

Kick No. 3 also was from Uncle Sam. This was an announcement from postal authorities that effective July 1 exhibitors cannot distribute printed matter in quantity lots without addressing each piece. Since last September the postoffice has accepted calendars for distribution to unnamed and unaddressed residents, the mailman merely placing one calendar in every mail box on his route.

Toeplitz to Start "Chicago" in July

In line with his plan to go the limit on production, Ludovico Toeplitz will next make "Don Chicago." Production starts in England around the middle of July with American personnel and players participating.

Paul Graetz, sales head for Toeplitz as well as personal representative, leaves for the coast in two weeks to line up talent for "Don Chicago." Before he goes west, Graetz will close with one of the major distributors for American distribution.

Toeplitz plans to make four pictures a year, two in England and two here in cooperation with a major producer. Graetz will spend two weeks on the coast and a fortnight here on his return before sailing for home.

Riverside Learns of Films from Shapiro

HOLLYWOOD, May 2.—If 200 citizens of Riverside, all members of the Present Day Club, don't know a lot about production and distribution, it isn't Victor M. Shapiro's fault. He talked for an hour on "The Motion Picture Industry" and then answered questions as fast as they were fired at him.

The questions covered a wide field—whether the industry would move to Florida, whether Mae West was really married, and many other angles.

After exhausting himself Shapiro went back to the Quigley Publications office and mailed MOTION PICTURE DAILY a clipping from a Riverside paper instead of writing the story himself.

Yamins to Head Group

BOSTON, May 2.—Nathan Yamins and Walter Littlefield will head a delegation of some 30 members of the Independent Exhibitors of Massachusetts, Inc., to the Allied convention in Atlanta. Edward Ansin, Harold Stoneman, Frank Lydon, William McLaughlin, Allard Graves, Richard Rubin and Arthur Howard are among those expected to make the trip. Automobiles will be the favorite form of transit. Rubin is chairman of the committee in charge of plans for the trip.

Marshall Neilan to Fox

HOLLYWOOD, May 2. — Marshall Neilan has been signed by Fox to direct Jane Withers' new picture.

FWC Loses Fight to Boost Balboa Scale

(Continued from page 1)

for changes before the local board. The schedule goes into effect May 15.

F. W. C. executives have maintained throughout the Campi hearings that they were not asking for something they did not already have. In every instance where the circuit protested the schedule something was being taken away from it, they declared.

Arthur told Campi on Wednesday that he would boost the Balboa admission provided Huntington Park, Florence and Inglewood would do likewise. Inglewood and Huntington Park first runs at top admissions, under the schedule, play seven days after downtown Los Angeles, while Florence plays seven days after Huntington Park, which must wait seven days after downtown L. A.

While Code Authority was in favor of exhibitors hiking the tariffs, it was felt that any pressure to this end would violate the code, which states no price-fixing is permitted.

Further developments by Fox West Coast on the Balboa and other situations where the circuit has been hit by the schedule will follow after conferences between Al Hanson and Charles Skouras. Hanson left for the coast yesterday after three weeks in New York. Skouras, it is known, contends he got a "raw deal," but hasn't decided what action to take until he talks to Hanson. An appeal to Washington was indicated last week. Then again court action may be taken.

Test of Plan Is Awaited

Campi, in approving the schedule as revised last week, was not anxious to make any changes until it is given a test. If it doesn't work out, the schedule may be revoked in toto. However, independent exhibitors, as well as F. W. C., can protest various clauses at any time after it becomes operative.

During the various hearings on the plan representatives of the Federal Trade Commission in Washington have sat in as unofficial observers. This because of the consent decree angle involved in an agreement on first run admissions in Los Angeles.

Campi yesterday read into the record a letter from Julius Charnow of the Leonia, Leonia, N. J., to the effect that all exchanges except Fox refused to comply with the recent clearance decision. Code Authority stated that the decision speaks for itself and no clarification of the order is necessary.

Charnow today will try to get pictures seven days after Englewood and seven days ahead of Palisades Park. He is advertising certain pictures he has requested and unless distributors comply, he will file suit.

More than 35 appeals were disposed of. The next session is for Thursday.

Ignore Chicago Objectors

CHICAGO, May 2.—Taking time out for a huddle in the hearing of the Publix Great States complaint against E. E. Alger Amusement Co., the grievance board rode rough shod over objections of counsel for Alger on the qualifications of various board members. Alger's contention that certain board members themselves were indulging in practices complained of against Alger disqualified them as impartial judges was also overruled.

A packed room turned out for the hearing, which is proving spectacular because of the calibre of the legal talent representing both parties. Rosenberg, Toomin & Stein are representing Alger, while counsel for Publix Great States has been augmented by Edmund D. Adcock, associate of Leo Spitz, Publix and B. & K. attorney.

On advice of counsel Alger refused to answer any questions under his constitutional privilege. Following this the taking of testimony was started. An appeal is predicted if Alger is ordered to end reduced admissions in various forms and bank night and lottery.

Chicago Exhibitors Vote

CHICAGO, May 2.—Ballots permiting exhibitor to decide on retention or scrapping of the premium practice in the metropolitan area were mailed by the code board May 1 on request of an undisclosed petitioner. Failure to return a ballot will be construed as a vote for retention.

The sponsor of an identical canvass made a year ago withdrew his request before the blow-off and no count was made. Since then the use of premiums has mushroomed until an estimate puts 150 houses in the give-and-take list.

Darien Case Dismissed

NEW HAVEN, May 2.—As a result of the grievance and clearance and zoning complaints involving Stamford, New Canaan, Darien and Norwalk, the Darien Theatre, Darien, has been ordered to stop reducing scales under those stipulated in contracts. Demands for longer clearances by Stamford and New Canaan over the theatre have been dismissed "for lack of jurisdiction."

Stamford first runs and New Canaan complained against Darien when it reduced its 40-cent scale to 25 cents, and at the same time filed clearance and zoning protests demanding increased clearance. In a counter-complaint, Darien sought to have protection over itself decreased. The local board dismissed the clearance and zoning case by Darien.

Judge Mark Norman, representing Darien, has appealed the grievance board cases and says he also will appeal the clearance cases.

Historic!

Hollywood, May 2. — Once in 20 years it happens.

Cullen (Hezi) Tate, Cecil DeMille's first assistant, had a big argument with his boss about a scene in "The Crusades," or as big an argument as any first assistant ever has with DeMille.

Finally, in a gallant spirit of defeat, he said:

"Well, I guess we'll shoot it my way, Mr. DeMille!"

"YES, Mr. Tate!" said De Mille.

Tate promptly fell into the fishpond.

Theatre Intake and Outlay

(Continued from page 6)

New York:			
Motion picture	820	$85,150,000	$82,118,000
M. P. & vaudeville	29	4,850,000	6,101,000
Legitimate	30	3,907,000	2,335,000
North Carolina:			
All	184	4,100,000	3,650,000
North Dakota:			
All	102	1,083,000	913,000
Ohio:			
Motion picture	536	19,845,000	20,063,000
All other	19	884,000	813,000
Oklahoma:			
All	254	4,409,000	4,071,000
Oregon:			
Motion picture	103	2,446,000	2,368,000
All other	13	458,000	504,000
Pennsylvania:			
All	745	30,891,000	33,636,000
Rhode Island:			
All	37	3,271,000	3,338,000
South Carolina:			
Motion picture	70	1,306,000	1,100,000
M. P. & vaudeville	7	330,000	292,000
South Dakota:			
Motion picture	115	1,241,000	1,191,000
Tennessee:			
All	124	2,777,000	2,669,000
Texas:			
Motion picture	508	12,607,000	11,799,000
All other	7	218,000	187,000
Utah:			
All	74	1,126,000	1,128,000
Vermont:			
All	32	542,000	513,000
Virginia:			
All	159	4,129,000	3,792,000
Washington:			
Motion picture	195	5,165,000	5,024,000
All other	26	1,809,000	1,712,000
West Virginia:			
Motion picture	149	2,711,000	2,770,000
All other	7	447,000	439,000
Wisconsin:			
All	303	6,601,000	6,724,000
Wyoming:			
All	37	873,000	780,000
Totals	10,265	$415,152,000	$408,874,000

Predicts Unlimited Listing for Extras

(Continued from page 1)

extra meeting that the extra preferred registration list had been dropped. Marcus visited Washington early last month and conferred with Compliance Director Sol A. Rosenblatt on the list and when he returned here he intimated the plan would be dropped.

Last night Marcus predicted the formation of another list, however, but said the new one would be unlimited. He also hinted that several members of the Extra Standing Committee were slated to be dropped.

Frank Woods, head of Picture Players, Inc., also addressed the gathering and warned extras to stop fighting among themselves.

The Junior Screen Actors' Guild elected the following advisory board for the coming year: Richard Allen, Samuel Appel, Samuel Benson, Mary Ashcraft, Robert Card, Buck Ibucko, Helene E. Caverley, Adabelle Driver, Peter Durey, Nellie Farrell, Mrs. Ray Feldman, Peter Gardner, Grace Goodall, Jack Grant, Michael D. Jeffers, Major Philip J. Kiefer, Stella LeSaint, Scotty Mattraw, James Zimmerman, Field Norton, Jean Ford, Alexander Pollard, Lee Powell, Loretta Rush, Marcel Smith, Willi Strobel, Jean Valjean and Clarence Wertz.

Nate Edwards was re-elected chairman of the entertainment committee and members of this group will be selected at Tuesday's meeting.

Delay Century-RKO Case

Following a request by Louis Nizer, attorney for RKO, Campi has postponed the appeal hearing on the Century-RKO clearance issue in Long Island until May 15. The hearing was set on the calendar for today, but Nizer was requested by Mayor LaGuardia to be at his office this afternoon without fail and had to put off the Campi appeal.

Dickinson Hearing Set

WASHINGTON, May 2. — The application of Glen W. Dickinson, operator of a number of theatres in Kansas, Missouri and Iowa, for exemption from the labor provisions of the code will be discussed at a hearing to be held May 6 before the state compliance director for Kansas at Topeka.

Baron Appeals Ruling

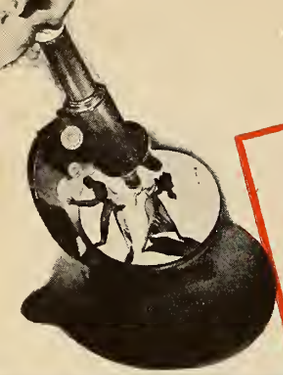
BOSTON, May 2. — Joseph M. Baron has filed an appeal on the decision of the clearance and zoning board dismissing his protest without prejudice because all parties interested in the case were not included in the complaint. Operating the Grand in West Warren, Baron objected to 30 days' clearance for the Poli in Springfield which is 28 miles away.

Stop Coast Board Order

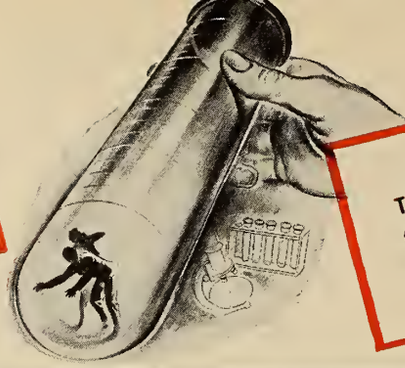
LOS ANGELES, May 2.—The grievance board has reversed itself on its order to stop film service for the Ventura and San Fernando theatres. It was discovered that a second meeting should have been held to allow exhibitors a chance to sign compliance notices.

Son to Alan Simpson

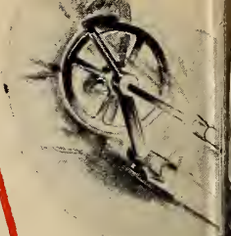
HOLLYWOOD, May 2.—An eight-pound son has been born to Alan Simpson of the local Selznick-Joyce office.



They met machine guns with microscopes and trapped the greatest killer of the age!



They smashed a reign of terror with test-tubes in America's "silent war"!



LET 'EM

RELIANCE PICTURES presents

They proved that guns leave their autograph on every bullet fired!



AMERICAN YOUTH AND SCIENCE SWING INTO ACTION IN THE WAR AGAINST CRIME!

Microscopes against machine guns, relentlessly tracking unseen and unknown mobsters...re-building their very images from simple clues, trapping them in their hide-outs from tiny bits of evidence!

"LET 'EM HAVE IT!"...the embattled cry of aroused youth in America's "silent war"! A story of incredible daring, of high courage...of a youthful army fighting ceaselessly while a nation sleeps!

HAVE IT

with

Richard **ARLEN** · *Virginia* **BRUCE**

Alice **BRADY** · *Bruce* **CABOT**

HARVEY STEPHENS • ERIC LINDEN
GORDON JONES

Produced by
EDWARD SMALL
Directed by
SAM WOOD

Released thru
UNITED ARTISTS

Purely Personal

FRANK CROWNINSHIELD and MARGARET CASE of *Vanity Fair*, WILLIAM FLYNN of *Liberty*, DAMON RUNYON, GRANTLAND RICE, ELSA MAXWELL, BEATRICE LILLIE, J. E. OTTERSON, MARGARET FISHBACK, GILBERT SELDES, LUCIUS BEEBE, BEN HECHT and CHARLES MACARTHUR attended last night's showing of "The Scoundrel" at the Music Hall.

•

HERB BERG starts his vacation from United Artists this week-end, and if his plans carry through there'll be less fish in the sea off Montauk Point by nightfall Sunday than ever before. That new tackle of his should do the trick if nothing else does.

'Twas Literature

His sales division won the prize while the sales assistant was vacationing in Florida. Sales manager wanted to send him a congratulatory message and called his publicity man to frame the letter.

"Make it swell and I'll sign it," he ordered.

Letter went south. No acknowledgment came.

When the assistant returned, he popped in on the publicity man and said:

"I got a swell letter from the boss, but you know I'm not much on this sort of thing. I didn't answer it because I wanted you to frame the reply for me."

Publicity man returned to his typewriter and expressed the assistant's gratitude to the boss with a literary flourish. Assistant's secretary delivered it. The boss read it and wished he could write as well as his assistant.

Publicity man remained discreetly silent.

CHARLIE ADLER, GEORGE KELLY, BILLY MANN and JIMMY KERN, the Yacht Club Boys, start work today in a two-reeler, "The Vodka Boatman," at the Vitaphone studios.

•

ARTHUR BRILANT left yesterday for Baltimore as advance man for DAVE RUBINOFF. From Baltimore he will go to Chicago and Minneapolis with other bookings pending.

•

HAL HORNE spent the day in bed yesterday. That cold that's been bothering him, plus the excitement of the SAMMY COHEN farewell luncheon, finally laid him low.

•

BETTY FURNESS, here visiting her family while vacationing from the M-G-M studios, renewing old acquaintances at El Morocco and "21."

•

MARY BRIAN, accompanied by her mother, attracting attention as she walked through Saks yesterday on a shopping tour.

•

AL LICHTMAN missed the rain yesterday afternoon by ducking out of 729 into Huyler's next door,

•

JOE MOSKOWITZ, minus his sidekick, BOB GOLDSTEIN, strolling up 7th Ave. yesterday followed by ARTHUR KELLY and then PRIMO CARNERA, who in turn was preceding some 40 or 50 admirers.

•

BEN LYONS, BEBE DANIELS and SKEETS GALLAGHER are still in Chicago with their show, but they expect to close there in a week or so and return here.

•

A. J. WILSON of Audio Prod. will talk at the Advertising Affiliation Convention next week in Pittsburgh. His subject will be "Sound Motion Pictures in Advertising and Selling."

•

ARTHUR HORNBLOW, JR., Paramount associate producer, sails Saturday on the *Champlain* for a three-month European vacation and business trip.

•

ED KUYKENDALL was in Washington yesterday. He plans to spend three weeks barnstorming M. P. T. O. A. groups before returning to New York.

•

JACK COSMAN, according to officials at Mt. Sinai, should be up and about soon and completely recovered from his operation.

•

WILLIAM (POP) LANDAU, prominent local exhibitor, is ill at the Medical Center and will shortly undergo an operation.

•

BOB GOLDSTEIN trekking over to Brooklyn for laughs in ED SULLIVAN's dressing room at the Metropolitan.

•

SAM MARX, M-G-M scenario editor, has decided to extend his stay in New York to the middle of next week.

•

EDWARD SCHNITZER, New York exchange manager for Columbia, is recuperating from an illness at Atlantic City.

•

AL JOLSON and RUBY KEELER made a personal appearance at the Capitol last night at the first showing of their picture.

•

I. E. CHADWICK left for Chicago yesterday. After a few days in the Windy City he will head for Hollywood.

•

GLADYS SWARTHOUT left for the coast by train yesterday to start work for Paramount.

•

LEON SCHLESINGER, who planned to leave tomorrow for Hollywood, has delayed the trip until next week.

•

JACK WARNER sailed last night on the *Majestic* for a two-week visit in England.

•

LOUIS SHURR guiding GEORGES METAXA through the crowded Paramount Building lobby.

•

CLAIRE TREVOR has checked out of Hollywood for a vacation in Honolulu.

•

ROSE ADLER of Columbia's sales accounting department is recuperating from an operation.

•

MARK OSTRER, who is slated to sail from London on May 15, may delay his departure until June.

•

CARY GRANT in town. He drove in from the coast in record time.

•

BRUCE GALLUP, president, met the new Ampa officers yesterday and outlined plans for the coming year.

•

MIRIAM HOPKINS sporting a bright raincoat on 52nd St. yesterday.

•

AUSTIN C. KEOUGH is looking over the train schedules to the coast.

•

. . . Pittsburgh

STANLEY RIDGES, who has just finished a role in Hecht and MacArthur's "The Scoundrel," is in town with the LUNT-FONTANNE show, "Taming of the Shrew."

BERT STEARN and L. B. COOL tossed a dinner and screening of "Thunder in the East" for the critics Sunday night.

COOKIE LAVAGETTO and TOMMY PADDEN, Pirate baseball stars, always take in those Sunday night screenings at the Variety Club when they're not on the road.

AUDREY CHRISTIE has returned to the leading role of "Sailor, Beware" after auditioning in New York for the Theatre Guild revue, "Parade."

STEPHANIE DIAMOND, Pittsburgh girl who is on JOE PENNER's air program, is being lined up for screen tests.

NED HOLMES, one-time story editor for Fox, is around agenting the Guild play, "Rain from Heaven."

Throttle Pushing

by H.E.N.

REIDSVILLE, N. C.—The Lucky Strike is now only running four days a week on an eight-hour schedule so business is away off at the Rockingham Theatre, C. W. Davis, manager, and at the Broadway, managed by Frank Fowler. The "gig" house is closed. The Broadway will be closed some time in June for an extensive remodeling. This house will practically be rebuilt and enlarged, making it, when finished, the equal of the Rockingham. W. H. Hendrix of Greensboro owns these theatres.

VALDESE, N. C.—Ground was purchased last week by J. W. Benfield, Henry Grill and associates and present owners of the Colonial for a B house. Work on this new theatre will start this summer. The hosiery mills are running full time and we saw Benfield counting sox under the watchful eye of J. D. Carpenter, general manager. J. D. likes to make exhibitors' conventions and brightened up when we told him about the Allied meeting this month at Atlanta.

MORGANTOWN, N. C.—C. V. Davis, owner of the Alva and an exhibitor here for the past 22 years, is still able to "sit up and take nourishment." C. V. has gone into a new business. Sorry we cannot tell you about it because he threatened to shoot us next time we came along if we did. But he has a large picture of Willie Hoppe adorning the walls of his new establishment. Davis is also associated with F. Hanks, operating the Avon, Lenoir. F. W. Davis is managing the Alva and states the Kozona, recently installed, is giving 100 per cent satisfaction.

NORTH WILKESBORO, N. C.—Harold Kay, the "boy wonder" from Painesville, O., who ran the Utopia and Park there, is giving the natives of the Blue Ridge down here a taste of real Buckeye showmanship. Harold has dolled up the Liberty and is getting a big play with the modern methods of "Round Table Club" advertising.

TRYON, N. C.—Charlie W. Nessmith, impresario extraordinary and owner of the Tryon, was interviewed during a practice session of the forthcoming "tilting contest" to be held by the Tryon Riding and Hunt Club at its annual horse show. Understand "Snake" Richardson, First Division; Jack Dumestre, RCA; Roy Smart, Wilby-Kincey; Bob Ingram, Columbia, have also entered their mounts. The Tryon is getting a good play from the many tourists who are stopping over here on their trek northward from Florida. "Evergreen" drew capacity.

Para. Creditor Groups Favor Zukor Regime

(*Continued from page* 1)

particularly, with the chairman of that committee. A business associate of Floyd B. Odlum, head of the Atlas Corp. which was recently awarded the underwriting of the new Paramount stock subscription warrants, is being prominently mentioned for chairman of the finance committee.

The viewpoints favoring a continuation of the Zukor management were expressed by representatives of the bondholders' and stockholders' committees, the creditor bank group and the so-called Fortington creditor group. Among them, more than 90 per cent of the Paramount creditors are represented. The attitude voiced by each group's spokesman was that the Zukor management had delivered excellent results under difficult and trying circumstances during the bankruptcy and for that reason, if for no other, deserves to be continued indefinitely after the company is restored to normal operating conditions.

Formal election of the company's new directors is scheduled for May 15 and is expected to be followed immediately by the election of officers.

Approves Cravath Fees

An order authorizing the allowance of a claim against Paramount Publix for $25,142 by Cravath, de Gersdorff, Swaine & Wood, special counsel, was signed by Federal Judge Alfred C. Coxe yesterday. The order, in addition, releases Cravath from any claims arising out of the payment to it by Paramount of fees aggregating $87,024 in 1932 and 1933, as the payments were for services rendered "in contemplation of bankruptcy."

Dent Coming Here On Picture Deals

(*Continued from page* 1)

with an American title, "Elizabeth of England."

His purpose is sales and not distribution. He is also seeking American product for England.

John Maxwell, chairman of the board, will follow during his stay in New York, Dent says, and will visit Hollywood.

Form New British Concern

LONDON, May 2.—Arthur Clavering is joint managing director with Julius Hagen in the newly formed Twickenham Film Distributors, Ltd., which will rent its own product.

Warners May Import Films

LONDON, May 2.—Jack L. Warner is expected to approve a plan developed by Irving Asher, Warner production head here, for American distribution of some of Warners' British-produced films.

Paramount in Birmingham

LONDON, April 26. (*By Mail*).—Paramount has prepared plans for a 3,000-seat super on part of the site of the famous King Edward's School, Birmingham. Building is provisional on a deal for the whole site, for $2,000,000, by other interests, but the theatre scheme may come before the entertainment committee on May 20.

Calls Canada Music Fees Finance Racket

(*Continued from page* 1)

Ass'n, referred to restrictions of the society as a "financial racket."

President Jamieson of the society denied that the organization was operating a racket, claiming that control was exercised to prevent certain songs being done to death by too frequent repetition.

Layton Sheather, sales manager of the society, told the commissioner that there were 25 employes in various parts of the Dominion who check up on the number of seats and the number of performances per week in all theatres and also the periods of time during which radio stations made use of music. This information was utilized for the drawing up of license fees.

The inquiry is continuing.

Push British Deal On Technicolor Use

(*Continued from page* 1)

company in England with English capital. American Technicolor will receive 50 per cent of the stock for the rights, however. Final settlement of the deal will not take place until Dr. Herbert T. Kalmus, head of Technicolor, goes to London.

Form a Theatre League

Eleven local theatres have formed the Tri-Boro Theatre Baseball League. Games will start May 7 and will end July 3. Teams will compete Tuesdays, Thursdays and Sundays. C. Dowe is president of the league.

Theatres entered are the Roxy, Rivoli, Capitol, Loew's 175th St., Kings, Center, Fox Brooklyn, Coliseum, Orpheum, Paradise and Brooklyn Paramount.

First of 2 M-G-M Meets on Tomorrow

(*Continued from page* 1)

and shorts as the current year, the company has yet to deliver nine for the 1933-34 season. The nine undelivered features include one Jeanette MacDonald, one Jimmy Durante, one Norma Shearer, one Wallace Beery-Clark Gable, one Jean Harlow-Clark Gable, two specials listed as "Soviet" and "Two Thieves," and "No More Ladies" with Joan Crawford. The Crawford picture will be released on June 14.

Local exhibitors say they are considerably peeved at M-G-M for lending Beery and Gable to 20th Century and Columbia and not delivering the 1933-34 release in which they were scheduled to appear.

On the shorts lineup, M-G-M will have ten Traveltalks from James Fitz-Patrick in Technicolor in addition to six one-reel "Highlights of New York." Harmon-Ising will contribute 13 single reel Technicolor cartoons. Pete Smith will have his usual lineup. Hal Roach will attend the two meetings to detail his plans.

Story Trends Out, Says Marx

Story trends are out as far as M-G-M is concerned next season, according to Sam Marx, studio story head now in New York on a quest for new material.

Successful plays and books in popular demand are being sought by the company. While here, Marx will confer with writers and also give a number of plays an official onceover.

Assert W. E. Sound Equipment Forced

(*Continued from page* 1)

T. & T. in U. S. District Court here today. The testimony was designed to show that exhibitors had been forced to use Erpi and W. E. equipment, in order to secure certain films.

Truitt testified that the Madison Theatre used DeForest sound equipment and that when he and the owner went to Atlanta to book "Naughty Marietta" they were told by an M-G-M booker that a print would be supplied if they had RCA or W. E. sound.

Levin produced a letter from E. M. Fay of Providence which said that when Fay signed a contract for "Grand Hotel" he noticed that a demand for W. E. projectors had been made, but he had that part of the contract "knocked off." In his letter Fay also said that he had been asked to take non-Erpi machines from his Carleton Theatre for the showing of the film and to ship the equipment to some other Fay house.

Thomas' deposition contained a letter from Erpi to Vitaphone regarding an agreement between the two companies which had been approved by C. E. Quigley, Vitaphone vice-president. The letter stated that Vitaphone was to make pictures on Erpi equipment, but could not distribute to exhibitors with other than Erpi machines because "it might impair the prestige and business reputation" of the two companies unless projection was done on equipment equal to that of Erpi. In the event that non-Erpi equipment did not come up to the standard Vitaphone was to stop distribution until arbitration had decided as to whether the equipment was suitable. Vitaphone also was to notify Erpi of the location of equipment other than Erpi on which Vitaphone proposed to permit reproduction.

Demands His Rights

According to Leonard Lyons, Goodman Ace saw the Strand newsreel the other day and listened to some Communists hiss the pictures of the Army Day parade. When the circus pictures were flashed on the screen Goodman hissed the elephants.

"Cut that out," an usher warned, but Ace demanded his political rights.

"I'll hiss the elephants all I want to," he insisted, "I'm a Democrat."

Writers Draw Proposals

HOLLYWOOD, May 2.—The writers' branch of the Academy met last night to draft working proposals to be submitted to the producers within the next few days. The nature of the proposals was not revealed, however.

Quigleys Greeted On London Arrival

(*Continued from page* 1)

tries, and James Beck of the Hays office.

A press reception will be held Friday following the arrival of Carl E. Milliken.

Quigley and Milliken are here upon invitation of the British Federation of Industries to familiarize British producers with the workings of the Production Code Administration in the United States and thereby facilitate distribution of British films in the American market.

The first conference with industry leaders is scheduled for Tuesday and a dinner will be tendered that night by Alexander Korda. Next Thursday the Federation of British Industries will give a dinner which will be attended by trade notables and many public men.

Drop Pathe Debentures

New York Stock Exchange has suspended from trading Pathe Exchange, Inc., 10-year seven per cent sinking fund gold debentures due May 1, 1937, with non-detachable stock purchase warrants attached.

NEATEST TRICK OF THE WEEK



Muriel Gordon

Address Rowland & Olive Sts., c/o "In Caliente" Company, Burbank, Cal.

The Long Voyage Home



A JOHN FORD
PRODUCTION
with
VICTOR McLAGLEN ★ HEATHER ANGEL
PRESTON FOSTER ★ MARGOT GRAHAME
WALLACE FORD ★ ★ ★ ★ UNA O'CONNOR
From the story by Liam O'Flaherty — Cliff Reid, Associate Producer

RKO RADIO PICTURE



LAST WEEK WE PREDICTED THAT EVERY CRITIC IN AMERICA WOULD PLACE THIS PICTURE ON HIS LIST OF THE "TEN BEST" FOR 1935

HERE IS THE START OF THE NATIONWIDE STORM OF PRAISE

Informer

"A FINE AND DISTINGUISHED MOTION PICTURE . . IN EVERY WAY A SPLENDID CINEMA ACHIEVEMENT" . . . . .
Richard Watts, Jr. in Special preview for N. Y. Herald Tribune

AND FROM HOLLYWOOD

"'The Informer' is one of the finest pictures ever to come out of Hollywood" . . . . . *Los Angeles Examiner*

"It held a preview audience spellbound! . . by far the most dynamic picture that has been shown in many months" . *Los Angeles Times*

"This picture should be listed among the greatest films ever produced" . . . . . *The Movie Mirror*

"'The Informer' is magnificent" . . . . . *Hollywood Reporter*

"Strong entertainment . . . it looks like a natural" . . . . . *Hollywood Variety*

"A triumph of artistic expression" . . . *Motion Picture Daily*

Du-Art-Universal Suit Is Withdrawn

(Continued from page 1)

originally filed by Du-Art against the distributor, will be dropped.

The action hinged on complaint of Du-Art that Universal, despite the existence of an alleged contract, withdrew its printing from the former at the time the "U"-Consolidated deal was made a few months ago.

Willard McKay, attorney for Universal, refused to discuss terms. Bushell and Gottlieb, attorneys for Du-Art, could not be reached for a statement.

Blendess Summoned On Trick Ad Paper

Morris Blendess, operating the Tivoli, Brooklyn, was summoned by License Commissioner Paul Moss yesterday for issuing throwaways on "The Whole Town's Talking" with Police Department Pass printed on it in bold type. Blendess stated he got the idea from a Columbia press book.

A Columbia attorney also attended the session. Moss threatened to close the theatre unless the distribution of the advertising was stopped.

No Florida Film Bills

TALLAHASSEE, May 2. — Half the eight-week session of the Florida Legislature has passed with no bills passed affecting the industry. The proposed 10 per cent admission tax is dead.

A billboard tax is pending and another bill has been introduced to impose heavy fees on bank nights. It has been reported unfavorably and effort will be made to scale down the fees.

Two members of the House have come out in favor of a constitutional amendment providing for an income tax, but the move has not been taken seriously so far.

New Taxes Loom in Ohio

COLUMBUS, May 2. — Governor Martin L. Davey, heretofore averse to imposition of new taxes, has reversed his attitude, and frankly admits that he was mistaken when he promised he could finance old-age pensions out of savings in state government operation. This, he now asserts, is impossible, and new sources of revenue must be found independently of anything else. An estimated $6,000,000 will be required for the last half of the current year, and $15,000,000 for 1936.

In his message to the General Assembly he said it would be necessary to call a special session early in the fall to work out a comprehensive program.

Washington Tax Starts

SEATTLE, May 2.—Sales tax collections have been started by all Washington theatres. The rate is one cent on tickets up to 20 cents, two cents from 20 cents to 40 cents and three cents from 40 to 60 cents. Pennies are being used.

RKO to Play Soldiers

The RKO baseball team will play a return engagement with the Fort Jay Hospital Detachment Saturday afternoon. This is the third preliminary game prior to the opening of the M. P. League on May 11.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Age of Indiscretion"

(M-G-M)

HOLLYWOOD, May 2.—This problem play, treating sympathy from the angle of divorce, has its chief entertainment and showmanship interest in David Jack Holt's remarkable performance.

The serious story of the familiar father-and-son pattern is mainly slow tempo, although satisfactorily contrasted by cleverly developed romance and comedy as it moves to a sock climax.

In the yarn Paul Lukas, an ethical book publisher, is deserted by his luxury-loving wife, Helen Vinson. Following her Reno divorce, Lukas' only solace is his son's company, a condition made more bearable by the friendship of his secretary, Madge Evans, develops for the boy. Miss Vinson's disillusionment in her new husband, Ralph Forbes, is made tragic by the firm insistence by the boy's grandmother, May Robson, that they get the child's custody. On a Christmas mountain holiday, Holt, previously meeting Miss Robson via a comedy coasting accident, precipitates the situation which convinces Miss Robson that Lukas is not a fit guardian for the boy.

Moving into the courtroom, the breaks go against Lukas until Holt rushes in to castigate his mother in a tense sequence which makes Miss Robson and the judge, George Irving, realize the true status of things and assures a happy ending with the boy and Lukas, who will marry Miss Evans.

The yarn is neither new nor different, although Leon Gordon's and Otis Garrett's screen play and Edward Ludwig's direction make good use of what is available. The acting honors go to Holt and Miss Robson, with the other principals, Lukas, Miss Evans, Miss Vinson and Forbes in support.

The picture is an adult attraction of average class with Holt seemingly the most potential interest-creating factor.

Production Code Seal No. 838. Running time, 80 minutes. "A."

"The Flame Within"

(M-G-M)

HOLLYWOOD, May 2.—Intelligent audiences will appreciate Edmund Goulding's sincere production written and directed by himself. It delves into the love complexes of the wealthy Maureen O'Sullivan and frustrated Louis Hayward and Ann Harding, who herself has her emotional problems with devoted Herbert Marshall.

Maureen, suffering from a suicidal intent, and Hayward, suffering from alcoholism, are cured by Ann and marry. Hayward then discovers his love for Ann, but she decides on Marshall, the symbol of protection.

In propelling this delicate subject, Goulding has handled it with dignity and restraint. Although emphasis is placed on romance, the film still remains lofty and a remote clinical survey of emotions under the microscope. Peering thus into the souls of people may leave audiences with mixed reactions.

Miss O'Sullivan's performance as a neurotic enhances her reputation in portraying difficult emotional characters. Hayward, England's new screen personality, is attractive and able. Miss Harding's well-chiseled portrait identifies her more with confidence than sympathy. Marshall, always reliable, plays a secondary role splendidly. Henry Stephenson and George Hassell are fine in support.

Production values are high-class in all respects, from Goulding's direction and Laura Hope Crews' assistance to Jerome Kern's music and James Wong Howe's photography.

Draw names and title lure should get an opening mainly feminine, although follow-up business poses a question.

No production code seal. Running time, 75 minutes. "A."

"G Men," now at the Strand, was reviewed by wire from Hollywood on April 17.

"Mark of the Vampire," now at both the Mayfair and Rialto, was reviewed from Hollywood by wire on March 5.

"The Scoundrel," yesterday's opener at the Radio City Music Hall, was reviewed by wire from Hollywood on April 20.

"Go Into Your Dance," which opened at the Capitol last night, was previewed from Hollywood on March 14.

"Laddie," previewed at the Roxy last night, was another coast preview. Comment appeared in the issue of Feb. 26.

"The Devil Is a Woman," which will open at the Paramount this morning, was reviewed by wire from Hollywood on Feb. 25.

Short Subjects

"Mickey's Kangaroo"

(Disney—U. A.)

It was Pluto, the dog, that had a local theatre audience howling at his antics in this, the latest of the Mickey Mouse series. Mickey is his usual comical self, but this short is all Pluto and the two new characters, the Kangaroos.

Mickey gets a present of a mother and a baby kangaroo from a friend in Australia. On discovering that the animals box, Mickey puts on the gloves with the mother. He takes a terrific beating and winds up in a hay baling machine. In the meantime Pluto has been chased all over the place by the baby. The four wind up pals, however.

Highly recommended. Production Code Seal, No. 715. Running time, 8½ mins. "G."

"Teacher's Beau"

(Roach-M-G-M)

This "Our Gang" comedy is swell entertainment, particularly on the part of Spanky McFarland and the Cabin Kids, five little singing pickaninnies. The favorite school teacher of the gang announces she is to be married and the kids, thinking they are to lose her, try to break up her romance. They do all in their power to discourage her fiance and when the girl prepares a supper for the children and their parents, they doctor the food only to be forced to eat it themselves when the tables are turned on them.

Highly recommended. Production Code Seal, No. 740. Running time, 20 mins. "G."

"The Little People"

(M-G-M)

Charles ("Chic") Sales is here presented in another of his character sketches. This time he is a woodcutter who teaches the love one should have for creatures of nature. In order to do this Sales takes a little boy on a tour of a stretch of forest and points out all the animals and birds tending their young. The youngster, who had intended to trap these animals, finds his heart softening and learns his lesson. Much of Sales' typical humor is injected to enhance the value of the reel. Recommended. No production code seal. Running time, 9 mins. "G."

Soviet Asks Permit To Use U. S. Scripts

HOLLYWOOD, May 2.—It was revealed here that the Soviet government plans to extend the education of film workers and has submitted the proposal to the local Academy asking producers' permission to publish film scripts in book form. The proposal was submitted by Sergei Eisenstein of the State Cinema University of Moscow.

Twelve of the recently produced scripts are wanted by Russia immediately and the Academy will probably submit the plan to the producers this week.

Skouras Still Touring

SAN FRANCISCO, May 2.—Charles Skouras has returned here with Andrew Crapman from Hollywood to continue his survey of the local territory. Skouras had returned to Hollywood late last week.



The achievements of thousands of people in every department of the motion picture form a record that is indelibly registered each year in Motion Picture Almanac . . . from the mass of data assembled for each year of activity Motion Picture Almanac selects, classifies and defines that which is most pertinent and valuable about and to the motion picture industry of all the world.

MOTION PICTURE ALMANAC

1935-36 Edition Now in Preparation

Only THE BEST IS GOOD ENOUGH FOR Educational Pictures



CELEBRATING 20th ANNIVERSARY IN May

ERNEST TRUEX IN "Only the Brave"

"BEST WORK TRUEX HAS DONE IN SHORTS FIELD"

"The Top. This is easily the best work Ernest Truex has done in the shorts field. They have found the type of material that fits him perfectly, and Truex scores with telling comedy throughout the film . . . Class laffs delivered by a master."

—Film Daily

Presented by E. W. Hammons



JOE COOK IN "A Nose for News"

"BEST THING COOK HAS DONE IN PICTURES"

"Swell laughs. The best thing Joe Cook has done in pictures . . . Joe gets a job as a reporter and is sent to interview a notorious gangster. The gangster steals Joe's newspaper pass, walks out, leaving Joe to take his place. Joe makes several very funny jail breaks, and each time is shooed back by the gangster. It's a swell piece of business, and will get the laughs in any theatre."

—Film Daily



Educational Pictures "THE SPICE OF THE PROGRAM"

Distributed in U. S. A. by FOX Film Corporation

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 105 NEW YORK, SATURDAY, MAY 4, 1935 TEN CENTS

Expect M-G-M To Hold List At 52 Again

Sales Force to Get Word At Detroit Sessions

DETROIT, May 3.—M-G-M officials are expected to tell their eastern regional sales convention, which starts here today, that the company again will have approximately 52 features for the 1935-36 season. The short subject lineup probably will match the current season's output in numerical strength, but it is anticipated word will be passed on that the number of two-reelers will be cut and the output of single reelers correspondingly increased. Details will be divulged on Monday, according to present plans.

No changes in selling personnel are foreshadowed and the anticipation further is that the number of star vehicles for the new season will continue with little or no change.

About 110 home office executives, division and district managers, branch managers, salesmen, office managers, bookers, auditors and exploiteers will attend the three-day meeting at the Book-Cadillac. Felix F. Feist, general sales manager, tops the list with Will-

(*Continued on page 4*)

M-G-M Gets Rowland For Stories, Talent

HOLLYWOOD, May 3.—Richard A. Rowland, who in 1914 organized Metro and headed the company until 1919 when he sold out to Loew's, has rejoined the company he founded under a term contract as special story and talent scout. He will have a roving assignment. Rowland plans to leave for New York shortly and visit Europe later.

Up to the time of his rejoining M-G-M, Rowland was general representative for the RKO-Radio studio in New York. He recently handled the story department in the east while Katherine Brown was enciente.

Koplar Incorporates Neighborhood Group

ST. LOUIS, May 3.—Harry Koplar's new neighborhood theatre venture has been chartered as the St. Louis Suburban Theatres Co. with 25,000 shares of non-par stock and a nominal capital of $1,000.

Incorporators are Koplar, George Wendling and J. Fred Brinkmeyer. In his original announcement Koplar said that he planned to start by erecting four houses.

Ohio Tax Plan Going Over to Fall Session

Senate Recesses Prevent Action at This Time

COLUMBUS, May 3.—Ohio's tax program seems destined for a special session of the Legislature to be called by Governor Davey next fall. The present session has established a record for number of bills introduced affecting the industry, but Senate recesses have prevented action. The session will recess May 16 and adjourn sine die May 23, according to the present plan.

The Senate, which went into a "five minute recess" three weeks ago, was in session this week, but rather inactive. It recessed again today and will reconvene May 14. This plan,

(*Continued on page 2*)

Bay State Legalizes Reels of 4,000 Feet

BOSTON, May 3.—The Legislature today passed a bill legalizing use of 4,000-foot reel in projection machines. This removes an old regulation limiting reels to 2,000 feet.

Operators' Local 182 has passed a resolution forbidding its members from operating with reels longer than 1,000 feet.

One of the arguments used in behalf of the bill was that it would cut down mutilation of film and that the larger reels were part of a nationwide movement.

Coast's Bank Night Case Is Postponed

LOS ANGELES, May 3.—The grievance board meeting on the bank night case involving the San Fernando and Ventura was called off today when

(*Continued on page 4*)

Boys Cashing In

Kansas City, May 3. — A profitable enterprise is operated by "news butchers" on the trains and at Union Station here. They ask prominent stars, en route somewhere, to autograph fan magazine covers bearing their picture, and then sell the periodicals for several times their face value. The hawkers report a brisk demand for autographs of this kind.

Extend Time On Submitting Fox Met Offer

The time in which cash offers for Fox Metropolitan Playhouses may be submitted was extended yesterday from today until next Thursday by agreement between the Fox Met bondholders' committee and prospective bidders, with the approval of Federal Judge Julian W. Mack.

The time extension increases the probability of a $4,000,000 cash bid by Paramount, and the company's associates, the Atlas Corp. and H. A. Fortington, had the subject brought to the attention of Trustee Eugene W. Leake yesterday for consideration. Leake, it is understood, will take no

(*Continued on page 2*)

Levine Says Mascot Won't Join Republic

HOLLYWOOD, May 3.—After protracted conferences between Republic Pictures and Mascot, Nat Levine said definitely today that the latter is not joining the newly formed company. Mascot, however, will continue to release through five Monogram exchanges recently absorbed by Republic, he added.

Clearance in 3 More Spots To Get Action

Kansas City, Milwaukee, New Haven Up Next

With the Los Angeles schedule out of the way, Campi within the next few weeks will consider territorial zoning plans for Kansas City, Milwaukee and New Haven.

The coast plan goes into effect May 15, following which Warners are expected to file protests with the local board on the Forum-Uptown reversal by Campi. Code Authority, at a rehearing of the schedule, placed the two houses in one zone after the Los Angeles board had declared them non-competitive. Fox West Coast has a number of situations it wants changed in the schedule, particularly the status of the Balboa. After a two-day hearing on a complaint by F. W. C. on Harry Arthur's house, Campi decided that a number of independent houses in adjoining areas were involved and that complications would arise if any last minute changes were made. Hence, all matters pertaining to the Balboa were thrown back to the local board, which Code Authority admitted, was better acquainted with the situation to handle it.

Exactly 49 appeals were disposed of Thursday. Unfinished business will come up next Thursday.

Allied Owners for Paramount's Setup

Approval by the trustees of Allied Owners' Corp. of the Paramount Publix reorganization plan was assured yesterday following a hearing before U. S. District Court Judge Robert A. Inch in Brooklyn. Allied has a $5,000,000 creditor claim against Paramount.

The hearing was on an order to show cause why the approval should

(*Continued on page 2*)

Quigley, Milliken Given a Reception

LONDON, May 3.—Martin Quigley and Carl E. Milliken, secretary of the M.P.P.D.A., here to acquaint British producers with the workings of the Production Code Administration in the States, were honored at a press reception tonight. The publisher reached London from Paris yesterday, while Milliken arrived today.

Colonels Get the Facts

LOUISVILLE, May 3.—Vital statistics—or, maybe, they weren't so vital—were presented to the Kentucky colonels at their annual pre-Derby banquet attended by Gov. Ruby Laffoon tonight.

For instance, Col. John Alicoate, commanding general of the Honorable Order of Kentucky Colonels, told them that 62 per cent of the membership had smelled powder in battle. Most of those present were so surprised they looked around to see what the other 38 per cent of non-battle veterans looked like. They were holding up well in spite of the juleps.

Col. Alicoate also told them the average age of Kentucky colonels was 42 years and the average weight 158.

(*Continued on page 4*)

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Wall Street

Slight Gains on Big Board

	High	Low	Close	Net Change
Columbia, vtc	45	44¾	44¾	.....
Consolidated	4¾	4½	4¾	+ ⅛
Cons. pfd (1v)....	17½	17	17	.....
Eastman 138½	137½	138½	+1½	
Fox "A"	10⅞	10⅜	10⅞	+ ⅜
Loew's	39⅜	38⅜	39¼	+1
M-G-M, pfd	27½	27½	27½	— ¼
Paramount	3⅝	3½	3½	.....
Pathe	⅝	⅝	⅝	.....
Pathe "A"	8⅝	8½	8⅝	+ ⅛
RKO	1⅝	1½	1½	.....
Warner	3⅛	3	3	.....
Warner, pfd	19½	19½	19½	.....

Technicolor Up ⅝ on Curb

	High	Low	Close	Net Change
Columbia	45½	45	45½	+ ⅝
Sentry	¼	¼	¼	.....
Technicolor	19⅜	18½	19	+ ⅝
Trans Lux (.10K).	2½	2½	2½	+ ⅛

Warner Bonds Gain 2 Points

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11½	10¾	11¼	+ ¾
Keith B. F. 6s '46	78	78	78	.....
Loew's 6s '41 ww deb rights..104⅝	104½	104½	.....	
Paramount B'way 5½s '51	55½	53¾	55	+1¼
Paramount F. L. 6s '47	88⅛	88⅛	88⅛	— ¼
Paramount Publix 5½s '50	90	89⅞	90	+1
Warner Bros. 6s '39 wd	58	56	58	+2

(K and v) Paid this year.

(Quotations as at close of May 3)

Get Hungarian Picture

Danubia Pictures has obtained American distribution rights to the official Hungarian film, "Hungaria."

Purely Personal

"DODO" and SI SEADLER, "BUDDY" and LEO LUBIN, at the Rivoli for "Les Miserables," then to the Versailles; LEO SPITZ and SAM DEMBOW, JR., at "Awake and Sing," then to the same night spot. MONROE GREENTHAL, another glimpsed there.

•

WILLARD C. MCKAY'S family is en route from Miami by automobile. They have stopped in Washington for a few days looking over the sights before hitting New York.

•

ARTHUR HORNBLOW, JR., RICHARD HALLIDAY, MURRAY SCHEWARD, English producer, and AL ROSEN sail today for Europe on the *Champlain.*

•

MONROE GREENTHAL leaves Sunday for Columbus. Pittsburgh and Indianapolis to engineer the opening of "Les Miserables" in those spots.

•

FLORINE MCKINNEY will be the guest star of the Motion Picture-Radio Club of WHN on Sunday morning.

•

JOHN D. CLARK arrived on the coast last night. He left by plane Thursday, but was grounded en route.

•

EDWARD SCHNITZER returned from Atlantic City yesterday fully recovered from a recent illness and feeling full of pep.

•

EDWARD GOLDEN was one of the speakers at the Fiction Writers' Guild meeting yesterday at the Knickerbocker.

•

W. RAY JOHNSTON is due back from the coast either Monday or Tuesday with several important announcements.

•

BARBARA BLAND, night club and vaudeville dancer recently signed by Fox, left for Hollywood yesterday.

•

NEIL AGNEW is due to arrive by plane from Hollywood today. BILL PINE is on the same air conveyor.

•

W. P. LIPSCOMB planed in from the coast yesterday. He sails for London shortly.

•

ROBERT EDMOND JONES will discuss his work on "Becky Sharp" over the ether Sunday on WJZ.

•

ANN SOTHERN, her brief vacation over, wings back to the coast today.

•

JOE HORNSTEIN was operated on for nose trouble yesterday.

•

E. B. HATRICK is due in New York in a week or so.

•

C. L. ("BILL") YEARSLEY is in town.

Liberty Changes Title

"Born to Gamble" has been selected as the final title for Liberty's recently completed "I'll Bet You."

Croy Yarn Is Now "Mom"

HOLLYWOOD, May 3.—Universal has changed the title of Homer Croy's "Lady Tubbs" to "Mom."

Ohio Tax Plan Going Over to Fall Session

(*Continued from page* 1)

says Senator Paul M. Yoder, majority leader, is consistent with the Senate's program, which calls for no new taxes, and no unnecessary expense in considering unimportant bills. The upper branch, however, will pass unimportant and "pet" measures of the House, but the Ward income tax bill, and similar legislation involving the industry, will die in committee.

Governor Davey has indicated that he will reconvene the Assembly early in the fall, by which time it is expected a new taxation program will be ready for presentation.

Seek Mass. Walkathon Ban

BOSTON, May 3.—Marathon dances, walkathons and endurance skating contests will be banned in Massachusetts, if a bill to be filed shortly by Representative Charles H. Shea of Cambridge, is passed. Shea, who is also a city councillor, has submitted an ordinance in Cambridge to limit the appearance of contestants to four hours a day, which must be completed before midnight and before 11:45 Saturday nights. Entertainments, dancing and other such tieups would be forced to close at the same time. Mayor Richard M. Russell of Cambridge has already refused to grant a Sunday license to a walkathon.

Change Kallam Bill Again

SACRAMENTO, May 3.—The Senate has removed the House amendment from the Kallam bill designed to permit dog racing with pari-mutuel betting on a local option vote by counties.

As the bill now stands it calls for local option by communities. It is on the Senate calendar with a favorable committee recommendation.

Again Delay Color Suit

SAN FRANCISCO, May 3.—The suit of Leon Douglas against Fox, Paramount and Walt Disney charging infringement of color patents and demanding an accounting has been continued to May 25 through stipulations of attorneys. On that date Douglas' attorneys must answer 35 interrogatories from Fox attorneys. This is the third time Douglas' attorneys have asked for an extension of time in which to file answers.

Farrell-Henry to Co-Star

HOLLYWOOD, May 3.—Trem Carr will co-star Charles Farrell and Charlotte Henry in the first feature to be made under the new Republic Pictures banner. The story will be "Forbidden Heaven," by Christine Jope-Slade, English novelist. Reginald Barker will direct.

A. M. Botsford Stricken

HOLLYWOOD, May 3.—A. M. Botsford, assistant to Henry Herzburn of Paramount, is home with an appendicitis attack. He left the studio Wednesday afternoon.

Flash Preview

Black Sheep— . . . should be well received by every type of audience, as it is well-above-average entertainment.

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Extend Time On Submitting Fox Met Offer

(*Continued from page* 1)

action until he has consulted with Charles D. Hilles, the second Paramount trustee, who is now out of town but expected back on Monday. If the trustees regard the proposal favorably it is believed that the company's principal creditors would be canvassed for their views before any definite action was taken. If the proposal had sufficient creditor support it would still require the approval of Federal Judge Alfred C. Coxe.

The probable bid from B. S. Moss and associated interests is also benefited by the time extension, as this group was not prepared to make its decision until early next week.

Modifications of the reorganization plan proposed by Joseph M. Schenck will be in readiness for submission to the Fox Met bondholders' committee today and Si Fabian's on Monday.

Allied Owners for Paramount's Setup

(*Continued from page* 1)

not be granted. No objectors appeared. The motion for approval was presented by Monroe Goldwater of Goldwater & Flynn, attorneys for the trustees. Appearing for the U. S. Reconstruction Finance Corp., Frank T. Plimpton of Debevoise, Stephenson and Plimpton, said that the corporation gave its "silent consent."

The order for the approval will be transmitted to U. S. District Judge Coxe in Manhattan, before whom the Paramount Publix plan is pending.

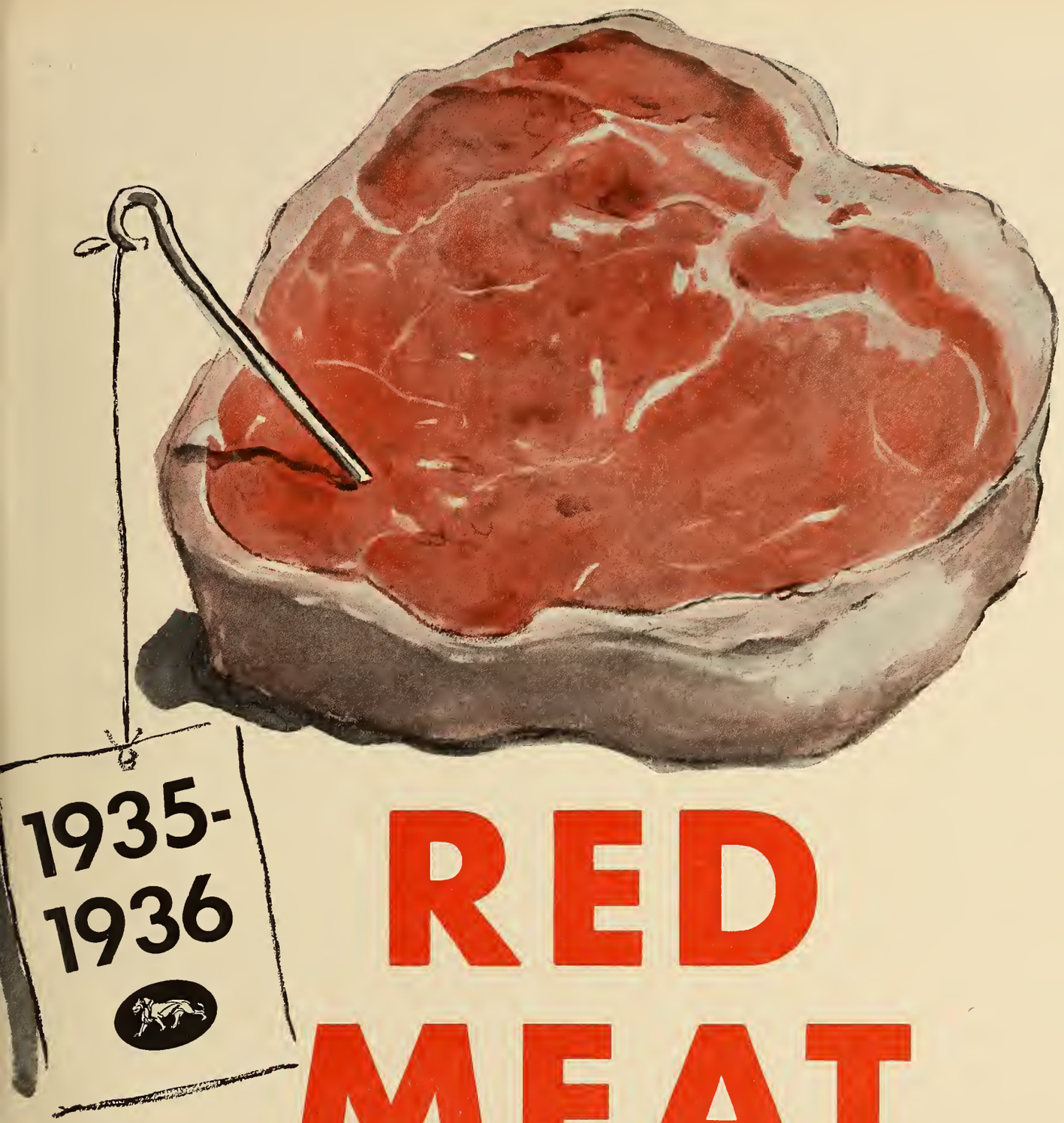
Also before Judge Inch was an order to show cause why Allied Owners' own plan of reorganization should not be approved. This was delayed for further hearing May 17, when the court was informed that the Reconstruction Finance Corp. would not give its consent until an income tax claim had been settled. The claim, with interests, amounts to approximately $20,000. Attorneys stated that an agreement on this had been reached and that a check would be tendered some time next week, thus clearing the way for approval.

Shares Gain in April

The market value of all shares listed on the New York Stock Exchange rose $2,612,247,946 last month, according to a compilation issued by the exchange. Included in this amount was the gain shown by amusement stocks, which amounted to $154,378,877. This gain is equivalent to $10.17 a share.

Settle Title Claims

Columbia was awarded rights to the title "The Unknown Woman" over a conflicting title claim by M-G-M, settled at a meeting of the M.P.P.D.A. yesterday. M-G-M asked to use the title of a recent play acquisition, "The Unknown Girl," but Columbia's prior registration of the similar title was upheld.



RED MEAT *for the* BOX-OFFICE!

The Lions of M-G-M in Convention this week at Detroit and Kansas City are getting the juicy details of the greatest product of Leo's history! MR. EXHIBITOR! DON'T ACCEPT RUMP! GET LEO'S FILET MIGNON!

Expect M-G-M to Hold List at 52

(*Continued from page* 1)

iam F. Rodgers, eastern sales manager, his right hand bower. Fred C. Quimby, short subject sales manager, is another, while Joseph Vogel, in charge of operation of all but Loew's Greater New York theatres, will represent the parent company.

Jay A. Gove, sales development manager: Edwin A. Aaron, manager of the contract department; Frank E. McRoy, manager of the playdate department; Alan F. Cummings, manager of exchange operation; J. S. MacLeod, manager of exchange maintenance; Charles F. Deesen, manager of the contract department; Charles J. Sonin, agent for Loew's and M-G-M; Howard Dietz, director of advertising and publicity; Si Seadler, advertising manager; William R. Ferguson, exploitation manager; Arthur Lacks, in charge of newsreel bookings, and M. L. Simons, editor of *The Distributor,* house organ, round out the home office contingent.

Those from Field Listed

Those from the field include:

Albany—Ralph Pielow, manager; Jacob M. Goldberg, Herman Ripps, William L. Sherry, salesmen; William Williams, office manager; Edward Urschel, booker.

Boston—Maurice N. Wolf, manager; Ray J. Curran, T. J. Donaldson, Maurice Goldstein, Henry Rosenblatt, Harry Worden, salesmen; Henry Wolper, office manager; Charles Repec, booker.

Buffalo—E. K. (Ted) O'Shea, manager; Abe Harris, Ralph W. Maw, Alex Weissman, salesmen; Charles E. Harter, booker.

Charlotte—Ira Furman, manager; Burtus Bishop, Jr., salesman; Harold Margolies, office manager; Tom Bailey, booker.

Cincinnati—Edward M. Booth, manager; John S. Allen, J. Milton Jacobs, Peter F. Niland, Wade H. Windsor, salesmen; Harry J. Sheeran, office manager; Charles Weigel, booker.

Cleveland—Frank D. Drew, manager; Edwin H. Brauer, Jack Sogg, Eugene Vogel, salesmen; Bryan D. Stoner, office manager; Jack Mundstuk, Philip Harrington, bookers.

Detroit—Frank J. Downey, manager; Floyd W. Chrysler, Stanley Fisher, John F. Morgan, salesmen; Gil Becker, office manager; Harold Sandelman, booker.

New Haven—Jack P. Byrne, manager; Milton Hyams, Maurice Rabanus, salesmen; Fred Rippingale, office manager.

New Jersey—David A. Levy, manager; Ben Abner, Robert Cuming, salesmen; M. Douglas Peck, office manager; Robert Ellsworth, booker.

New York—John Joseph Bowen, manager; Howard Levy, Capt. Harry Miller, salesmen.

Philadelphia—Robert Lynch, manager; Salem E. Applegate, Thomas E. Burns, Joseph F. Morrow, Clarence Pippin, George Schwartz, salesmen; J. E. Farrow, office manager; Benjamin Hayney, booker.

Pittsburgh—John J. Maloney, manager; Emanuel Cohen, John L. Kelley, Jules Lapidus, Saul Gottlieb, salesmen; Herbert W. Genter, office manager; Milton Brauman, booker.

Washington—Rudolph Berger, manager; Phil Bobbys, Harry Cohen, Frank Ryan, Frank Scully, N. P. Lloyd, Jr., salesmen; Harold Weinberger, office manager;; Murray Greenfield, booker.

Auditors—Parke D. Agnew, J. M. Cummings, John T. Donohue.

Exploiteers—William G. Bishop, Bert McKenzie, Norman W. Pyle, Charles C. Deardourff, Benjamin L. Darrow.

Today's activities will be more or less of a handshaking affair. Actual work will be reached on Sunday.

M-G-M Signs 9 More

HOLLYWOOD, May 3.—M-G-M has given contracts to Byron Russell, Percy Waram, John Harrington, B. Kaper and W. Jurmann, Harvey Stephens, Morrie Ryskind, Victor Baravalle and Grace Ford. Gail Patrick has been borrowed from Paramount for "No More Ladies."

Otto Kruger and Louise Fazenda have been dropped from the roster.

They'll Hear Leo Roar



FELIX F. FEIST
Gen'l Sales Manager



W. F. RODGERS
Eastern Sales M'g'r



FRED C. QUIMBY
Shorts Sales M'g'r



JOSEPH VOGEL
of Loew's, Inc.



HOWARD DIETZ
Ad. Pub. Director



SI SEADLER
Advertising M'g'r

"G-Men" Gets Some Fine N. Y. Reviews

The excitement in "G-Men" excited New York critics into rave notices, a boildown of their comment shows.

What they think of the picture at the Strand goes something like this:

American—* * * ushers in the most pulse-quickening cinematic cycle since the exciting days of the prohibition exposes.

Daily Mirror—* * * a wildly exciting, vigorous and handsome thriller * * * It is a smashing melodrama, with a kick and with a purpose.

Daily News (****)—The picture is so absorbing, so thrilling, and has been done with such excellence . . .

Evening Journal—And "G Men" is more than a good picture—it's about the most exciting entertainment that has yet come out of Hollywood. Packed with fast and furious action, taking up a theme that's vigorous and alive, and unfolded in staccato tempo, it will hold you breathless

Herald-Tribune—Not since "The Public Enemy" startled film-goers with its stark and brutal reconstruction of gangster activities has there come so compelling a photoplay of the underworld * * * a tremendously gripping screen offering * * *

Post—Socko! Another red-blooded cinema triumph for the Strand! You haven't seen a movie thriller until you've gaped and gulped and gasped in frenzied excitement at "G" men." * * * Here is, indeed, the roughest, toughest, shootingest, fightingest film since "The Public Enemy."

Sun—The gangster is back, racing madly through one of the fastest melodramas ever made, scattering death and destruction over the screen, giving the Strand Theatre audience enough excitement to last them for weeks, or until the next of the new cycle comes along.

Times—* * * contains several episodes (easily identified with actual occurrences in the war on crime) which have scarcely been equaled for excitement and dramatic vigor since "The Public Enemy" and "Little Caesar." . . .

World-Telegram—* * * a swell show * * * recommended as good, solid, arresting entertainment of its kind.

Wendy Barrie Gaining

HOLLYWOOD, May 3.—Wendy Barrie is recovering from complications which set in after a tonsil operation in a hospital here.

Schlesinger Testifies Erpi Hindered Deals

WILMINGTON, May 3.—Max A. Schlesinger, president of General Talking Pictures, declared that obstacles were placed in his path in dealing with producers in testifying today in the trust suit of his company and Duovac Radio against Erpi, Western Electric and A. T. & T.

Schlesinger related how in an effort to license Paramount and Universal through meetings with Adolph Zukor and Carl Laemmle he was allegedly held up long enough by J. E. Otterson, president of Erpi, whom he had also conferred with, to fail to make deals.

He declared Zukor and Laemmle told him they had some sort of understanding with Erpi whereby they were to negotiate with Erpi only.

The deposition of Reynolds B. Wilbanks, manager of the Paramount exchange, Charlotte, N. C., said he was ordered by the home office to assist and contact Clifford Bestar, Erpi representative in North and South Carolina. The deposition added Wilbanks was informed by the Erpi representative that since major films were produced on Erpi equipment they had to be reproduced on Erpi equipment first. N. W. Davis, Warners' manager in Charlotte, told Wilbanks, according to the deposition, he (Davis) would not sell pictures of major producers to non-users of Erpi equipment.

Hamilton Theatres Gains

TORONTO, May 3.—Hamilton United Theatres, Ltd., showed a net income for 1934, after expenses, depreciation, Federal taxes and other charges, of $40,782. This is equivalent to $5.18 a share on 7,879 preferred shares, against $37,726, or $4.79 a preferred share in 1933.

Kentucky Colonels Receive the Facts

(*Continued from page* 1)

Col. Myles Lasker was about 100 pounds over average. He has gained since the Armistice.

Others present besides Alicoate included Hal Roach, Bert Wheeler, Robert Woolsey, C. C. Pettijohn, Jack Connelly, Ted Curtis, Bill German, Max Stuart, Don Mersereau, Rudy Vallee, Joe Frisco, William R. Ferguson and Jack Dempsey and his wife.

Favorite pastimes, it was stated, were hunting, fishing, horse racing, football, baseball, tennis. Hobbies included reading. Perusing race charts and beverage recipes came under this heading. Favorite authors—all colonels—were Irvin Cobb, S. S. Van Dine, Peter B. Kyne, E. Phillips Oppenheim and others. Favorite actors—and actresses—were Mae West, George Arliss, Claudette Colbert, Wallace Beery, Myrna Loy, Shirley Temple, Jack Benny, Eddie Cantor and Morton Downey.

And the fun went on while it rained outside.

Favorite horses were discussed, too.

Coast's Bank Night Case Is Postponed

(*Continued from page* 1)

J. J. Milstein disqualified himself by stating he wouldn't sit in on bank night hearings until the pending Federal court case on the subject is decided.

With Milstein retiring too late to call an alternate, the board put the hearing over to Wednesday, when Carol Peacock of Paramount will serve as alternate. The bank night case involving the Tower and Florence, Pasadena, is slated for hearing on Wednesday also.

Atlantic City Asks Mike Vogel to Help

ATLANTIC CITY, May 3.—Plans for a talent contest Labor Day week have reached the point where it has been found desirable to add A-Mike Vogel, chairman of the Managers' Round Table Club of *Motion Picture Herald,* to the committee.

Variety Club of Philadelphia is sponsor for the move. Other members are: Dr. Leon Levy, president of Station WCAU; Lewen Pizor, Walter Woodward, A. R. Boyd, William H. Lee, A. L. Einstein, Jerry Crowley, Jack Beresin and George Klein.

Line Up League Talent

The Milk and Egg League, which provides for the New York poor at the Los Angeles Tuberculosis Sanitarium, will hold its fifth anniversary luncheon at the Hotel Commodore May 14. Mrs. Rose Warner Charnas has lined up a program which includes Harry Hershfield, Al Jolson, Ruby Keeler, Rudy Vallee, Sophie Tucker, Miss Juliette Yvette Rugel and others.

Judge Vincent Lippe, Harry M. Warner and Albert M. Howson will speak.

Young Goes to Lesser

HOLLYWOOD, May 3.—Carrol Young, formerly a member of the Radio publicity department and assistant to Frank Whitbeck at M-G-M, becomes Sol Lesser's publicity director Monday.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 106 NEW YORK, MONDAY, MAY 6, 1935 TEN CENTS

Suit Threats Pop Up After Jersey Ruling

Contend Campi Cannot Negate Contracts

Campi's clearance decision in favor of the Leonia, Leonia, has local exchanges in a stew. All distributors with the exception of Fox contend that Code Authority cannot negate contracts without providing for any loss which exchanges might sustain as a result of a decision.

Julius Charnow, operating the Leonia, has sent all exchanges registered letters to the effect that he is booking all pictures playing at Englewood in accordance with the code verdict. He is also advertising the films

(*Continued on page* 10)

M-G-M to Continue Its Nat'l Campaigns

DETROIT, May 5.—Emphasis anew on national billboard and magazine campaigns is seen playing a vital part in M-G-M's plans for the new season. Unconfirmed, but expected, is the understanding the detail will be given the eastern regional sales convention which goes into its third and last day on Monday at the Book-Cadillac.

Currently, the company is splurging on billboard and magazine display to

(*Continued on page* 10)

Sidney Talking Deal For Program on WH

Negotiations are being conducted by Louis K. Sidney, in charge of Station WHN, for turning over the weekly half-hour show headed by Sophie Tucker to one of several sponsors.

Sidney recently sold the station's amateur hour to Schenley's. If, and when, he disposes of the Tucker program, the Loew subsidiary will emerge from the red for the first time since it started operations.

Rialto, Roxy Tussle For "Frankenstein"

A Federal court action to determine whether the Rialto or the Roxy is entitled to play "The Bride of Frankenstein" under the joint buying agreement between the two houses, filed by Louis Phillips, of the Paramount legal staff, on behalf of the

(*Continued on page* 6)

Last of F W C Units Are Taken Out of Bankruptcy

KANSAS CITY, May 5.—With the transfer of assets of Fox Midwest to Fox Midcontinent and Fox Rocky Mountain to Associated Theatres yesterday, the last of National Theatres' subsidiaries have emerged from bankruptcy.

Elmer C. Rhoden will continue in charge of the Midcontinent group and Rick Ricketson as head of Associated.

Other National subsidiaries are Wisconsin Amusement Enterprises, Inc., operating in Milwaukee under Harold J. Fitzgerald; Evergreen States Amusement Corp., a subsidiary of Fox Columbia Corp., which is controlled by National and is operated by

(*Continued on page* 2)

Another Crap Game

Hartford, May 5.—Two men in a booth would start a crap game rather than adding to theatre safety, declared Mike Tomasino before the Senate Judiciary Committee.

Morris Hadelman insisted it would be like "two cooks in a kitchen," and C. D. Burbank suggested that couches should also be installed.

The committee is considering these words of wisdom.

Mexican Currency Difficulty Clears

By JAMES LOCKHART

MEXICO CITY, May 5.—Money difficulties are being gradually straightened out as a result of substitution of paper money and bronze coins for silver pesos. The American silver buying policy has forced up the price

(*Continued on page* 6)

Publix Great States Complaint Dismissed

CHICAGO, May 5.—The grievance board dismissed the complaint of Publix Great States against the E. E. Alger Amusement Co. when hearings revealed the complainant was itself

(*Continued on page* 10)

Newsreel Schedule Talks Due Thursday

Deputy Administrator William P. Farnsworth will meet with Louis Krouse, vice-president of the I.A.T.S.E and executives of the newsreel

(*Continued on page* 10)

Openings Gain As Confidence Shows Return

That there is a return of confidence among exhibitors in most sections is indicated by the increasing number of transfers, openings and renovations.

In New England openings are especially marked. Middle Western states also report gains. In the Fifth Federal Reserve District, which includes Richmond, marked improvement in general business is reported.

N. E. Openings Numerous

BOSTON, May 5. — Shifts are numerous on the New England theatre map. Two are building, some have been transferred and a number are reopening.

One new one, the Capitol, Franklin, N. H., has just been opened. It's a

(*Continued on page* 10)

Purely Personal

FAY WRAY recently returned from G. B. studios where she appeared in "Alias Bulldog Drummond" and in "The Clairvoyant," was guest of honor at a cocktail party tendered by the Ass'n of Foreign Press Correspondents at the Gotham Saturday.

•

J. J. PARKER, operator of the Fox Broadway and the United Artists, Portland, visiting from the Northwest. At the Waldorf.

GEORGE SKOURAS has called off his plans to move his headquarters to the Academy of Music. He was supposed to change locations on June 1.

•

KATHARINE HEPBURN may do some summer acting for LAWRENCE J. ANHALT at Saybrook, Conn.

•

MAX GORDON, in from Hollywood, goes abroad shortly.

•

NORMAN ("Turk") CARTER, attor-

(*Continued on page* 6)

Dual Clauses Hang on U. S. Court Appeal

Bans to Be Airtight If Decision Permits

Airtight anti-double featuring clauses will be incorporated in new season sales contracts by a majority of large distributors if the Philadelphia Federal district court's decision holding such clauses to be illegal is reversed when the pending appeal is heard by the higher court, it was learned on Saturday.

Conversely, it was said, if the lower court's ruling is upheld by the appeals court, double featuring may go unrestricted insofar as new season sales contracts are concerned.

The Philadelphia case, brought by Harry Perelman, an exhibitor, was tried before Federal Judge George A. Welsh last December, to force major distributors to eliminate from their contracts the clauses prohibiting double featuring of their product. The

(*Continued on page* 6)

Pathe '34 Deficit Put at $78,705.74

Pathe Exchange, Inc., shows a sharp drop from 1933 in its annual report for the 12 months ending Dec. 29, 1934. For 1933 the net profit was $380,629; for 1934 there was a net operating deficit of $78,705.74.

In the foreword to the annual report Frank F. Kolbe, new president, says that profit for the year before interest,

(*Continued on page* 2)

"Miserables" Hits $45,132, 2nd Week

"Les Miserables" in the second week at the Rivoli was the best comparative box-office draw last week, tallying $45,132 for the second seven days. "Cardinal Richelieu" at the Music Hall garnered a fair $67,000 on the second stanza. "Mississippi," in

(*Continued on page* 6)

NVA, Masonic Clubs To Combine Benefits

To avoid a conflict in dates, directors and committees of the N.V.A. Benefit Fund and the Educational Foundation of the Masonic Clubs of the State of New York have decided to combine their activities and stage

(*Continued on page* 2)

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Advertising Manager

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NVA, Masonic Clubs To Combine Benefits

(*Continued from page* 1)

an Actors' Day Charity Jubilee at Madison Square Garden May 18.

The original plans of the N. V. A. called for a special midnight show at the Music Hall on that date, but because of the larger seating capacity of the Garden it was deemed better to combine with the Masonic group and stage a joint affair at the 8th Ave. arena.

Schaeffer to G. B.

George W. Weeks, G. B.'s general sales manager, said on Saturday John Schaeffer, formerly with RKO and United Artists, has been added to the sales staff in the Philadelphia branch.

Saul Krugman of the home office staff is temporarily doing special work in the field. His first stop will be Albany.

"U" Shows Quarter Loss

Universal Pictures Co., Inc., and subsidiaries, for the quarter ending Jan. 26, showed a net loss of $272,725 after taxes, depreciation, etc. This compares with a net profit of $24,507, equivalent to $1.37 a share on the 17,864 shares of the eight per cent cumulative first preferred stock in the quarter ended Jan. 27, 1934.

Sussman Gets Third

Henry Sussman has acquired the Ritz, Brewster, N. Y., making his third house. He also operates the Rome, Pleasantville, and Kisco, Mt. Kisco.

Insiders' Outlook

By RED KANN

HE won't go for the use of his name, but beyond that his observations are yours this morning to do with as you will. The authority is the film buyer of one of the five national circuits and his topic is data on pictures, their number and their quality, in the 1933-34 and the 1934-35, or current, seasons. The highlights:

(1) Eighty-seven per cent of product sold last season was delivered. This season, he anticipates, will finish with the same quota of deliveries.

(2) Thirteen per cent, or the obvious difference between one hundred and eighty-seven, represents the mortality rate—those pictures promised and sold at the outset of the amusement year, but never delivered because of studio difficulties, "Acts of God," switches to the succeeding program, or a change of production heart and mind. . . .

▼

Transcribed into terms of numerical equations, his observations are these:

(1) Last season, the eight majors delivered 314 features, exclusive of westerns. This year's running chart indicates an identical performance.

(2) Combined releases from major production sources, therefore, reduce themselves to six a week in average and by calculation, but not quite always that in point of delivery. Often release dates are missed and the consequence of that is a booking problem which persuades the circuits —all of them—to lean on independent product for immediate playdates. There is, too, the situation of release dates of unusual pictures crowding in to the ultimate embarrassment of booking departments and to the benefit of the public, such as frequent Loew and RKO neighborhood theatres, which recently got "Roberta" and "Ruggles" on one bill and "Naughty Marietta" and "Ruggles" on another as cheaply as a dime for "early bird" matinees. . . .

▼

As to quality, meaning box-office quality naturally, his dope sheet, predicated on grosses, shows this:

(1) Twenty per cent of 1933-34 deliveries were A. Twenty per cent were B and 60 per cent C. The year now rapidly waning reflects a jump in B attractions which, in turn, means a shrinkage in C. The breakdown maintains A at twenty, B at thirty and C at fifty.

As you might suspect, A remains as is and, while it is the low percentage division, actually it is a high percentage division, according to this department's analysis. . . .

▼

One of every six a wow attraction provides a pleasant contemplation. On the basis of 314 releases a year, this means one a week. Of course, such a state of affairs never has been throughout all the years of the film business. You'd be surprised how quickly the yells and shouts of complaint would give way to chortles of delight if such a condition prevailed. There are those in Hollywood as well as in New York who would tell you it is impossible; that a smash every week, regardless of source, is all the millenniums rolled into one. If they are wrong, the privilege to be so is properly theirs for the facts, it is sad to relate, are completely arrayed on their side. . . .

▼ ▼

Robert Edmond Jones foresees the industry reaching its stride in color by the fall. He gets far closer to the answer when he declares the problem of what to do and how far to go is more an artistic than a technical one and will depend upon the inherent appreciation of those who take the job in hand. It was only a few years ago when the Warners took the jump on the rest of the field through a priority contract with Technicolor. Thereafter, Warner product blossomed in natural and some unnatural hues and continued on its way until the arbiter of matters such as these, meaning the public, induced a halt. . . .

▼

Color, in some form or other about which we are not at all certain, has a place. To determine what and how much place is the troublesome point. Color is not always essential for effect. The macabre black and white photography which emphasizes the eerie qualities of "The Bride of Frankenstein" and some of the halftones achieved by Lee Garmes in "The Scoundrel" have color and emphasis both. Color can be incorporated and its import conveyed without the actual use of color. Or does that sound like a conundrum? . . .

▼ ▼

Early reports that Invincible and Chesterfield would swing into the Republic setup are discounted. Now Nat Levine, from the coast, issues forth with a statement emphatic that Mascot won't as well.

An inside story, closely held, credits Republic's plans running to fifty pictures in its first season which gets going in the fall. Apparent failure to tie in the above companies in which Herb Yates' word carries plenty of weight would seem to make the half-hundred objective remote. Or fairly so, at any rate. . . .

▼

Another classic on this space's favorite and undoubtedly annoying phobia, to wit: that literary mammoths should be filmed as written or not at all. Sol Wurtzel:

> "In my opinion, classics should be put on the screen and producers should be allowed dramatic license to make changes if necessary."

Last of FWC Units Get Out Of Bankruptcy

(*Continued from page* 1)

Frank L. Newman, Jr., in Seattle and Portland; Fox West Coast Theatres Corp., with 158 houses in Southern California and under direct supervision of Charles P. Skouras; Fox Philadelphia Building Corp., for which Al Boyd is operating the Fox, Philadelphia.

S. R. Kent is president of National, Spyros Skouras, executive vice-president; W. C. Michel and A. S. Gambee, vice-presidents; Harry Coxe, treasurer, and William Gossett, secretary. Charles Skouras is head of Fox West Coast Theatres Corp.

Spyros Skouras is due here Wednesday night from New York by plane to confer with Rhoden and Ricketson. He'll be here for a day or two, following which he will fly to the coast to join Edward Alperson and his brother for conferences on new product buys.

Pathe '34 Deficit Put at $78,705.74

(*Continued from page* 1)

Federal income tax and provision for possible losses on loans and advances was $262,620.11. The board set aside $195,000 as provision for possible losses on loans and advances made in 1934.

Gross income, including the Bound Brook laboratory and non-operating income which included DuPont Film dividends, was $262,620.11, considerably below 1933. Interest on funded debt and premiums on bonds redeemed reduced this by $144,625.85. Federal income taxes totalled $1,700.

Total assets and liabilities are listed at $5,576,303.74.

Copyright Probe Is Moved to Montreal

TORONTO, May 5.—After developing the fact that the Canadian Performing Rights Society holds title to 155,000 musical works and claims title to 2,000,000 compositions, Judge James Parker has adjourned the hearings to Montreal.

The probe is being made in behalf of the Dominion Government.

D. M. Patterson, manager of the licensing department of the society, has testified that he has complete discretion in fixing fees. Patterson admitted that the society claimed title to a copyright on "Annie Laurie."



THE PRAISE OF 54* MAJOR CRITICS HAS CONTRIBUTED MATERIALLY TO SENSATIONAL SUCCESS OF THIS "DYNAMO OF DRAMA".

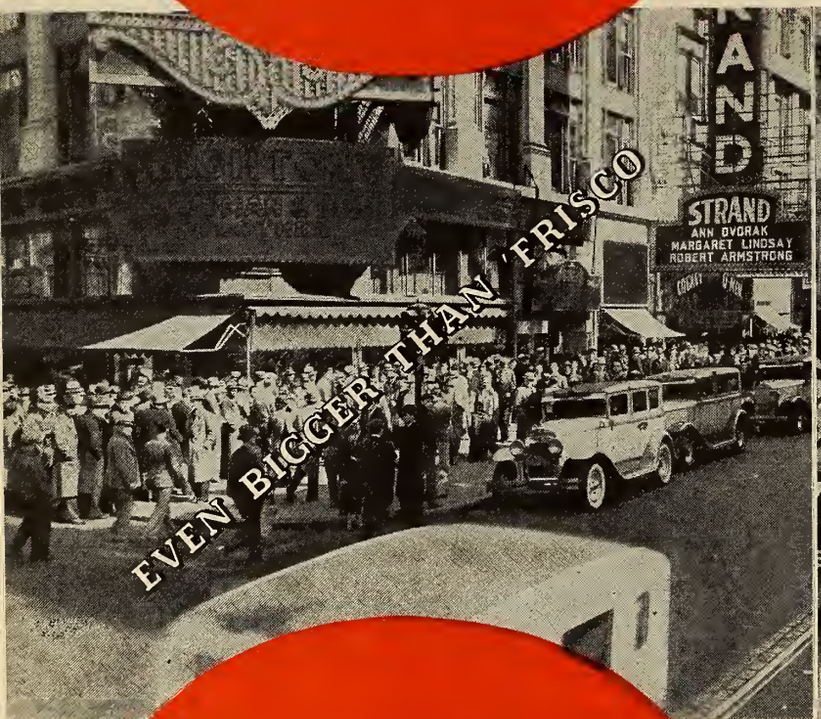
*5

Rose Pelswick of the New York Evening Journal declares that

PAUL MUNI
in
'BLACK FURY'

"takes its place as one of Hollywood's most arresting screen achievements . . . . Bound to become one of the most widely discussed productions in years . . . . It is not to be missed." (Warner Bros., Producers . . . . A First National Picture.)

G-O





G-M

DREW MORE OPENING-DAY ADMISSIONS THAN ANY

SHEN





ATTRACTION SINCE THE N. Y. STRAND WAS BUILT!

Purely Personal

(Continued from page 1)

ney for the Saenger circuit, is in New York from New Orleans and is breathing freer now that the company's reorganization is finished.

•

ROXANNE, petite blonde band leader whose all-girl orchestra played at the recent Ampa dinner, not too long ago was an exhibitor in Albany where she operated a neighborhood theatre. She returns to the air on an NBC program in the fall and is also dickering with one of the circuits on a tour with a presentation unit.

•

SAM ECKMAN, who spent years in New York, wandered for 10 minutes through the maze sometimes known as Radio City the other day, all in search of a luncheon date with JIMMY GRAINGER. In despair, ECKMAN finally got GRAINGER on the telephone for a new set of directions.

Quip of the Day

Mox Shabbus, Hollywood exhibitor, surprised to hear that Warner Brothers presented a gymnasium to Sing Sing prison, asked: "Are there any more bankers up there to use it—or will they have to throw it open to the general public?"

MONTY SALMON, district manager for Publix-Skouras in Philadelphia, today steps out as he never did before. It's his 14th wedding anniversary and he's bringing his wife and child to town today to do things and go places.

•

CHARLES MENDELSON, bookkeeper at the Fox New York exchange, has been made cashier at the Washington office. He left for his new post yesterday.

•

WALT DISNEY will make Italian versions of "Silly Symphonies" in the future. The first to be so treated will be "The Tortoise and the Hare."

•

HARRY SAUBER'S original, "Let's Pretend," and LAWRENCE SAUNDER'S "Snowed Under," have been bought by Warners.

•

LEW ALTER'S musical fantasy, "Metropolitan Nocturne," has been acquired by Radio and will be produced by LEE MARCUS.

•

FLOYD B. ODLUM, head of Atlas Corp. and a Paramount director-elect, is on a west coast visit but not to the Paramount studios.

•

HERB WILLIAMS, Broadway comedian, has arrived on the coast to start work in "Rose of the Rancho," for Paramount.

•

THOMAS WALSH'S "Husk," which appeared in the *Saturday Evening Post* has been bought by Radio.

•

PETER FAIRLIE has been signed by Fox to do an original for WARNER OLAND'S "Charlie Chan" series.

•

TOM WALLER of Paramount is in the throes of completing the last act of his play.

•

SAM HAMMER of WHN took time off Saturday to celebrate another birthday.

•

JACK STEINMAN, Bronx exhibitor, has returned from a Miami vacation recovered from his recent illness.

•

RICHARD ARLEN, accompanied by MRS. ARLEN and their son, is driving east.

•

BRUCE GALLUP shoots a mean game of pool. Ditto for JACK D. TROP.

Variety Club Chatter

Kansas City

KANSAS CITY, May 5. — New clubrooms in the Country Club Plaza were opened auspiciously with a housewarming which drew about 400. With a continuous round of goings-on, impromptu and otherwise, and dancing in the Plaza Hall, festivities really were colossal.

WILLIAM WAGNER was major domo in charge with HARRY TAYLOR vice-chairman and these committee members: BARNEY JOFFEE, WILLIAM WARNER, FINTON JONES, FRANK C. HENSLER, ROBERT F. WITHERS, T. R. THOMPSON, BENNY BENJAMIN, JOE MANFRE.

The Country Club Plaza Ass'n gave the club a rousing welcome at the first luncheon meeting in the Plaza district. The turnout, estimated at close to 400, was the largest luncheon crowd in the club's history. H. MERLE SMITH greeted the club as an important addition to the Plaza section.

ARTHUR COLE was chairman, with MARTIN and LEO FINKELSTEIN as cokings for the day. BILL WAGNER also had a hand in the affairs. Turns from the Tower Theatre and other acts entertained. Barkers that were lucky won prizes, donated by Plaza merchants.

JOHN L. SWARTS, formerly at the Newman, has been employed as business manager of the club.

FRED L. WOLFSON is new canvasman, replacing G. L. CARRINGTON, who has been transferred to New York by Erpi. EARL JAMESON is new house committee member, replacing JACK CAMERON, resigned.

Initiations will be held Friday nights, and for this function Chief Barker GEORGE BAKER has named this committee: HENSLER, WOLFSON, JONES, DR. CLIFFORD L. GILLIS.

Two delegates and two alternates will be picked from this slate for the national Variety Club convention in Pittsburgh May 18 and 19: R. R. BIECHELE, ARTHUR COLE, IRWIN DUBINSKY, HENSLER, JONES, R. C. LIBEAU, CHARLES SHAFER, TAYLOR, T. R. THOMPSON, BOB WITHERS.

Philadelphia

PHILADELPHIA, May 5. — A full membership meeting was held recently, with Chief Barker EARLE SWEIGERT explaining to new members the principles of Variety. All members taken in since the Dec. 30 original induction were included.

Several Tent No. 13 members plan to attend the Washington Tent No. 11 golf tourney.

Much interest has been stirred up by the announcement of Tent No. 13 aiding in sponsoring a Variety Week at the shore following Labor Day.

Kings for the day at the May 1 luncheon were Barkers JACK GREENBERG and JIM CLARK. A gala program, including BOAKE CARTER, ALLAN SCOTT, radio commentators, POP WARNER, football coach, and others, was arranged.

Kings for the May 15 luncheon will be JACK BERISON and WALT WOODWARD.

Minneapolis

MINNEAPOLIS, May 5. — NICK LUCAS, EDITH GRIFFITH and DANNY & EDITH furnished the entertainment at the weekly luncheon. At vote of thanks was given for the State, Alvin and Palace.

J. B. CLINTON of Duluth and GEORGE FEINBERG have been made members.

A. A. KAPLAN has just celebrated his 48th birthday.

BENNIE BERGER and FRANK WOSKI were kings for a day at the latest luncheon.

"Miserables" Hits $45,132, 2nd Week

(Continued from page 1)

its last nine days at the Paramount, grossed approximately $28,000.

"Reckless," at the Capitol for the second week, got in the neighborhood of $19,000. "George White's 1935 Scandals" took in about $31,000 at the Roxy and "Star at Midnight" at the Palace was mild at $8,500.

With more than $20,000 in hand for the first two days, "G-Men" at the Strand is headed for more than $60,000.

Mexican Currency Difficulty Clears

(Continued from page 1)

of silver to the point where the pesos are worth more as silver than as coins.

For a time there was a shortage of new paper money and business was hit heavily. The new bills resemble United Cigar coupons.

* * *

Mexico has its first pirating suit. David Carpintero de la Ellave, owner of rights to the novel "El Zarco" (The Wall-Eyed), has filed suit against Film Exchange, S.A., claiming that "El Tigre de Yautepec" (Tiger of Yautepec) was taken from the book.

* * *

Considerable talk is heard about a picture here with a boxing story. The sport has become popular in this country. The film is called "Todo Un Hombre" (What a Man). It was made by Producion Regio-Mex.

* * *

Ufa made a shrewd move by acquiring Teatro Principal as its outlet. The house showed stage plays for 230 years and has a tremendous following for sentimental reasons.

Dual Clauses Hang on U. S. Court Appeal

(Continued from page 1)

restrictions had been embodied in the sales contracts in the Philadelphia and certain other territories, but were not standardized nor in effect nationally. The Philadelphia district court held that the clauses resulted in collusion and restraint of trade and declared them to be illegal. An appeal was immediately taken to the higher court by the defendant distributors and is expected to be heard before the new selling season is far advanced.

If the appeal is successful from the distributor viewpoint, and results in a reversal of the lower court's ruling, the contract dual bans would be legalized and would be employed on a large scale, probably nationally, to prohibit the showing of subscribing companies' pictures on the same program with a second feature. Authoritative distributor opinion holds that a probable minimum of six major distributors would make use of the contract bans next season if they were legalized. These are United Artists-20th Century, M-G-M, Paramount, Fox, Radio and Warners. Universal and Columbia, it is believed, would not reverse their position of opposing double featuring restrictions.

If the pending appeal cannot be decided before the opening of the new selling season, it was said, distributors would probably incorporate the dual ban clause in their new contracts with its enforcement being made subject to the court's decision, when made.

Rialto, Roxy Tussle For "Frankenstein"

(Continued from page 1)

Rialto, is scheduled to be heard by Judge William Bondy tomorrow.

The Rialto claims its agreement with the Roxy gives it first call on all films of a crime or mystery theme which have been rejected by the Music Hall and that therefore it is entitled to the Universal picture in dispute. The Roxy has claimed the picture on the grounds that the agreement with the Rialto does not specifically cover pictures of the Frankenstein type. The Rialto offered to submit the dispute to arbitration but the Roxy refused, although, it is understood, new efforts to settle the question outside of court will be made today.

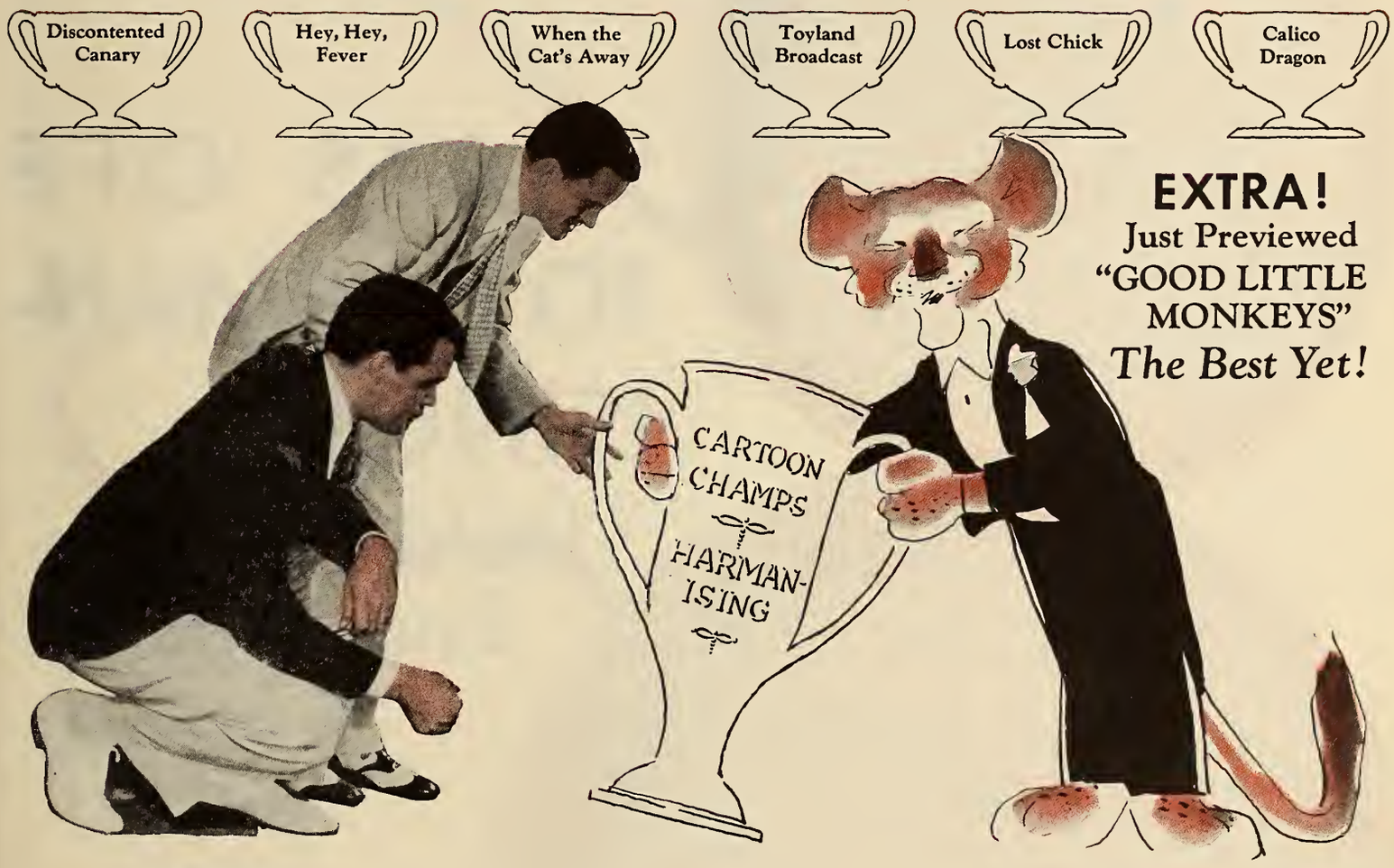
In the meantime, "Mr. Dynamite" has been spotted into the Roxy for Friday in the event the dispute is not cleared away by the end of the week.

James Redmond Buried

RICHMOND, May 5.—Funeral services for James A. Redmond, 77, pioneer amusement promoter and former treasurer of the old Richmond Theatre who died here Friday, were conducted in St. Benedict's Catholic Church. Burial was in Hollywood Cemetery.

Besides his widow, Redmond is survived by two daughters and a son, James A. Redmond, Jr.

THIS YEAR *it's* HARMAN-ISING!



Look who's copped the Top Spot of the Cartoon field!

There's a New Deal in Cartoons. It's M-G-M's Happy Harmonies Cartoons in Technicolor. When audiences began to yawn at the same old stuff, along came the Young Bloods of the Cartoon field and with a splash of color and ideas—

(Yes, yes, yes, go on to next page)

"REVOLUTION!"

—says Film Daily

"The Calico Dragon"
(Harman-Ising Cartoon) 8 mins.
M-G-M Real Novelty

It looks like a smash novelty in the animated field that may revolutionize the whole technique. Done in Technicolor, with most of the characters presented dressed in calico material that actually shows as material on the screen. Not the lines of a cartoon character. How the intriguing effect is produced is the secret of the producers. But it's a pip. The young hero of the skit travels with his horse and dog into the castle of the fearsome dragon, with some amazing adventures resulting.
—FILM DAILY

"HATS OFF TO HARMAN-ISING!

Held Over 2nd Week!"

—says Fox West Coast Theatres

A Letter to M-G-M

Gentlemen:

To hold any subject over for a second week at the West Coast Theatre in Long Beach, it *must* be good. But to hold over a subject when the second week is Easter Week, it must be *VERY* good.

Yet that was our experience with the colored cartoon, "THE CALICO DRAGON".

So splendid was the audience reaction during the first week of its showing, and so great was the word-of-mouth "build-up" toward the end of the first week, we felt compelled to play it another seven days . . . despite a complete change of the surrounding program.

And you will be interested to know that audience reaction during the second week, when thousands saw it again, was just as favorable as during the first.

Our hats are off to Harman-Ising!

(Signed) B. V. Sturdivant
FOX WEST COAST

EXTRA! EXTRA!

Their new comedy

"GOOD LITTLE MONKEYS"

should be screened at once! It's a sensation!

A PROPHECY FOR NEXT SEASON! M-G-M CARTOONS IN TOP SPOT!

"Your Dance" Gets $25,000 In Pittsburgh

PITTSBURGH, May 5. — Only the Stanley, with "Go Into Your Dance" and Gene Raymond in person, found any ray of sunshine in Easter Week. All the others were down in the dumps. It was the Stanley's best week under the present price scale at $25,000.

Several disappointments cropped up in the week's last. "Reckless," with a stage show, never got started at the Penn and wound up weakly at $17,500. The Alvin started strong with "Princess O'Hara" and A. B. Marcus' "Continental Revue," but trade fizzled out after the first few days and takings dropped to $9,000.

Like the Penn and Stanley, the Fulton, had a musical, "George White's 1935 Scandals," giving the town a deluge of song-and-dance films, but it couldn't get going, either, attracting only around $3,750. The Warner picked up a bit with "Laddie" and "McFadden's Flats," doing $4,600, which isn't bad.

Total first run grosses were $59,850. Average is $56,500.

Estimated takings for the week ending April 26:

"PRINCESS O'HARA" (Univ.)
ALVIN—(2,000), 25c-40c, 6 days. Stage: A. B. Marcus' "Continental Revue." **Gross:** $9,000. (Average, $10,000)

"GEORGE WHITE'S 1935 SCANDALS" (Fox)
FULTON—(1,750), 15c-40c, 6 days. **Gross:** $3,750. (Average, $4,500)

"RECKLESS" (M-G-M)
PENN—(3,300), 25c-40c, 6 days. Stage: Isham Jones' band, Cookie Bowers, Audrey and Severn, Harris Twins and Loretto, Abbott and Tannen. **Gross:** $17,500. (Average, $19,000)

"GO INTO YOUR DANCE" (Warners)
STANLEY—(3,600), 25c-40c, 6 days. Stage: Gene Raymond and Gus Arnheim's band, with Gene Sheldon, the Downey Sisters, Jimmy Newell and Maxine Tappen. **Gross:** $25,000. (Average, $18,000)

"LADDIE" (Radio)
"McFADDEN'S FLATS" (Para.)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $4,600. (Average, $5,000)

Giles Staff Remembered

BOSTON, May 5. — Employes of George A. Giles, circuit owner and M.P.T.O. president, who died recently, are remembered in his will with bequests running from $100 to $3,000. The will stipulates that all workers who had been with his firm three years at the time of his death must receive at least $100. The bulk of the estate went to the widow and two children.

Ohio Passes "G Men"

COLUMBUS, May 5. — Action of the Chicago board had no effect on the Ohio censors, who passed "G Men" without a single deletion.

Senator August Weber, chairman of the Ohio state crime commission, who witnessed the screening, said: "The psychology of the picture is excellent."

Errol, Catlett Signed

HOLLYWOOD, May 5.—Leon Errol and Walter Catlett have been signed by Radio to make a series of two-reel comedies. Lee Marcus will supervise.

Looking 'Em Over

"Once in a Blue Moon"

(Paramount)

It will probably be only "once in a blue moon" that exhibitors will discover a patron able to tell just what Ben Hecht and Charles MacArthur were driving at when they produced this picture. It contains everything from a wrestling match staged by two professional grapplers to an exhibition of pantomime by its past master, Jimmy Savo. It starts as a farce, switches to fantasy and then straight comedy. From that point on it rambles back and forth from one to another of the three.

There is little doubt that that fine pantomimist, Savo, has screen possibilities, but this vehicle, however, is hardly worthy of him.

The story, written by Hecht and MacArthur from an original by Rose Caylor (Mrs. Hecht), concerns Russia immediately after the World War. Savo, a traveling mountebank, rescues a fleeing family of aristocrats and falls in love with a young girl of the family. In getting out of Russia many and varied are the experiences they encounter and Savo digs deeply into his bag of tricks. The ending, rather pathetic and one to arouse sympathy from audiences for Savo, has him returning to his old life, without his love.

The camera work of Lee Garmes is excellent and does much to create what entertainment value there is in the film. The accompanying musical score of George Antheuil is very effective and appropriate.

The cast, besides Savo, includes Whitney Bourne, Nikita Balieff, Sandor Szabo, Cecelia Loftus, Edwina Armstrong, George Andre, Hans Steinke, Michael Dalmatoff, J. Charles Gilbert and Jackie Borene.

The reception accorded this film is extremely doubtful. Production Code Seal No. 555. Running time, 75 minutes. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Black Sheep"

(Sol Wurtzel-Fox)

HOLLYWOOD, May 5.—This fast-moving comedy-drama played aboard a transatlantic liner gives Edmund Lowe acting opportunities which he plays to the hilt. Cast as a card sharp working the boats, Lowe finds Tom Brown under the spell of Adrienne Ames, jewel thief and vamp, and in debt to Eugene Pallette and Jed Prouty, poker experts who have trimmed him honestly. With the help of Claire Trevor, an actress, Lowe helps Brown out of his trouble and discovers he is his own son, the offspring of a previous morganatic marriage.

The action is well paced for suspense as Lowe is trailed by Ford Sterling, a detective, who watches him, knowing his gambling record. In a romance built with sympathetic interest Lowe and Miss Trevor merge.

Allan Dwan, who directed and wrote the original, has given fresh twists to the situations, evolving a thoroughly entertaining picture.

Outstanding performances are turned in by Pallette, Prouty and Sterling, who, with the assistance of Herbert Mundin as a drunk, furnishes most of the comedy. Allen Rivkin's screen play is swell.

The film should be well received by every type of audience, as it is well-above-average entertainment.

No production code seal. Running time, 76 minutes. "G."

Osterberg Is Again Target; Shots Miss

CHICAGO, May 5.—Aspiring assassins shot at and missed Clyde Osterberg, scarred sponsor of the defunct Independent Union of M. P. Operators, as he walked with his wife near their home. Foozling his shots, the trigger man clipped his victim on the conk with his cannon and ran. This is Osterberg's first appearance in the trenches since taking his now famous beating in the union offices after firing on the late Tom Maloy and nicking the omnipresent Emmett Quinn. He says he won't talk.

Gassaway to Speak At M. P. Club Forum

Percy L. Gassaway, the Oklahoma cowboy congressman who says things about Huey Long with vigorous western adjectives, will be the principal speaker at the Motion Picture Club Forum tomorrow. His topic will be "The United States Today."

If the congressman appears in the costumes he uses for the newsreels, he'll be worth seeing as well as hearing. He wears one of those 10-gallon hats. western boots, shoestring tie and frock coat. He will make a special trip from Washington for the speech.

"Honeymoon," Mills Hit in Kansas City

KANSAS CITY, May 5. — Gross honors for Easter week went to the Mainstreet, where a stage show headed by Mills Bros. in their initial Kansas City appearance and "Murder on a Honeymoon" on the screen drew $16,000, doubling par for combination bills.

"Reckless," the Midland showing, turned in a big $12,000. Will Rogers stayed out a third week in "Life Begins at 40" at the Uptown, and garnered $3,400.

Total first run business was $41,800. Average is $31,700.

Estimated takings:

Week Ending April 24:

"STOLEN HARMONY" (Para.)
NEWMAN—(1,800), 25c-40c, 6 days. **Gross:** $4,200. (Average, 6 days, $5,200.)

Week Ending April 25:

"MURDER ON A HONEYMOON"
MAINSTREET—(3,100), 25c-35c-45c, plus tax, 7 days. Stage: Mills Bros. with Earl Hines and his Grand Terrace orchestra, featuring Three Rhythm Kings, Kathryn Perry. **Gross:** $16,000. (Average, combination shows, $8,000.)

"RECKLESS" (M-G-M)
MIDLAND—(4,000), 15c-25c-40c, 7 days. **Gross:** $12,000. (Average, $8,000.)

"UNWELCOME STRANGER" (Col.)
TOWER—(2,200), 25c, 7 days. Stage: Vaudeville with Robbins Family, Paul Mall, Kirby & Duval, Charles Brugge, Jack Carson, others. **Gross:** $6,200. (Average, $7,000.)

Week Ending April 26:

"LIFE BEGINS AT 40" (Fox)
UPTOWN—(2,000), 25c-40c, 7 days, 3rd week. **Gross:** $3,400. (Average, $3,500.)

"Strangers," Show Top in Providence

PROVIDENCE, May 5. — High take for the week went to the RKO Albee, where the justly famous Boswell Sisters and the film, "Strangers All," chalked up a total of $10,500. Average for this house is $7,000. The Strand, with "Private Worlds," and "Great God Gold," came next in line, garnering $9,200. Loew's found "Richelieu" rather too much of a class attraction and did only $10,000 where more was expected.

With "Spring Tonic" and "Neapolitan Varieties," the latter a stage revue, Fay's took $7,800 and the Majestic was $500 over par with "Black Fury."

Total first run business was $46,050. Average is $40,500.

Estimated takings for the week ending May 2:

"BLACK FURY" (Warners)
"MARY JANE'S PA" (Warners)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,500. (Average, $7,000)

"SPRING TONIC" (Fox)
FAYS—(1,600), 15c-40c, 7 days. Stage: "Neapolitan Varieties." **Gross:** $7,800. Average, $7,000)

"STRANGERS ALL" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. Stage: Boswell Sisters, radio stars, on stage. **Gross:** $10,500. (Average, $7,000)

"RICHELIEU" (U.A.)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $10,000. (Average, $12,000)

"PRIVATE WORLDS" (Para.)
"GREAT GOD GOLD" (Monogram)
STRAND — (2,300), 15c-40c, 7 days. **Gross:** $9,200. (Average, $6,500)

"HEI TIKI" (Alexander Markey)
"CIRCUS SHADOWS" (Century)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,050. (Average, $1,000)

Suit Threats Pop Up After Jersey Ruling

(*Continued from page 1*)

and in the event bookers fail to deliver the subjects, he will file suit for damages, Charnow states.

Adam Adams of the Park Lane, Palisades Park, who formerly played ahead of the Leonia and now according to Code Authority's stipulation, must wait seven days after Charnow, has also notified the exchanges to deliver his pictures according to the terms of his contracts. He says failure to comply will result in legal action.

Adams did not stop with the letters to branch heads. He has also filed a clearance and zoning complaint against the Leonia, stating that the two houses are in competition. The issue comes before the New Jersey advisory board today.

Up to Saturday, local distribution heads refused to serve Charnow. They want to know who will make up the difference in film rentals. Campi says that code decisions supersede contracts and that the Leonia must be served in accordance with the order. Exchange heads are asking who will fight the threatened suits.

Meanwhile, Allied of New Jersey members are getting together and planning to give Charnow a testimonial dinner in celebration of his victory. Charnow is a vice-president of the unit. His case was before the various code boards for seven and a half months before he got the decision. Allied figures that Charnow deserves the blowout on the ground that he is first Allied man to win a code nod of any importance.

Publix Great States Complaint Dismissed

(*Continued from page 1*)

guilty of reducing admissions by distributing 500 passes while its case against Alger was pending.

The case can be reopened, but Publix Great States must come with clean hands, the company has been given to understand. Alger was found guilty of reducing prices, but, in the face of the fact that Publix Great States had indulged in a similar practice, the board refused to act.

Newsreel Schedule Talks Due Thursday

(*Continued from page 1*)

companies on Thursday to discuss working hours of newsreel cameramen.

A meeting was slated for May 2, but was postponed because Krouse was out of town. Farnsworth will meet the union and newsreel delegates before Campi goes into session Thursday morning.

Stop Oshkosh Giveaway

MILWAUKEE, May 5.—The Strand, Oshkosh, has been ordered to discontinue country store nights by the grievance board. Complaint against the house was brought by Wisconsin Amusement Enterprises' Rex and the Grand in that city.

A complaint brought by George Fischer, operator of the Milwaukee, before the clearance and zoning board was dismissed and he was advised to file a complaint against exchanges which are permitting the Savoy to play pictures before the house is entitled to them under the clearance schedule.

End Detroit School Shows

DETROIT, May 5.—After hearing testimony on the complaint filed by Alex Slendak, Conant Theatre, against Copernicus Junior High School, the grievance board ruled that showings at 10 cents for 1,500 students were unfair competition. Film service was ordered stopped within five days.

Both Sides Get Order

KANSAS CITY, May 5.—Complainant and respondent both were ordered by the grievance board to discontinue charging an admission below contract stipulation, in a decision involving the Fox Midland, Pittsburg, Kan., on compaint filed by J. A. Lenski, Cozy, same town.

Stop a Loew Giveaway

BOSTON, May 5.—E. M. Loew has been ordered to stop giving out premiums in New Bedford. The case, brought by Oze Tessier, Jr., of the Royal, had established a new record for adjournments. Loew has appealed from the grievance board decision.

Wall Street

Columbia Up 1 on Big Board

	High	Low	Close	Net Change
Columbia vtc.....	46	45⅜	45¾	+1
Cons. pfd. (1v)....	17⅛	16⅞	17⅛	+ ⅛
Eastman 138½		138½	138½	.....
Fox "A".....	11	10⅞	11	+ ⅛
Loew's	39⅜	39	39	— ¼
Paramount	3¾	3⅝	3¾	+ ¼
Pathe	¾	⅝	⅝	.....
Pathe "A".....	8⅝	8⅝	8⅝	.....
RKO	1⅝	1½	1⅝	+ ⅛
Warner	3⅛	3	3⅛	+ ⅛
Warner, pfd.....	20	20	20	+ ½

Technicolor Drops ⅛ on Curb

	High	Low	Close	Net Change
Technicolor	18⅞	18⅞	18⅞	— ⅛
Trans Lux (.10K).	2½	2½	2½	.....

Bond Issues Gain Slightly

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf.	11½	11¼	11¼	.....
Keith B. F. 6s '46	78½	78½	78½	+ ½
Loew's 6s '41 ww deb rights.....104½		104½	104¾	+ ½
Paramount F. L. 6s '47.....	88⅝	88⅜	88⅞	+ ½
Paramount Publix 5½s, '50.....	90	89¾	90	.....
Warner Bros. 6s '39 wd.....	58¾	58¾	58¾	+ ¾

(K and v) Paid this year.

(Quotations as at close of May 4)

Among Leo's Best Friends

DETROIT, May 5.—No morning session scheduled today for the Emgeemers conventioning here, so plenty of sleep was had by all.

✣

WILLIAM F. RODGERS, BILL SCULLY, JACK BOWEN, DAVE LEVY, RUDY BERGER and a couple of the other boys matched stories about their recent vacations in Miami.

✣

JACK BYRNE is trying to find a sizable opponent for a few rounds of handball. He's the M-G-M champ and the title extends further than New Haven, where he is ensconced.

✣

HOWARD DIETZ wishes he had MORRIS KUTISKER on the local battlefield for a round of ping-pong. DIETZ is having a hard time trying to get a second hand for the celluloid pill tussle.

✣

EMANUEL COHEN, Pittsburgh salesman, is taking a lot of kidding. The boys claim they heard the name before in connection with Paramount. COHEN denies it.

✣

BOB LYNCH and GEORGE SCHWARTZ of the Quaker City office have been making so many trips to Chicago in connection with the Loew theatre invasion plan that they figure this city nearer home than Philadelphia.

✣

SOLLY GOTTLIEB, now attached to the Pittsburgh staff, can remember way back in the old days when he was an office boy for Loew's when the circuit had its headquarters in the building where the Paramount structure on Broadway now stands. Those were the good old days, he says.

✣

RALPH PIELOW, Albany head, is renewing acquaintances with the New York and New Jersey group. PIELOW, before assuming the Albany helm, was attached to JACK BOWEN's sales force. And now he's just nuts about Albany.

✣

MAURICE WOLF, branch manager in Boston, is a man of some distinction. He is president of the Boston Friars, comprising 125 members of the industry in his town. TOM DONALDSON of the same office is chairman of the house committee.

✣

HARRY MARGOLIES, office manager of the Charlotte office, while continuing in the lineup of personnel under BILL SCULLY's jurisdiction, last year was a booker at the New York exchange.

✣

BILLY FERGUSON's display and surprises were commended generally. FERGUSON did a marvelous job, considering the short notice he was given.

✣

FRANK SCULLY of the Washington force is having somewhat of a family reunion with his brother BILL, eastern district head.

✣

FRED C. QUIMBY is anticipating a lot of huddling with HAL ROACH when the short subject producer arrives from Hollywood by plane. ROACH was not definitely set on his new plans when he left New York about 10 days ago. After conferences with M-G-M studio executives and HENRY GINSBERG, ROACH is expected to detail the lineup when he gets here.

✣

ALEX WEISMAN of the Buffalo staff at one time was with the New York exchange. He then left to join Columbia in Buffalo and now is back selling Leo's products.

Openings Gain As Confidence Shows Return

(*Continued from page 1*)

600-seater. Lee Malcarni is building a new house at Clinton, Conn., and J. P. Pollard is putting up a 200-seater at Bingham, Me.

The Opera House at Alton, N. H., has been opened by A. Twombley. C. Stafford has taken over the Auditorium at Stowe, Vt., from H. E. Pike and has reopened it. Oze Tessier, Jr., has sold the Bailies Square at New Bedford to A. Marcos. The Chatham at Chatham, Mass., will be opened May 4 by Moore & Fitzgerald.

Other openings are: Capitol, Middletown, Conn.; Alhambra, West Sullivan, Me.; Opera House, Princeton, Me.; Cummings, Fitchburg, Mass., Mansfield, Underhill, Vt.

Loew's State in the Back Bay section is to have its seating capacity enlarged by 300 by removing lower tier boxes. This will make the total 3,837, second only to the Metropolitan.

The Majestic, now dark, is to be taken over by the Shuberts.

Detroit Houses Are Sold

DETROIT, May 5.—Several changes in ownership are reported. Bernard Trokey has taken over the Dunbar from Central Amusement Co., and Wally Baker is managing the house; Al Braver is the new proprietor of the Medbury, having bought out Sol Korman, and Gus Greening is managing the Mack for a corporation which has purchased the theatre from Jack Krass.

Fred B. Miller, formerly operator of the Loyal, now being run by Lou Goodman, is supervising the construction of the new theatre being built by Hattie Sloan at East Warren and Outer drive, and will manage it upon completion. It is still unnamed.

Wernick Takes 68th St.

Irving Wernick has taken over the 68th St. Theatre from Charles L. O'Reilly and Louis Geller. Joe Weinberg has closed a deal for the Cameo, Yonkers.

M-G-M to Continue Its Nat'l Campaigns

(*Continued from page 1*)

an extent never before rivaled in its history. Results of billboard campaigns on pictures like "Chained," earlier in the season and now on "Reckless" are reported to have satisfied the company that its large expenditures were well spent. The same conclusion applies to magazine campaigns on "David Copperfield," "The Barretts of Wimpole Street" and "Treasure Island."

Today's program provides for a review of the current season's record by Felix Feist, general sales manager, and William F. Rodgers, eastern division sales head.

Tomorrow Feist will analyze the 1935-36 sales policy, detailing the number of pictures each star will make. Fred C. Quimby will give conventioneers a breakdown on the shorts.

SHE KNOCKED 'EM COLD!



SMASHING BOX OFFICE RECORDS EVERYWHERE — LOS ANGELES, SAN FRANCISCO, SEATTLE, PORTLAND, CHICAGO!... HOLDOVERS OR CONTINUED FIRST RUNS IN ALL SPOTS!

UNIVERSAL'S

THE *Bride of* FRANKENSTEIN

ALL ON DU PONT NEGATIVE



Photographed by GREGG TOLAND



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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 107 NEW YORK, TUESDAY, MAY 7, 1935 TEN CENTS

M-G-M Plans 49; Lists 20 For Salesmen

Also Sets 177 Releases For Shorts Lineup

DETROIT, May 6.—M-G-M will release 49 features next season, the eastern sales convention at the Book-Cadillac was told today. It also was informed of 20 definite designations by star and title. In the short subject division, the company will have 177 releases, 104 issues of Hearst Metrotone News included.

The 1935-36 lineup will be headed by six specials. They are:

"China Seas," co-starring Wallace Beery, Clark Gable and Jean Harlow.

"A Tale of Two Cities" with Ronald Colman in the lead and promised "on the same ambitious scale" as "David Copperfield."

"The Forty Days of Musa Dagh," based on Franz Werfel's novel.

"Broadway Melody of 1936," musical with "large group of stars."

"The Great Ziegfeld" starring William Powell.

"Wife Versus Secretary," a joint vehicle for several stars, unnamed.

Twenty-two starring productions will form a substantial percentage of

(*Continued on page* 15)

Six in Film Group Injured in Plane

KANSAS CITY, May 6.—Six members of a Paramount unit en route to Washington and Annapolis to film "Annapolis Farewell" were among those injured in the crash of a TWA transport plant at Atlanta, Mo., early today.

They were: Director Richard Wallace, Cameraman Henry Sharpe,

(*Continued on page* 7)

No Election on Tap For Allied Session

No election of officers will be held at the annual Allied convention in Atlanta on May 20-24. Sidney Samuelson was re-elected president last February and new elections will be held in January.

Serious thought is being given to a tieup with a distributor for product for the 5,000 theatres represented in

(*Continued on page* 2)

Music Hall May Get Bergner on May 23

"Escape Me Never," produced in England with Elisabeth Bergner and being distributed in the U. S. by United Artists, will most likely go into

(*Continued on page* 2)

Liberty in Republic Setup; Mascot Deal Still Hanging

Liberty next season will drop its own identity as an individual producer and make a series of eight for distribution through Republic.

The deal discussed whereby Nat Levine of Mascot would become a producing affiliate of W. Ray Johnston's new company is still hanging fire, although its outcome has not been determined.

I. E. Chadwick will make one for Republic, probably "In My Old Kentucky Home."

Majestic will cease producing with the end of this season.

Invincible and Chesterfield probably will not become part of the Republic plan.

Herbert J. Yates, president of Consolidated Film Industries and active financial factor behind all of the above companies, made this statement in reply to questions advanced yesterday by *Motion Picture Daily*. He returned from Hollywood on Sunday and missed the TWA air crash above Atlanta, Mo., early yesterday by less than 24 hours.

Wages in '33 Were 25% of Theatre Cost

Government statistics on theatre wages in 1933 appear on pages 6, 7 and 13.

By BERTRAM F. LINZ

WASHINGTON, May 6.—Theatres spent $85,422,000, or approximately 25 per cent of their total operating expenses of $408,874,000, on wages and salaries in 1933, according to final figures on the theatre census conducted by the Department of Commerce. The analysis covers cities of 50,000 population and over.

The information consists of the number of theatres, their box-office receipts, the average number of full-time employes, and the total payroll, including wages for part-time workers, the number of whom is not shown.

For the country as a whole, the average number of full-time employes in 1933 in theatres of all types was 63,136, their wage payments aggregating $80,519,000, giving an average annual wage of $1,275. The average number of part-time workers was 12,857 whose earnings aggregated $4,903,000.

Warner Sales Meet At L. A. June 9-13

The Warner sales convention will be held in Los Angeles, June 9-13, with A. W. Smith, Jr., eastern and Canadian sales manager, and Grad-

(*Continued on page* 14)

Code Hearing Ends in Talk Of Court Move

When it was learned no relief could be obtained within 48 hours, Peter and Adam Adams of the Park Lane, Palisades Park, N. J., through H. A. Toner, attorney, yesterday withdrew their clearance and zoning complaint against the Leonia, Leonia, N. J., and local exchanges. It was indicated that a restraining order will be sought today against Fox, which has dated "The Little Colonel" into the Leonia for three days starting Thursday.

The hearing never really got under way. After the complaint had been read at the request of Joe Lee, chairman, Irving Greenfield of Loew's asked for a two-day postponement. The Loew attorney sought the delay on the ground that David Loew, who was familiar with the issue, was home ill. Greenfield stated he got the papers only two hours before the meeting.

The board, comprising Jack Bellman, Don Jacocks, Lee, John M. Benas, Irving Dollinger and Harry Hecht, after an hour's deliberation decided to hold off until Monday all testimony referring to Loew's Embassy, North Bergen, in deference to Loew.

Toner then asked if he could get

(*Continued on page* 7)

Republic to Hold 3 Regional Meets

A series of three regional sales meetings will be held by Republic Pictures, beginning the last week of this month with an opening session in Salt

(*Continued on page* 2)

Paramount to Make Fox Met Bid 4 Million

Ready to Put Up Cash If Court Extends Time

Paramount will make a bid of $4,000,000 or $4,500,000 in cash for Fox Metropolitan Playhouses if sufficient time can be obtained in which to arrange financing for the offer, it was learned on good authority yesterday.

Sufficient interest in the acquisition of Fox Met by Paramount was shown by a canvass of the company's leading creditor committees to warrant Trustees Eugene Leake and Charles D. Hilles to proceed with arrangements for the submission of a bid when and if the necessary time dispensation is obtained. Estimates within Paramount fix the amount of time required at from two weeks to a month. The present deadline on cash bids expires Thursday when the Fox Met bondholders' committee is scheduled to report back to Federal Judge Julian W. Mack on its attitude toward the plans of reorganization which have been submitted by Joseph M. Schenck and Si Fabian.

Paramount interests will immediately endeavor to obtain from the

(*Continued on page* 14)

Yoost Denied Appeal In Paramount Action

The U. S. Circuit Court of Appeals yesterday refused the petition of William Yoost, Paramount bondholder, for leave to appeal from the district court order denying him leave to intervene in the Paramount reorganization proceedings in order to oppose the settlement of the $1,900,000 claim of Erpi against Paramount.

Yoost sought to oppose the settlement of Erpi's claim early last month advancing, among other objections,

(*Continued on page* 14)

Production Gains; 34 Features Going

HOLLYWOOD, May 6.—Production hit a better stride last week, showing a slight gain over the two preceding weeks. The weekly checkup showed

(*Continued on page* 12)

Rialto's Suit Over "Bride" Is Settled

A suit filed by the Rialto contesting the right of the Roxy to exhibit Universal's "The Bride of Frankenstein"

(*Continued on page* 13)

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Music Hall May Get Bergner on May 23

(*Continued from page* 1)

the Music Hall on May 23. Negotiations are on between the theatre and the distributor.

Following "The Informer," which goes into the house starting Thursday, will be Katharine Hepburn in "Break of Hearts."

Revival of "Little Miss Marker" took a nosedive at the Astor and was pulled after three days. During its short run, the Shirley Temple film garnered about $800. "Gay Divorcee" is now current. "Mark of the Vampire," which is being day-and-dated at the Mayfair and Rialto, will probably gross around $8,000 at the former house for the week ending tomorrow afternoon. It is headed for about $10,000 at the Rialto.

An $80,000 gross for "The Scoundrel" in its premiere week at the Music Hall was predicted yesterday by officials of Paramount on the basis of business done over the week-end. National release on the picture has been set for June 14.

Comerford Still Gaining

WASHINGTON, May 6.—Condition of M. E. Comerford continues to show improvement, according to Dr. Walter A. Bloedorn, attending physician, who reports that the patient is continuing his daily exercise and relaxation in the solarium of Emergency Hospital.

Dr. Bloedorn reports that Comerford probably will be able to leave later this month.

Purely Personal

HOWARD S. CULLMAN had former Governor ALFRED E. SMITH as his guest for the stage show at the Roxy Sunday night. "East Side, West Side" was sung.

•

SIDNEY FRANKLIN, LILLIAN HELLMAN and MORDANT SHAIRPE are in Palm Springs finishing the script of "The Dark Angel." MERLE OBERON and FREDRIC MARCH will be starred.

•

BARON PHILIPPE DE ROTHSCHILD, operator of the Theatre Pigalle in Paris, was personally conducted on a tour of the Music Hall by W. G. VAN SCHMUS last Saturday.

•

RICHARD ARLEN has delayed that trip here by car. He is stopping off at Indianapolis for the big race, thus putting him in town a month later than originally planned.

Quip of the Day

Ali Gaga is informed Mary Pickford got the title of her book, "Why Not Try God?" from an exhibitor who tried to buy United Artists product.

PAULINE LORD has flown in from the coast. Urgent business called her away from Hollywood, but she'll fly back as soon as possible to start "So Red the Rose" for Paramount.

•

EDDIE DOWLING withdraws his stage musical, "Thumbs Up," from the St. James next week. A road tour is in the offing next season.

•

BOB SISK is taking a run out of town for the day, but will be back tomorrow to prepare for his return to the coast on Friday.

•

WILLIAM R. WILKERSON, publisher and editor of *The Hollywood Reporter*, and MAX GORDON, are in town from the coast.

•

JIMMY DURANTE goes into the cast (stage) of "Jumbo," the Billy Rose show.

•

CLAUDE RAINS has arrived in Hollywood to make "The Last Outpost" for Paramount.

•

ROBERT T. KANE has left Hollywood for a two weeks' vacation in Honolulu.

•

FRANK MASTROLY arrived from the coast Sunday for his new assignment at the Universal home office.

•

J. E. MCCAULEY, of Peerless Lamp, Chicago, plans to return home either today or tomorrow.

•

C. C. MOSCOWITZ got back from a two weeks' vacation at Miami.

•

E. A. SCHILLER is due in from Atlanta in a few weeks.

•

COUNT BERNI VICI is in from Hollywood at the Edison.

•

ROSEMARY AMES has returned to her home in Chicago.

•

EDWARD HOPE's novel, "Marry the Girl," has been acquired by Warners.

•

EDWARD BELL, New Jersey branch manager for Paramount, returned yesterday from a two-week vacation. HENRY RANDEL gets back next Monday.

•

NATALIE BUCKNALL, head of M-G-M's research department, has been made a fellow of the Royal Society of London for her work on "David Copperfield."

•

BOB GOLDSTEIN's working hours at night are taken up more than ever now that he has that interest in the Hollywood with ABE LYMAN and JOE MOSS.

•

HARRY BRANDT trimmed HERBERT EBENSTEIN at a golf tilt over the week-end with BRANDT 29 balls to the good as a result of bets.

•

ARCHIE MAYO, Warner director, leaves for the coast Sunday. He returned recently from a four months' vacation in Europe.

•

TONY GABLIK, Warners' art director, is receiving many invitations to show his paintings around town at art galleries.

•

FLORENCE ABRAMSON, local clearance and zoning secretary, returned yesterday after 10 days at home with the grip.

•

AL FRIEDLANDER, sales manager, came in by plane yesterday to attend reorganization conferences of First Division.

•

SIR ADRIAN BAILLIE, Bombay producer, negotiating for the British rights to Technicolor, is due from the coast next week.

•

HY GOLDSTEIN, former Broadway columnist for "Zit's," now dishing out the chatter nightly over WMCA instead.

•

FRED ASTAIRE starts a radio program shortly. JULIAN FIELD will do the scripts for the program and JOHNNY GREEN the music.

•

LESLIE FORD's story, "The Clock Strikes," now current in *The American Magazine*, has been bought by Popular Pictures.

•

RUBY KEELER leaves for the coast tomorrow after spending two weeks here on a vacation.

•

L. A. WILCZEK, general manager of Carbon Products, has just returned from a European business trip.

•

WALTER VINCENT says: "We are on the verge of a great prosperity if we know how to handle it right."

•

LAURENCE BOLOGNINO is longing for that vacation trip to London, but can't make up his mind when to leave.

•

ENID BAGNOLD's novel, "National Velvet," has been bought by Paramount.

•

JACK BARNSTYN will sail June 4 on the *Statendaam* for Holland.

•

ARTHUR LAKE's "From Little Acorns" has been sold to Paramount.

Republic to Hold 3 Regional Meets

(*Continued from page* 1)

Lake City, followed by others in Cincinnati and New York. Ed Golden, sales manager, will preside at all three meetings.

Republic's first production goes into work at the coast studio this week, with production on two others scheduled to begin this month.

No Election on Tap For Allied Session

(*Continued from page* 1)

the Allied lineup, according to Samuelson. The topic is expected to come up at the southern meet.

Negotiations are under way to add three states to the 38 already in the organization. Two units are involved and Allied leaders have laid down a list of terms under which the units can join.

National directors will hold a session on May 20 to work out the details of the convention program.

Mary Pickford to Tour

HOLLYWOOD, May 6.—Mary Pickford has signed a contract with Henry Duffy for a five-week tour of coast cities—Vancouver, Seattle, Portland, San Francisco and Los Angeles—for stage appearances in "Coquette." Mark Larkin, her publicity man, has gone out in advance.

Jessel to Lead Benefit

George Jessel will be master of ceremonies at the Actors' Charity Jubilee to be held at Madison Square Garden May 18 under the joint auspices of the NVA and Masonic Clubs of New York State. He will have six assistants.

Wall Street

Col. Up 1⅞ on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1)	48	48⅛	47½	+1⅞
Consolidated	4¾	4¾	4¾	.....
Cons. pfd (1v)	17¼	16¾	17	— ⅛
Eastman (5)	139½	139½	139½	+1
Eastman pfd (6)	152	152	152	.....
Fox Film "A"	12	11⅛	11¾	+ ¾
Loew's (2)	39⅜	38¼	38½	— ½
Loew's pfd (6½)	106¾	106¾	106¾	+ ¼
Paramount cts	3⅝	3½	3½	— ¼
Pathe	⅝	⅝	⅝	.....
Pathe "A"	9	9	9	+ ⅜
RKO	1⅝	1½	1½	— ⅛
Universal pfd	35½	35	35	+1⅝
Warner	3⅛	3	3	— ⅛

Technicolor Off ¼ on Curb

	High	Low	Close	Net Change
Technicolor	18⅞	18½	18½	— ¼
Trans-Lux (.10K)	2½	2½	2½	.....

Warner Bonds Advance Point

	High	Low	Close	Net Change
General Theatre 6s '40	12⅝	12	12⅛	.....
General Theatre 6s '40 ctf	12½	11½	11½	— ⅞
Keith B. F. 6s '46	79½	78¾	79½	+1
Loew's 6s '41 ww deb rights	104¾	104½	104½	— ¼
Paramount B'way 5½s '51	55⅞	55⅞	55⅞	+ ⅜
Paramount F. L. 6s '47	90	89	90	+1
Paramount Publix 5½s '50	91½	90⅛	90¾	+ ¾
Warner 6s '39 wd	59¾	59	59½	+1

(Quotations as at close of May 6)

PETE HARRISON LOOKS AT THE RECORD FOR 1934-35



and says: "If we were to group together the pictures that have made the most money for exhibitors, we get the following results:

1. **PARAMOUNT, out of 30 pictures, 11 . . or 36.65%**

2. next company, out of 23 pictures, 6 . . . or 26.10%

3. next company, out of 16 pictures, 4 . . . or 25.00%

4. next company, out of 30 pictures, 6 . . . or 20.00%

5. next company, out of 16 pictures, 3 . . . or 18.75%

6. next company, out of 14 pictures, 2 . . . or 14.30%

7. next company, out of 15 pictures, 2 . . . or 13.34%

8. next company, out of 24 pictures, 3 . . . or 12.55%

9. next company, out of 19 pictures, 1 . . . or 5.26%"

Paramount Pictures

IT'S SMART TO BE LIONIZED!





THE PEOPLE'S CHOICE!

(they kept theatres Lionized all season!)

DAVID COPPERFIELD
NAUGHTY MARIETTA
TREASURE ISLAND
RECKLESS
FORSAKING ALL OTHERS
THE PAINTED VEIL
HIDE-OUT
EVELYN PRENTICE
AFTER OFFICE HOURS
SEQUOIA
CHAINED
THE MERRY WIDOW
WEST POINT OF THE AIR
BARRETTS OF WIMPOLE STREET
—and many others

And soon:

NO MORE LADIES

starring
JOAN CRAWFORD
ROBT. MONTGOMERY

WE'VE been peeking again. Just for fun we looked over the headlines in the trade press since this season started. It's the same sweet story. M-G-M hits predominate again in the news from the nation's box-offices. And we've got a little secret for you. Another Lionized entertainment is on the way. Watch for it! Start talking it up now! "NO MORE LADIES" starring JOAN CRAWFORD and ROBERT MONTGOMERY. It's smart to be Lionized!



Says Otterson Slew Fox-DeForest Deal

WILMINGTON, May 6. — Max A. Schlesinger, president of General Talking Pictures, again took the stand today in the anti-trust suit of his firm and Duovac Radio against Erpi, Western Electric and A. T. & T. in U. S. District Court here.

Schlesinger testified that prior to 1928 Fox Film entered into a contract with DeForest and deposited $1,000,000 to buy DeForest stock. J. E. Otterson, Erpi vice-president, he said, told Fox that nothing was to be gained by the deal, with the result that Fox in turn took out a license with Erpi and dropped DeForest without even an explanation.

Schlesinger told of the calibre of service and installation engineers employed by the plaintiffs. He testified that most of General Talking engineers were trained under Western Electric engineer Tatton and were equal to those of Western Electric, but denied the plaintiff company employed engineers previously employed by Erpi.

George F. Hurd, New York chief counsel for the defendants, confronted Schlesinger with a copy of a lease with an exhibitor in which was included a clause stating that exhibitors should obtain additional parts for equipment through General Talking and that equipment should be serviced by itself. Schlesinger said he believed that the lease did not contain a compulsory service clause.

Files Notice of New Sound Patent Action

S. Theodore Hodgman, assignee of the Royal Amplitone Co., has filed notice in Federal court of intention to institute an anti-trust action under the Clayton act against A.T.&T., W.E., Erpi and ten producing firms.

Hodgman charges Amplitone was forced from business by an unlawful combine. Damages of $15,000,000 are to be sought.

Flash Reviews

The Texas Rambler—Exhibitors should have no trouble with this where westerns are liked. . . .

Rustler's Paradise — Neighborhood theatres can play this western with confidence.

Circus Shadows—Forced situations and amateurish acting combine to make this independently produced picture a pretty dull effort. . . .

These films will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Devlin Succeeds Giles

BOSTON, May 6.—John Devlin is acting president of Allied Theatres of Massachusetts, M.P.T.O.A. affiliate, following the death of George Giles. The latter was the second high official of the organization to die within recent months. Executive Secretary James J. McGuinness was the first. No date for an election has been set.

Special M. P. Club Meet

There will be a special meeting of the entire membership of the Motion Picture Club at the clubrooms Friday at 1 o'clock. Felix Feist, president, will be in charge of the gathering.

Where Theatre Payroll Went

WASHINGTON, *May 6.—Theatres spent* $85,422,000 *on wages and salaries in* 1933, *according to the Census Bureau. Data on cities of* 50,000 *population and over follows:*

	Number	Receipts	Average employment	Payroll
ALABAMA				
Birmingham (mp)	11	$242,000	66	$73,000
Mobile (mp)	5	269,000	43	39,000
Montgomery (mp)	5	259,000	46	41,000
ARKANSAS				
Little Rock (mp)	3	57,000	15	14,000
CALIFORNIA				
Berkeley (mp)	5	335,000	51	66,000
Berkeley (mp & v)	4	206,000	42	48,000
Fresno (mp)	4	214,000	25	44,000
Fresno (mp & v)	3	320,000	52	61,000
Glendale (all)	5	304,000	64	85,000
Long Beach (mp)	11	488,000	78	88,000
Long Beach (mp & v)	4	333,000	39	58,000
Los Angeles (leg)	4	365,000	33	193,000
Los Angeles (all other)	149	9,756,000	1,393	1,915,000
Oakland (mp)	23	995,000	191	211,000
Oakland (mp & v)	6	1,114,000	151	210,000
Pasadena (mp)	6	289,000	36	59,000
Pasadena (mp & v)	4	210,000	40	37,000
Sacramento (mp)	7	296,000	46	63,000
Sacramento (mp & v)	4	554,000	70	80,000
San Diego (mp)	14	695,000	98	135,000
San Diego (all other)	9	757,000	127	164,000
San Francisco (mp)	47	4,423,000	546	850,000
San Francisco (mp & v)	9	1,982,000	252	288,000
San Francisco (leg)	3	444,000	74	95,000
San Jose (all)	9	612,000	93	126,000
COLORADO				
Denver (mp)	29	1,142,000	250	330,000
Pueblo (mp)	8	160,000	50	36,000
CONNECTICUT				
Bridgeport (mp)	13	464,000	62	86,000
Bridgeport (mp & v)	4	521,000	69	92,000
Hartford (mp)	14	1,026,000	77	50,000
Hartford (mp & v)	3	394,000	58	82,000
New Britain (mp)	6	397,000	52	66,000
New Haven (mp)	11	619,000	72	102,000
New Haven (mp & v)	3	490,000	53	72,000
Waterbury (mp)	9	555,000	98	104,000
DELAWARE				
Wilmington (mp)	12	781,000	104	144,000
DISTRICT OF COLUMBIA				
Washington (all)	25	4,805,000	488	874,000
FLORIDA				
Jacksonville (all)	6	149,000	39	51,000
Miami (all)	12	625,000	105	121,000
Tampa (all)	5	133,000	39	55,000
GEORGIA				
Atlanta (mp)	20	1,388,000	243	286,000
Augusta (mp)	8	471,000	94	81,000
Macon (mp)	5	203,000	31	34,000
Savannah (mp)	8	356,000	91	77,000
ILLINOIS				
Chicago (mp)	189	13,997,000	1,893	3,447,000
Chicago (all other)	38	9,940,000	782	1,877,000
Cicero (mp)	5	198,000	19	51,000
Decatur (mp)	3	89,000	13	19,000
Decatur (all other)	3	222,000	52	51,000
E. St. Louis (mp)	6	238,000	41	63,000
Evanston (all)	3	303,000	26	40,000
Peoria (mp)	3	101,000	20	26,000
Peoria (all other)	5	507,000	73	109,000
Rockford (mp)	11	692,000	127	96,000
Springfield (mp)	8	496,000	94	114,000
INDIANA				
E. Chicago (mp)	4	63,000	17	23,000
Evansville (mp)	7	315,000	58	65,000
Fort Wayne (mp)	13	481,000	82	97,000
Gary (all)	6	171,000	44	45,000
Hammond (mp)	4	23,000	57	93,000
Indianapolis (mp)	39	1,601,000	279	372,000
South Bend (mp)	12	537,000	82	102,000
Terre Haute (all)	12	418,000	100	114,000
IOWA				
Cedar Rapids (mp)	8	299,000	41	71,000
Davenport (mp)	8	460,000	66	110,000
Des Moines (mp)	11	797,000	97	181,000
Sioux City (mp)	9	417,000	70	87,000
KANSAS				
Kansas City (mp)	11	262,000	52	56,000
Topeka (mp & v)	6	317,000	43	43,000
Wichita (mp)	6	140,000	16	27,000
Wichita (mp & v)	5	502,000	92	87,000
KENTUCKY				
Covington (mp)	7	237,000	49	55,000
Louisville (all)	26	1,572,000	263	309,000
LOUISIANA				
New Orleans (mp)	49	2,832,000	460	539,000
Shreveport (mp)	6	352,000	63	76,000
MAINE				
Portland (all)	7	270,000	66	73,000
MARYLAND				
Baltimore (mp)	77	4,939,000	780	994,000
Baltimore (all other)	3	159,000	32	97,000
MASSACHUSETTS				
Boston (mp)	61	8,428,000	1,300	2,051,000
Boston (leg)	7	708,000	58	373,000
Fall River (mp)	6	615,000	104	115,000
Holyoke (mp)	6	295,000	52	67,000
New Bedford (mp)	10	673,000	122	162,000
Somerville (mp)	9	414,000	67	74,000
Springfield (mp)	16	1,091,000	160	231,000

(*Continued on page* 7)

"Scoundrel" Given Good N. Y. Reviews

"The Scoundrel," starring Noel Coward and playing its first engagement at the Music Hall, is the sort of picture in which New York critics delight in wallowing. Consensus of their opinion, culled from their reviews, proves it:

American—But the tale is told with vital forcefulness and vivid imagery. The lines are more than literate; they are brilliant. * * * To escape the descriptive word "sophisticate" is impossible in connection with "The Scoundrel." * * * Comedy and tragedy are mingled. Both are superbly interpreted.

Mr. Coward, distinctly the star, appears at his best in a role cut to his measure.

Daily Mirror— * * * a stunning psychological drama which surpasses their memorable "Crime Without Passion" and is written in its same mood of subtle horror. * * *

The film is brave, uncompromising, consistent and distinguished. Hecht and MacArthur scorn to enshrine the great god Box Office over their studio door. Their occasional pictures, hence, afford a sheer treat for the mature, thoughtful and literate audience.

Daily News— * * * at times penetratingly and diabolically satirical, but which shows, nevertheless, such a pretentious straining for bizarre effects that it grows tiresome after awhile. * * * The authors have created as unpleasant a group of characters as it has been my lot to watch exhibiting their egos on the screen.

Evening Journal—The self-styled intellectuals will undoubtedly welcome the picture. * * * Coward is interesting in his initial screen venture, and Julie Hayden, a composite picture of Ann Harding and Katharine Hepburn, brings a measure of feeling to her role of the idealistic blonde. The appeal of the film is somewhat limited. * * *

Herald-Tribune—With the assured and brilliant artistry that has made him the first author-actor-director of the theatre, he (Noel Coward) engages in the new dramatic medium with consummate skill. Whatever tricks there may be to cinema acting, he has mastered them immediately and completely. "The Scoundrel" is an imaginatively conceived and frequently enthralling production, magnificently photographed by Lee Garmes. * * *

Post—There probably won't be another picture to equal "The Scoundrel" in skillful subtlety and satirical sophistication until Ben Hecht, Charles MacArthur & Co. attune their brilliant brains and candid cameras in a repetitious effort. * * *

Film fans who appreciate the original and unusual in cinematerial will certainly realize the worth of this Hecht-MacArthur-Coward production.

Sun—* * * in spite of its cynical wit, its lack of tenderness and its complete absence of Hollywood glamour, builds to an end as emotional, as mystic and as forceful as any motion pictures have yet offered us. * * * A brilliant and a striking production, offering an experience rare in motion pictures.

Times— * * * an enormously entertaining, witty and bizarre photoplay. * * * Regarding its merits there are likely to be many opinions ranging noise with her mouth. One thing is certain: it contains the most dazzling writing that this column has ever heard on the screen. A caustic and icily cynical essay in disillusion, topped off with some bogus mysticism that the boys doubtless tossed in for the herd to play with, it is a distinctly exhilarating event in the cinema regardless of whether you look upon it as art or spinach. * * * Coward is so perfectly attuned to the part that we cannot help suspecting that he contributed to the dialogue. * * *

World-Telegram— * * * magnificently played by Noel Coward and Julie Hayden and so endlessly engrossing. * * * A brilliant blending of tart humor at its cruelest and wittiest and fantasy at its most imaginative and sensitive peak. * * *

To Do "Chain Letter"

HOLLYWOOD, May 6.—Paramount intends to take advantage of the current chain letter craze by filming a story called "Chain Letter." Fred MacMurray, Gail Patrick and Baby Le Roy may be in the cast.

HOLLYWOOD, May 6.—M-G-M is rushing a short called "Can You Spare a Dime?" to cash in on the chain letter craze. Al Ray will direct and Harry Rapf produce.

Code Hearing Ends in Talk Of Court Move

(Continued from page 1)

immediate relief. Lee said the board would be guided by the testimony and he could not guarantee the time. Lee said that as far as he was concerned he was available at any time, but he could not answer for other board members.

Toner went into a huddle with the Adams Brothers. He then agreed to a week's adjournment provided Leonia didn't book any of the pictures bought by the Park Lane in the interim. Julius Charnow refused to accede. He declared he had Shirley Temple dated starting Thursday.

Louis Nizer, representing distributors, tried to get both parties to agree on a compromise and delay the case until next week, but again Charnow declined. Charnow has "The Great Hotel Murder" set for three days starting May 12. He added Universal has agreed to "obey" the Campi edict, but hasn't dated any pictures as yet.

Dollinger, a member of Allied of New Jersey, queried Nizer as to whether the companies have to live up to Campi decisions. Nizer said they did, but in this instance the decision was not clear. He said no mention was made of the Park Lane and the operators of the house are threatening suit if distributors do not live up to the agreements.

Dollinger then asked if the code does not supersede contracts. Nizer agreed it did, but said the Leonia order was "ambiguous." However, the code board member didn't believe the decision was not clear.

The two-way discussion was cut short by Lee. Nizer made an effort to get Toner to go on with the case and to leave the Loew house out. Toner insisted on withdrawal. Norman Samuelson represented the interests of the Leonia.

Sidney Samuelson, John C. Flinn, Fred Stein, Louis Weber, Harry Doniger, Thornton Kelly, Arthur Rettig, Frank Damis, Eugene Picker, Jack Unger, Fred Cross and various other exhibitors attended the brief session.

Drop Frankfort Complaint

CINCINNATI, May 6.—Because a satisfactory agreement has been reached between the parties involved, the grievance board has dismissed without prejudice to the rights of the complainant, the case of the Capitol, Frankfort, Ky., against the Kentucky State Industrial Institute, same city, involving non-theatrical competition.

Respondent, a colored institution, shows pictures once a week for which an admission is charged.

Sliman Named on Board

NEW ORLEANS, May 6.—Philip A. Sliman, independent subsequent run exhibitor, has been appointed to the clearance and zoning board. Sliman takes the place of Joseph Alsina, owner of the Famous Theatre, resigned.

Discuss L. A. Clearance

LOS ANGELES, May 6.—The local clearance and zoning board met today to discuss the Campi approved schedule, which goes into effect May 15.

Where Theatre Payroll Went

(Continued from page 6)

	Number	Receipts	Average employment	Payroll
MICHIGAN				
Dearborn (mp)	3	53,000	13	13,000
Detroit (all)	100	7,143,000	1,092	1,881,000
Flint (mp)	17	656,000	117	119,000
Grand Rapids (mp)	21	666,000	115	108,000
Jackson (mp)	8	274,000	49	61,000
Kalamazoo (mp)	7	344,000	57	69,000
Lansing (mp)	7	377,000	65	74,000
Pontiac (mp)	4	234,000	45	40,000
Saginaw (mp)	13	316,000	61	58,000
MINNESOTA				
Duluth (mp)	11	534,000	83	131,000
Minneapolis (all)	53	3,058,000	485	752,000
St. Paul (all)	25	1,354,000	204	302,000
MISSOURI				
Kansas City (mp)	37	2,229,000	253	410,000
Kansas City (mp & v)	14	735,000	171	191,000
St. Louis (mp)	35	2,966,000	430	885,000
St. Louis (all other)	5	724,000	155	434,000
St. Joseph (mp)	7	450,000	80	102,000
Springfield (mp)	5	167,000	32	43,000
NEBRASKA				
Lincoln (mp)	4	104,000	21	26,000
Omaha (mp)	28	1,118,000	168	246,000
NEW HAMPSHIRE				
Manchester (mp)	8	474,000	78	100,000
NLW JERSEY				
Atlantic City (all)	13	1,159,000	155	199,000
Camden (mp)	7	599,000	81	119,000
Elizabeth (mp)	4	668,000	60	141,000
Hoboken (mp)	4	420,000	50	74,000
Irvington (mp)	4	323,000	32	65,000
Jersey City (mp)	16	2,698,000	292	570,000
Newark (all)	30	4,056,000	423	953,000
Paterson (mp)	8	1,186,000	106	222,000
Passaic (mp)	3	575,000	31	73,000
Trenton (mp)	11	1,026,000	139	214,000
NEW JERSEY				
Albany (mp)	15	1,447,000	204	310,000
Binghamton (all)	12	725,000	111	113,000
Buffalo (mp)	39	1,401,000	287	331,000
Buffalo (mp & v)	8	1,803,000	294	482,000
Mt. Vernon (mp)	4	687,000	73	123,000
Niagara Falls (mp)	5	436,000	66	78,000
New York (mp)	382	63,882,000	7,373	13,595,000
New York (mp & v)	13	2,578,000	438	1,069,000
New York (leg)	29	3,900,000	353	1,449,000
Rochester (mp)	23	1,912,000	294	436,000
Schenectady (mp)	10	613,000	84	105,000
Syracuse (mp)	14	1,268,000	188	233,000
Troy (mp)	9	618,000	114	150,000
Utica (mp)	8	551,000	76	124,000
Yonkers (mp)	5	694,000	73	134,000
NORTH CAROLINA				
Charlotte (all)	4	346,000	56	60,000
Durham (all)	4	233,000	44	34,000
Greensboro (all)	5	315,000	58	42,000
Winston-Salem (all)	5	331,000	63	48,000
OHIO				
Akron (mp)	28	1,240,000	206	260,000
Canton (mp)	10	622,000	140	141,000
Cincinnati (mp)	39	2,825,000	378	514,000
Cleveland (mp)	76	4,827,000	830	1,157,000
Columbus (mp)	19	1,340,000	178	244,000
Dayton (mp)	21	1,236,000	188	238,000
Hamilton (mp)	3	155,000	35	39,000
Lakewood (mp)	6	198,000	46	51,000
Springfield (mp)	10	359,000	66	60,000
Toledo (mp)	19	720,000	150	179,000
Youngstown (mp)	6	453,000	73	127,000
OKLAHOMA				
Oklahoma City (mp)	15	635,000	123	123,000
PENNSYLVANIA				
Allentown (mp)	3	58,000	8	12,000
Altoona (mp)	6	342,000	80	77,000
Chester (mp)	6	362,000	51	50,000
Erie (all)	14	478,000	92	89,000
Harrisburg (mp)	4	223,000	29	33,000
Johnstown (mp)	9	266,000	72	60,000
Lancaster (mp)	5	398,000	67	85,000
McKeesport (mp)	6	307,000	56	56,000
Philadelphia (all)	145	10,578,000	1,387	2,082,000
Pittsburgh (all)	46	3,652,000	479	681,000
Reading (mp)	4	625,000	67	85,000
Scranton (all)	16	1,262,000	220	277,000
Wilkes-Barre (all)	12	889,000	143	224,000
York (mp)	4	361,000	42	56,000
SOUTH CAROLINA				
Charleston (mp)	3	65,000	24	18,000
Charleston (mp & v)	5	235,000	75	58,000
Columbia (mp)	5	278,000	46	42,000
TENNESSEE				
Chattanooga (all)	9	199,000	44	57,000
Knoxville (all)	4	96,000	26	25,000
Memphis (all)	19	613,000	157	173,000
Nashville (all)	10	576,000	125	143,000
TEXAS				
Austin (mp)	5	347,000	40	50,000
Beaumont (mp)	4	275,000	45	49,000
Dallas (all)	31	1,715,000	298	287,000
El Paso (mp)	11	394,000	163	79,000
Fort Worth (mp)	12	675,000	195	189,000
Galveston (mp)	6	324,000	60	88,000
Houston (mp)	14	1,297,000	191	234,000
San Antonio (all)	12	998,000	176	183,000
UTAH				
Salt Lake City (all)	11	641,000	135	152,000

(Continued on page 13)

Six in Film Group Injured in Plane

(Continued from page 1)

Business Manager Paul Wing, Assistant Production Manager William Ketlin and Mrs. Ketlin, and Electrician C. B. Drew.

The plane had been unable to land at Kansas City because of a low fog and ran out of gas on its way to an emergency field at Kirksville, Mo.

Wing was so seriously hurt when the plane nosed over in a muddy field that he was taken to a nearby farm house on a motor truck. The others remained near the wreck until an ambulance arrived from Macon, Mo. All the injured were taken to a hospital there.

Lighton Flies to Scene

HOLLYWOOD, May 6. — Louis D. Lighton, Paramount producer handling "Annapolis Farewell," flew to the scene of the disaster today. The studio also sent director Alexander Hall and cameraman Theodore Tetzlaff to Annapolis by way of the Southern Pacific to carry on the production.

Coogan Rites Tomorrow

HOLLYWOOD, May 6.—The funeral of Jack Coogan, father of Jackie Coogan, who was killed Saturday on a mountain road between El Centro and San Diego, will be held Wednesday at the Church of the Good Shepherd.

Services for Junior Durkin, who was killed in the same crash, will be held today at the Wee Kirk of Heather, Forest Lawn.

Jackie Coogan is in a hospital at Glendale recovering from broken ribs and other injuries.

Film Men Escape Crackup

J. R. McDonough, president of Radio Pictures, arrived from the coast by plane early Sunday to attend a regular meeting of the Radio board to be held Thursday. McDonough was accompanied by Ned E. Depinet, president of RKO Radio Distributing Corp., and Jules Levy, sales manager.

The trio, together with Neil Agnew and Bill Pine of Paramount and H. J. Yates of Consolidated Film, missed the TWA plane crash in Missouri yesterday by less than 24 hours.

Conferences on new season product will occupy the Radio executives between now and the board meeting. Levy reported himself enthused over future Radio product which he saw while on the coast, specifically mentioning "Break of Hearts," "Becky Sharp" and "She."

"Pompeii" Is Started

HOLLYWOOD, May 6.—Shooting on "The Last Days of Pompeii" has started at Radio with Ernest Schoedsack directing. In the cast so far are Preston Foster and Louis Calhern.

Radio Sets Dix Title

HOLLYWOOD, May 6.—Radio has changed the title of Richard Dix's latest from "Peacemaker" to "Boom Days."

Quincy Theatre Burns

BOSTON, May 6. — Fire swept through the Lincoln Theatre in the center of the business district of Quincy yesterday, forcing more than 100 persons in adjoining buildings to flee to the street. The fire apparently started in the balcony. The damage was heavy.

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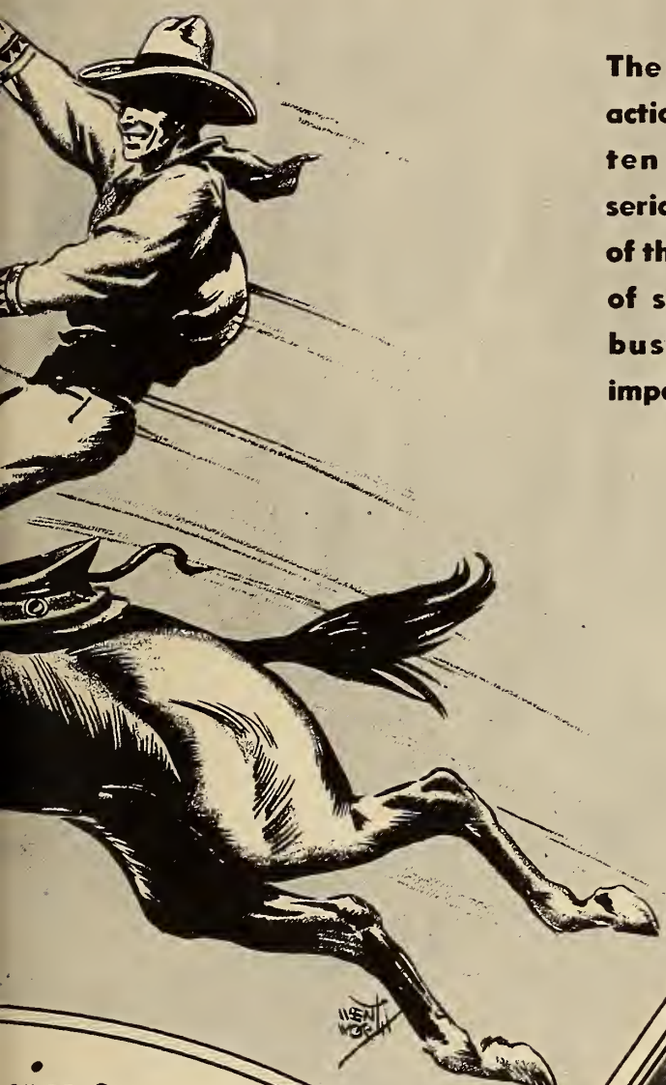
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"Love You" Is Minneapolis' Top, $5,000

MINNEAPOLIS, May 6. — Grosses were scrambled in the Twin Cities last week with no outstanding hits. "I Love You Always" made the best individual showing at the Alvin here by getting $5,000, over the line by $1,000.

"The Wedding Night" went $500 over the line at the Century on a take of $4,500, and "Go Into Your Dance" reached $6,000, up by $500, at the Orpheum.

"Private Worlds" took $5,000 at the State here and $6,000 at the St. Paul Paramount. The latter gross was $500 up but the former was the same amount below the normal line.

Total first run business in Minneapolis was $29,400. Average is $28,500. Total St. Paul business was $18,000. Average is $16,000.

Estimated takings:

Minneapolis:
Week Ending May 2:

"I LOVE YOU ALWAYS" (Col.)
ALVIN—(1,486), 15c-30c, 7 days. Five acts vaude. **Gross:** $5,000. (Average, $4,000)

"WEDDING NIGHT" (U.A.)
CENTURY—(1,650), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"McFADDEN'S FLATS" (Para.)
LYRIC—(1,238), 20c-25c, 3 days. **Gross:** $700. (Average, $1,500)

"CASINO MURDER CASE" (M-G-M)
LYRIC—(1,238), 20c-25c, 4 days. **Gross:** $900.

Week Ending May 3:

"GO INTO YOUR DANCE" (Warners)
ORPHEUM—(2,900), 25c-40c, 7 days. Stage show. **Gross:** $6,000. (Average, $5,500)

"PRIVATE WORLDS" (Para.)
STATE—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $5,000. (Average, $5,500)

"THE MAN WHO KNEW TOO MUCH" (Gaumont British)
TIME—(300), 20c-25c, 7 days. **Gross:** $1,800. (Average for week, $1,500)

"AGAINST THE LAW" (Col.)
PALACE—(900), 15c-25c, 7 days. Five acts vaude. **Gross:** $2,500. (Average, $2,000)

"MAN OF ARAN" (Gaumont British)
WORLD—(400), 25c-55c, 7 days, 2nd weeks. **Gross:** $3,000. (Average, $3,000)

St. Paul:
Week Ending May 3:

"PRIVATE WORLDS" (Para.)
PARAMOUNT—(2,300). 25c-40c, 3 days. Stage show. **Gross:** $6,000. (Average, $5,500)

"RECKLESS" (M-G-M)
RIVIERA—(1,200), 25c-40c, 2nd week, 7 days. **Gross:** $4,000. (Average, $3,500)

"STRANGERS ALL" (Radio)
ORPHEUM—(2,000), 25c-40c, 3 days. **Gross:** $2,000. (Average, $4,000)

"LADDIE" (Radio)
ORPHEUM—(2,000), 25c-40c, 4 days. **Gross:** $2,000.

"$10 RAISE" (Fox)
TOWER—(1,000), 15c-25c, 4 days. **Gross:** $800. (Average, $1,500)

"A NIGHT AT THE RITZ" (Warners)
TOWER—(1,000), 15c-25c, 3 days. **Gross:** $700.

"THE SCARLET PIMPERNELL" (U.A.)
WORLD—(300), 25c-35c, 2nd week, 7 days. **Gross:** $2,500. (Average, $1,500)

Warners Change Title

HOLLYWOOD, May 6.—Warners have changed the title of the next Joe E. Brown musical from "Back to Broadway" to "Broadway Joe." Busby Berkeley is directing.

Verschleiser to "U"

HOLLYWOOD, May 6.—Ben Verschleiser today joined Universal as a producer, following two years in a like capacity with Monogram.

"Richelieu" Holds Up in Philadelphia

PHILADELPHIA, May 6.—The second week's business of "Cardinal Richelieu" at the Aldine, which held up to $10,500, $3,500 better than average, was outstanding. Right beside it was the Earle's take of $15,000 for "The Great Hotel Murder" and Earl Carroll's "Vanities" on the stage.

Total first run business was $74,400. Average is $70,900.

Estimated takings for the week ending May 3:

"CARDINAL RICHELIEU" (U.A.)
ALDINE—(1,200), 35c-40c-55c, 6 days, 2nd week. **Gross:** $10,500. (Average, $7,000)

"PRIVATE WORLDS" (Para.) (2nd run)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $1,900. (Average, $2,400)

"RECKLESS" (M-G-M)
BOYD—(2,400), 35c-40c-55c, 6 days. **Gross:** $13,000. (Average, $12,000)

"GREAT HOTEL MURDER" (Fox)
EARLE—(2,000), 25c-40c-50c, 6 days. Stage: Earl Carroll's "Vanities." **Gross:** $15,000. (Average, $12,000)

"LADIES LOVE DANGER" (Fox)
FOX—(3,000), 40c-55c-65c, 6 days. Stage: Duncan Sisters, J. Harold Murray, Mattison's Dancers. **Gross:** $12,000. (Average, $12,000)

"UNWELCOME STRANGER" (Col.)
KARLTON—(1,000), 25c-35c-40c, 6 days. **Gross:** $2,500. (Average, $3,500)

"NAUGHTY MARIETTA" (M-G-M) (2nd run)
KEITH'S—(2,000), 30c-40c-50c, 6 days. **Gross:** $3,500. (Average, $4,000)

"BLACK FURY" (Warners)
STANLEY—(3,700), 35c-40c-55c, 6 days. **Gross:** $11,000. (Average, $12,000)

"4 HOURS TO KILL" (Para.)
STANTON—(1,700), 30c-40c-50c, 6 days. **Gross:** $5,000. (Average, $6,000)

"Private Worlds" Is Montreal's Top

MONTREAL, May 6.—Although it was the week after the Easter holidays and despite home-moving activities around May 1, theatres were able to register an aggregate take of $38,000, or $2,500 below par. Two attractions were playing a second week.

Top film was "Private Worlds" at the Capitol, which brought $11,000, while "Stolen Harmony" was responsible for $8,500 at Loew's. The second week of "Roberta" at the Palace was worth $8,000 as compared with $15,000 the first week. "Folies Bergere" added $7,000 at the Princess to its first week of $10,000.

Total business was $38,000. Average is $40,500.

Estimated takings for the week ending May 4:

"PRIVATE WORLDS" (Para.)
"LOVE IN BLOOM" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $11,000. (Average, $9,500)

"THE NIGHT OF THE PARTY" (Gaumont-British)
IMPERIAL—(1,914), 20c-25c-34c, 7 days. Added: "New Moon". **Gross:** $3,500. (Average, $3,500)

"STOLEN HARMONY" (Para.)
"TRANSIENT LADY" (F. N.)
LOEW'S — (3,115), 30c-34c-40c-50c-60c, 7 days. **Gross:** $8,500. (Average, $10,500)

"ROBERTA" (Radio)
PALACE — (2,600), 25c-35c-40c-50c-65c, 7 days, 2nd week. **Gross:** $8,000. First week: $15,000. (Average, $11,000)

"FOLIES BERGERE" (U. A.)
"BEHIND THE EVIDENCE" (Col.)
PRINCESS — (2,272), 30c-35c-50c-65c, 7 days, 2nd week. **Gross:** $7,000. First week: $10,000. (Average, $6,000)

Even Fleas Included

Jefferson City, Mo., May 6.—The "horse and hound" racing bill which passed the Missouri House is encountering opposition in the Senate, where rural members are filibustering against its passage. Senator Allen McReynolds of Carthage, one of the opponents, introduced 15 amendments, all of which were defeated, in one morning.

One of these was to legalize pari-mutuel betting on flea, elephant, terrapin and cockroach racing. Failing in that, he produced another amendment legalizing bull fights, asserting he wanted to spread the "beneficence of this bill" as widely as possible.

"Richelieu" Only Indianapolis Draw

INDIANAPOLIS, May 6.—"Cardinal Richelieu" was practically the only first run to disturb the downtown calm here last week. It went over the line $500 for a total of $5,000 at the Palace.

Total first run business was $22,100. Average is $26,500.

Estimated takings for the week ending May 4:

"THUNDER IN THE EAST" (U. A.)
APOLLO—(1,100), 25c-40c, 6 days. **Gross:** $1,600. (Average, $4,000)

"STOLEN HARMONY" (Para.)
CIRCLE—(2,000), 25c-40c, 7 days. **Gross:** $4,000. (Average, $4,000)

"STAR OF MIDNIGHT" (Radio)
INDIANA—(3,133), 25c-40c, 7 days. **Gross:** $6,000. (Average, $7,000)

"MARY JANE'S PA" (Warners)
LYRIC—(2,000), 25c-40c, 7 days. Vaudeville. **Gross:** $5,500. (Average, $7,000)

"CARDINAL RICHELIEU" (U. A.)
PALACE—(3,000), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,500)

"Your Dance" Only Good Buffalo Draw

BUFFALO, May 6.—Only "Go Into Your Dance" was able to reach par in a languid week. A belated and severe cold spell didn't help any. Stage show strength was expected to bolster the heavily panned "The Devil Is a Woman," but failed.

Total first run business was $35,900. Average is $42,800.

Estimated takings for the week ending May 3:

"THE DEVIL IS A WOMAN" (Para.)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: "Casino de Paree" revue. **Gross:** $9,800. (Average, $14,300)

"THE CASINO MURDER CASE" (M-G-M)
"McFADDEN'S FLATS" (Para.)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,100. (Average, $6,000)

"TRAVELING SALESLADY" (F. N.)
"SHADOW OF DOUBT" (M-G-M)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $7,200. (Average, $8,000)

"GO INTO YOUR DANCE" (F. N.)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $8,000. (Average, $8,000)

"MR. DYNAMITE" (Univ.)
"STRAIGHT FROM THE HEART" (Univ.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $5,800. (Average, $6,500)

Hanson Back in L. A.

LOS ANGELES, May 6.—Al Hanson, city manager of F. W. C., is back from extended code hearings in New York on the Los Angeles clearance schedule.

"Midnight" Is Cleveland Top With $10,500

CLEVELAND, May 6.—"Star of Midnight" with $10,500 at Warners' Hippodrome and "Mark of the Vampire" with $6,500 at Loew's Stillman, were the big money-getters of the week. "Star of Midnight" beat the average by 75 per cent and "Mark of the Vampire" bettered the house average by 65 per cent.

Gene Raymond, as headliner on a vaudeville bill with "Case of the Curious Bride" at the RKO Palace, made a good showing with $19,000, or $4,000 above par. "Naughty Marietta" opened slow at Loew's State, but built steadily to a $10,000 or average gross.

Total business for the week was $6,900 under the previous week, but still 28 per cent above the total average.

Total first run business was $52,850. Average is $41,000.

Estimated takings for the week ending May 3:

"GO INTO YOUR DANCE" (F.N.)
ALLEN—(3,300), 30c-35c-42c, 7 days. Second week downtown. **Gross:** $3,850. (Average, $3,000)

"STAR OF MIDNIGHT" (Radio)
WARNERS' HIPPODROME — (3,800), 30c-35c-42c, 7 days. **Gross:** $10,500. (Average, $6,000)

"CASE OF THE CURIOUS BRIDE" (Warners)
RKO PALACE—(3,100), 30c-40c-60c, 7 days. Stage: Gene Raymond in person headlined 6 acts of vaudeville. **Gross:** $19,000. (Average, $15,000)

"NAUGHTY MARIETTA" (M-G-M)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $10,000. (Average, $10,000)

"MARK OF THE VAMPIRE" (M-G-M)
LOEW'S STILLMAN—(1,900), 25c-35c, 7 days. **Gross:** $6,500. (Average, $4,000)

"PEOPLE'S ENEMY" (Radio)
CIRCLE—(1,925). 15c-25c-30c, 7 days. Stage: Ethelind Terry and 6 acts vaudeville. **Gross:** $3,000. (Average, $3,000)

"Your Dance" Hits $5,500, Omaha Top

OMAHA, May 6.—"Go Into Your Dance" went into the big money here last week in spite of a street car strike that hampered all forms of business. The $5,500 take at the Brandeis was $2,000 over normal.

"Naughty Marietta" also surmounted the transportation difficulty by grabbing $6,000, up by $1,000, at the Omaha. The Paramount took a nosedive to $6,000 with "The Devil Is a Woman" and a dual, "Vanessa" and "Hold 'Em Yale," failed to stir up any excitement at the Orpheum.

Total first run business was $24,700. Average is $24,500.

Estimated takings:

Week Ending May 1:

"NAUGHTY MARIETTA" (M-G-M)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"GO INTO YOUR DANCE" (F.N.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $5,500. (Average, $3,500)

Week Ending May 2:

"THE DEVIL IS A WOMAN" (Para.)
PARAMOUNT—(2,800), 25c-35c-40c, 7 days. Stage: Roscoe Ates, Rose Palmer, Ilse Marvenga, Roy Smeck, Eddie Rio. **Gross:** $6,000. (Average, $8,500)

"VANESSA" (M-G-M)
"HOLD 'EM YALE" (Para.)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $7,200. (Average, $7,500)



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CONSOLIDATED FILM INDUSTRIES, INC.

NEW YORK HOLLYWOOD

Short Subjects

"Only the Brave"
(*Educational*)

Ernest Truex is here cast as the little fellow in love with the girl who is attracted only to strong, active men. The manner, therefore, in which he proceeds to win her is packed with good humor. Unable to make an impression on Mary Jane Barrett, Truex goes in for gymnastics in a big way. Falling flat in this effort, he then hires the works of a taxidermist to impress the lady, but is again exposed. As a last attempt he arranged with a friend to pose as a crook so he can subdue him in front of Miss Barrett, but a real gangster enters and Truex finds himself a hero through no fault of his own. Recommended. Production Code Seal, No. 0384. Running time, 16 mins. "G."

"Tars and Stripes"
(*Educational*)

Buster Keaton fans will go for this short in a big way. He is up to his old tricks and his comedy is reminiscent of some of his old silents. As an apprentice at the San Diego Naval Training Station, Keaton spends most of his time in the brig until he rescues an officer from drowning. Keaton, performing the various tasks of an apprentice seaman in his hilarious manner, and the shots of the training base are the film's highlights. Reviewed without production code seal. Running time, 20 mins. "G."

"Taming the Wild"
(*Educational*)

This reel concerns itself with the taming of wild animals, and particularly with the kindness used by various trainers. Everything is covered in the process of teaching tricks, all the way from lions and tigers down to cats and dogs. The reel should be particularly interesting to nature lovers. Production Code Seal, No. 0388. Running time, 5 mins. "G."

LEO MORRISON

ANNOUNCES

SPENCER TRACY

now under contract to MGM

HOWARD, FINE and HOWARD

(the three stooges)
Starting a new series of eight Columbia shorts.

Helen BRODERICK

in conjunction
Curtis and Allen
under contract to RKO
now appearing in

"TOP HAT"

NEW YORK HOLLYWOOD

Looking 'Em Over

"Chinatown Squad"
(*Universal*)

Built around good cast portrayals, a plausible plot capably directed, this film is light, but good entertainment. Its chief appeal will probably be to mystery fans, but its value is greatly enhanced by the lack of the usual tricks found in mysteries.

Stanley Bergerman's production is commendable, the direction of Murray Roth keeps the action moving right along and the identity of the guilty party concealed until the last few feet.

The yarn, located in San Francisco's Chinatown, has Lyle Talbot driving a sight-seeing bus after quitting the police force. He stumbles across a murder and saves Valerie Hobson from being arrested by his former side-kick, Hugh O'Connell. Realizing Miss Hobson is implicated in the crime he returns to detecting and clears up everything in the end, proving the murders were committed by a business partner of the dead man. The wind-up finds him back on the force with a promotion and the implication is he'll wed Miss Hobson.

Andy Devine, Leslie Fenton, Clay Clement, Bradley Page and E. A. Warren round out the capable cast. The photography of George Robinson is excellent.

This film should have no trouble and should do particularly well in neighborhoods and small towns. Production Code Seal No. 791. Running time, 65 minutes. "A."

"The Red Village"
(*Amkino*)

In "The Red Village," made by Belgoskino, the Soviet continues its exposition of the work accomplished by it in reclaiming the land and advancing the cultural and industrial status of the Russian masses.

Into this more or less routine tale is woven a thread of drama involving the efforts of a former White trooper to revenge himself upon the Reds by resorting to sabotage. The fellow gets himself a job in a power plant located in the village of the title and proceeds to throw a monkey-wrench in the works. Toward the end of the film he is revealed in his true colors and the Soviet cause is made safe in that particular community.

The film loses no opportunity to draw a contrast between what was and what is. The village which is the scene of the action is itself built on the site of what once was marshland. Its growth into a thriving industrial community peopled by happy workers is undoubtedly intended as a symbol of the Soviet state.

The picture boasts a love romance of a sort in which both the participants are engineers. There is also a certain amount of humor to help along the film, which is moderately entertaining.

The acting is good. Brodyanski and Korsh directed. There are English subtitles.

No production code seal. Running time, 90 minutes. "G."

(*Additional review on page* 15)

Fox Holds Miss Judge

HOLLYWOOD, May 6.—Arline Judge has been signed to a long term contract by Fox. She is now working in "Welcome Home."

First Wayne Republic

HOLLYWOOD, May 6.—"Westward Ho" will be the first of the John Wayne westerns on the new Republic program.

Hollywood Personals

Hollywood, May 6.—Edward Everett Horton signed for two more at Fox . . . Ben Markson finishes "The Case of the Lucky Legs" for Warners . . . Joe E. Brown set to start in "Back to Broadway."

Mary Ellis notified by Paramount in London that her option for two more has been taken up . . . Richard Wallace to shoot scenes at the Naval Academy for "Annapolis Farewell."

Mary Brian opposite W. C. Fields in "Everything Happens at Once" . . . Directors assigned—Stuart Walker to "Sing Me A Love Song," Universal; Earl Kenton to "The Grand Exit," Columbia; Harry Edwards to Radio's first Radio Flash comedy; Arthur Ripley to another Radio comedy.

Options taken up—Tala Birell, George McKay, Douglas Dumbrille, Nana Bryant and Thurston Hall by Columbia; Helen Mack by Radio; Ad Schaumer, Jasper Blystone and Percy Ikerd, assistant directors, by Fox.

Production Gains; 34 Features Going

(*Continued from page* 1)

34 features and five shorts in work as compared to 31 features and six shorts for the preceding week.

Fox was high for the seven-day period with seven features shooting, four preparing and four in the cutting room for final editing. M-G-M had five, four and 10; Paramount, five, two and three; Warners, five, one and nine; Radio, three, four and five; Universal, three, one and one; Columbia, one, one and six; Roach, one, zero and zero; independents, four, seven and eight.

Short subject production varied slightly, the chart showing M-G-M with one shooting, two in preparation and four in the cutting room. Columbia had one, one and four; Radio, one, two and two; Universal, zero, one and one; Roach, zero, two and three, with the independents registering two, four and three.

Set Actor Bill Hearing

WASHINGTON, May 6.—Hearings on the Dickstein bill applying the contract labor provisions of the immigration laws to actors will begin before the House Immigration Committee on Wednesday.

Alabama 10% Tax Comes Up

BIRMINGHAM, May 6.—A general revenue bill for the next four years containing a 10 per cent tax on all theatre tickets with the provision that it must be passed along to the public has been sent to the printer by the recess committee on finance and taxation of the Alabama legislature. Being thus notified, theatres have rushed representatives to Montgomery.

Under the proposed law every ticket would include a tax, a penny tax for instance being added to a 10-cent ticket and so on.

Florida Session Drags On

TALLAHASSEE, May 6.—The fifth week of the legislative session has passed with nothing done of interest to the industry except consideration of the three per cent sales tax, which includes admissions.

A bill has been introduced to repeal the censorship law, but this has stirred only academic interest, as nobody can recall when the censor board ever has met.

Mo. Senate Breaks Tax Deadlock

JEFFERSON CITY, Mo., May 6—The Missouri Senate today broke the sales tax deadlock when it voted to reconsider its amendment for one-half of one per cent as against the House proposal for two per cent. The Senate will first decide what commodities shall be taxed.

'Hurdy Gurdy' for Cantor

HOLLYWOOD, May 6.—Samuel Goldwyn has tentatively set "Hurdy Gurdy" as the title of the next Eddie Cantor picture instead of "Dreamland," as prevously announced.

Skouras Postpones Trip

KANSAS CITY, May 6.—Spyros Skouras has postponed his trip to the coast until later in the week. Elmer Rhoden of Fox Midwest is also scheduled to leave with Skouras to attend the Fox West Coast reorganization conferences in Los Angeles.

"Transient," "Folies" Hub Wow, $16,000

BOSTON, May 6.—"Transient Lady," with "Folies Bergere" on the stage and an "adults only" sign hanging out in front, did a sensational holdover business at the RKO Boston. The take was $16,000 for five days. Average for seven days is $11,000. For the closing two days the house went to a double feature policy which will continue through the summer. The stage show would have been held longer, but bookings forced the move.

"Stolen Harmony," with Rudy Vallee on the stage at the Metropolitan, was a big money-maker. The $32,000 gross was $13,000 over the line. "Cardinal Richelieu" took a big $14,000 at Loew's State.

Total first run business was $83,500. Average is $60,500.

Estimated takings for the week ending May 3:

"FOUR HOURS TO KILL" (Para.)
"MARY JANE'S PA" (Warners)
FENWAY — (1,382), 30c-50c, 7 days. **Gross:** $3,500. (Average, $4,500)

"STAR OF MIDNIGHT" (Radio)
KEITH'S MEMORIAL—(2,907), 25c-65c, 7 days. **Gross:** $12,000. (Average, $12,000)

"CARDINAL RICHELIEU" (U.A.)
LOEW'S STATE — (3,537), 25c-65c, 7 days. **Gross:** $14,000. (Average, $10,000)

"STOLEN HARMONY" (Para.)
METROPOLITAN — (4,332), 35c-65c, 6 days. Stage: Rudy Vallee and his Connecticut Yankees. **Gross:** $32,000. (Average, 6 days, $19,000)

"FOUR HOURS TO KILL" (Para.)
"MARY JANE'S PA" (Warners)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $6,000. (Average, $7,000)

"TRANSIENT LADY" (Univ.)
RKO BOSTON—(3,246), 25c-50c, 2nd week, 5 days. Stage: "Folies Bergere" Revue, "Hello Paris." Held over 5 days when contracts necessitated leaving. Adults only. **Gross:** $16,000. (Average for week, $11,000)

"Bill" at $4,500 In Oklahoma City

OKLAHOMA CITY, May 6.—In a dull week here "Broadway Bill" made the best straight film showing with $4,500, above normal by $500.

"The Best Man Wins" pulled $2,600 in four days at the Liberty, helped by a stage show.

Total first run business was $14,800. Average is $13,500.

Estimated takings for the week ending May 4:

"PRIVATE WORLDS" (Para.)
CRITERION — (1,700), 10c-26c-36c-55c, 7 days. **Gross:** $4,500. (Average, $5,000)

"BROADWAY BILL" (Col.)
MIDWEST — (1,500), 10c-26c-36c-56c, 7 days. **Gross:** $4,500. (Average, $4,000)

"CHU CHIN CHOW" (Gaumont British)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $1,600. (Average, $2,000)

"BEST MAN WINS" (Col.)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. Stage: "Rio Nights." **Gross:** $2,600. (Average week, $2,500)

"MURDER ON A HONEYMOON" (Radio)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $600. (Average week, $2,500)

"Carmen" to Paramount

HOLLYWOOD, May 6.—Paramount has purchased the screen rights to Bizet's opera, "Carmen," and plans to use it as a vehicle for Gladys Swarthout, Metropolitan Opera star. The film was originally made in silent form with Geraldine Farrar, but has never been touched in sound.

Where Theatre Payroll Went

(*Continued from page 7*)

	Number	Receipts	Average employment	Payroll
VIRGINIA				
Norfolk (mp)	7	432,000	81	85,000
Richmond (mp)	10	750,000	104	153,000
Roanoke (mp)	7	421,000	68	63,000
WASHINGTON				
Seattle (mp)	41	2,352,000	474	490,000
Seattle (all other)	11	935,000	160	171,000
Spokane (mp)	12	496,000	124	117,000
Spokane (all other)	3	319,000	60	52,000
Tacoma (mp)	11	325,000	57	73,000
WEST VIRGINIA				
Charleston (all)	8	506,000	71	85,000
Huntington (mp)	10	492,000	83	90,000
WISCONSIN				
Kenosha (mp)	6	167,000	36	49,000
Madison (mp)	5	296,000	34	64,000
Milwaukee (mp)	72	2,739,000	451	693,000
Racine (mp)	8	190,000	36	49,000

"Life Begins" Hits $4,400 at Lincoln

LINCOLN, May 6.—"Life Begins at 40" at the Stuart was the week's solid money getter and totaled near $4,400 on the seven-day stretch. That's $1,300 better than par. "George White's 1935 Scandals" was a good pacer for the Lincoln, although not figured very potent before the opening. Surprised with $2,600, $400 up.

The Orpheum's "Love in Bloom" with the Gene Gory "Runnin' Wild" unit on the stage, followed by the dual, "Mr. Dynamite" and "Spring Tonic," was a sock, largely due to the stage show three days. Take was $2,800, $500 over the line.

Total first run business, $10,950. Average is $8,450.

Estimated takings:

Week Ending May 2:
"TEXAS JACK" (Majestic)
"DEATH STALKS AT MIDNIGHT" (Univ.)
"McFADDEN'S FLATS" (Para.)
COLONIAL—(750), 10c-15c, 7 days. **Gross:** $1,150. (Average, $850)

"GEORGE WHITE'S 1935 SCANDALS" (Fox)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,600. (Average, $2,200)

"LOVE IN BLOOM" (Para.)
"MR. DYNAMITE" (Univ.)
"SPRING TONIC" (Fox)
ORPHEUM—(1,200), 10c-15c-25c, 7 days. Three with Gene Gory's "Runnin' Wild" unit on stage. **Gross:** $2,800. (Average, $2,300)

Week Ending May 3:
"LIFE BEGINS AT 40" (Fox)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $4,400. (Average, $3,100)

Olsen Back at Aberdeen

SEATTLE, May 6.—Tom Olsen, former manager of the Fifth Avenue and Paramount here for Fox West Coast, has just returned to the Northwest territory as manager of the two Warner theatres in Aberdeen, Wash.

Olsen has been associated with Warner theatres in the Middle West and East for several seasons. He succeeds Fred Kissenberg, who will return to a theatre post in Santa Barbara.

FWC Meeting Today

LOS ANGELES, May 6.—Fox West Coast executives will meet tomorrow to decide on action on the clearance schedule and on the Balboa admission question. F. W. C. managers meet at the same time.

Ludington Bound Here

HOLLYWOOD, May 6.—Nicholas Ludington, vice-president of First Division, left here today by train for New York with his family.

Rialto's Suit Over "Bride" Is Settled

(*Continued from page 1*)

was settled out of court yesterday by an agreement through which the Rialto relinquishes claims on the picture in favor of the Roxy and receives in return exhibition rights to Universal's "The Werewolf of London."

The Rialto had claimed that under its booking agreement with the Roxy it was entitled to first call on all crime and mystery pictures rejected by the Music Hall. In addition to its suit against the Roxy the Rialto had also filed an application for an injunction to restrain Universal from selling "The Bride of Frankenstein" to the Roxy.

"Whole Town" Seattle Second Week Leader

SEATTLE, May 6.—With three holdovers in town, business was not strong, with the exception of the Liberty, where "The Whole Town's Talking" garnered $5,600, over normal by $1,600, in its second week.

The only other attraction on the profit side of the line, and this was a holdover, too, with "Gold Diggers of 1935," which took $4,100.

Total first run business was $29,700. Average is $30,500.

Estimated takings for the week ending May 4:

"STAR OF MIDNIGHT" (Radio)
BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week. **Gross:** $3,600. (Average, $4,000)

"RECKLESS" (M-G-M)
FIFTH AVENUE—(2,500), 25c-40c-55c, 6 days. **Gross:** $6,100. (Average, $7,000)

"THE WHOLE TOWN'S TALKING" (Col.)
LIBERTY—(1,800), 15c-25c-35c-50c, 2nd week, 7 days. **Gross:** $5,600. (Average, $4,000)

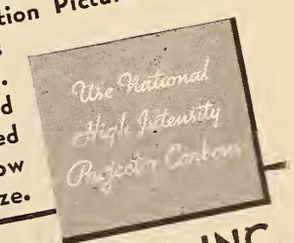
"GOLD DIGGERS OF 1935" (Warners)
MUSIC BOX—(950), 25c-40c-55c, 7 days, 2nd week. **Gross:** $4,100. (Average, $4,000)

"MARY JANE'S PA" (Warners)
ORPHEUM—(2,450), 25c-35c-50c, 7 days. Vaudeville headed by Ghezzi Brothers. **Gross:** $5,200. (Average, $5,500)

"GEORGE WHITE'S 1935 SCANDALS" (Fox)
"THE FIRST WORLD WAR" (Fox)
PARAMOUNT — (3,050), 25c-30c-40c, 7 days. Vaudeville headed by the Bradna Quartet. **Gross:** $5,100. (Average, $6,000)



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Feeling Dynamite-y

Paramount executives are seriously huddling about a possible change in the convention date again, this time to start July 4.

As one of the Paramount men stated, it would be a swell time for fireworks.

Warner Sales Meet At L. A. June 9-13

(*Continued from page* 1)

well L. Sears, western and southern sales manager, at the helm.

Headquarters will be in the Ambassador, according to Albert Warner. The convention is promised as the largest to be held in the history of the company. Over 300 executives and other domestic and foreign representatives will attend. Harry M., Jack L. and Albert Warner will be present. Sam E. Morris, vice-president in charge of foreign distribution, is another. Business sessions will be presided over by Smith and Sears.

Marion Davies, president of Cosmopolitan Corp. and its star, will take a part in the activities and will be official hostess at the studio, as well as head of the welcoming committee of stars, which will include the Warner-First National roster.

A special convention train will leave St. Louis for Los Angeles on Thursday afternoon, June 6. The New York delegation will leave on Wednesday, the 5th, connecting with the special on the following day.

Among the home office executives to attend will be Joseph Bernhardt, Norman H. Moray, S. Charles Einfeld, R. Mochrie, Carl Leserman, A. W. Schwalberg, Arthur Sachson, H. M. Doherty, Stanley Shuford, Gerald Keyser, Harold Bareford, H. Rosenquest, C. Kemke and J. Kelly.

Those from Foreign Field

The foreign field will be represented by Robert Schless, general manager for France and Continental Europe; Max Milder, managing director in Great Britain; D. E. Griffiths, managing director for First National in Great Britain; Peter Colli, manager for Cuba, Panama and Central America; A. S. Abeles, manager for Mexico, and others.

Besides the business sessions at the Ambassador, there will be meetings at the studio, where delegates will be the first outside studio personnel to see "A Midsummer Night's Dream," and "Page Miss Glory." The train will cross Missouri, Arkansas, Texas, New Mexico, Arizona and California, via the Missouri Pacific, Texas & Pacific and Southern Pacific. The first stop will be made at Longview, Tex., for a visit to the oil fields. Boarding the train again at Gladewater, the convention will next stop at Dallas, where they will be entertained by R. J. O'Donnell of the Interstate Amusement Co. At Abilene, Texas, there will be another stop, a rodeo having been arranged for the amusement of the travelers; and at El Paso there will be a stop of three hours, during which a visit to Juarez, Mexico, will be made.

The climax in Los Angeles will be a banquet to be held on the evening of June 13.

Paramount to Make Fox Met Bid 4 Million

(*Continued from page* 1)

court and the Fox Met committee the new period of grace in which to formulate a bid. If the necessary time is granted, negotiations on financing the offer will be begun at once, it was said. The routine would require an application by the trustees for permission from Federal Judge Alfred C. Coxe to submit the proposed bid, subject to the later approval of the new Paramount board, which will be formally installed on May 15. Reports that Atlas Corp. would finance the bid could not be verified yesterday although Atlas, with H. A. Fortington, American representative of large British insurance interests and a new Paramount director, is the moving spirit behind the Paramount interest in Fox Met.

Modifications of both the Schenck and Fabian plans for Fox Met were discussed at a meeting of the bondholders' committee yesterday and both are understood to be subject to further negotiations with the committee. Schenck has offered to increase the cash amount of his bid from $700,000 to $800,000 and to add assurances of his remaining with the new Fox Met company a minimum of five years and making United Artists and 20th Century product available to the circuit.

Accompanying the modifications in Fabian's plan which went to the committee yesterday was a certified check for $100,000 as an evidence of good faith. Fabian did not increase the cash provisions of his plan, which remain at $1,000,000. The amortization period for the new bonds which would be issued under his plan remains at 15 years and no new limitation on the declaring of dividends by the new company was made, despite views expressed by the court that both of these provisions should be modified. It is understood, however, that these points may figure in later trading with the committee.

Fox Theatres stockholders and B. S. Moss and associated interests, also in the running as probable bidders for Fox Met, were reported to have failed to decide yesterday on the submission of proposals.

Yoost Denied Appeal In Paramount Action

(*Continued from page* 1)

the contention that Paramount could obtain cheaper recording license agreements than those with Erpi which were made a part of the settlement. The court, however, held that he had no standing in Paramount's reorganization and his subsequent petition for leave to intervene in the reorganization was denied. It was this denial that was affirmed yesterday by the higher court.

"Time" to Ohio Circuit

"March of Time" has closed with the Warner Ohio Circuit for future releases of the reel, starting with the current third issue. Ralph Rolan, vice-president, handled the deal for "March of Time."

M-G-M Plans 49; Lists 20 For Salesmen

(*Continued from page* 1)

the new program. In addition, there will be a series of four to be known as "Campaign Pictures," 14 "Marquee Pictures" and a group of three special musicals "in addition to such other musical productions as the company will make."

The 22 starring vehicles will include these:

Greta Garbo in "Anna Karenina" and one other.
Clark Gable in two.
Jean Harlow in two.
Joan Crawford in three.
Lionel Barrymore in three.
Wallace Beery in two.
Norma Shearer in at least one.
Jeanette MacDonald in one; also a co-starring vehicle with Nelson Eddy, thereby uniting again the "Naughty Marietta" combination.
Grace Moore in one.
William Powell in one.
Robert Montgomery in two.

"Other stars including Charles Laughton, Freddie Bartholomew, Jackie Cooper, Helen Hayes, Spencer Tracy and Clifton Webb," says the announcement, "will appear in other films to be announced later."

The "Campaign Pictures," as well as the "Marquee Pictures," will deal largely with topical subjects. No detail as to vehicles or casts in either group, or in the group of special musicals, was supplied.

Many Features Listed

Among the 20 features definitely designated for production are these:

"Oliver Twist" with an all-star cast.
"Ah, Wilderness," which Clarence Brown will direct from Eugene O'Neill's play.
"The Bishop Misbehaves," based on the New York stage play.
"The Black Chamber," based on Herbert Yardley's story of the Secret Service with William Powell in the lead.
"Twenty Thousand Leagues Under the Sea," Jules Verne story.
"Mala," an adventure story with a South Sea background.
"The Witch of Timbuctoo."
"Here Comes the Band," with Ted Lewis.
"Silas Marner," classic by George Eliot.
"Maytime," Sigmund Romberg operetta.
"The Prisoner of Zenda."

The company also listed story properties from which additional 1935-36 pictures may be selected, although no commitment that they will was made:

Ferenc Molnar's two new plays, "Miracle in the Mountains" and "The Girl from Trieste"; "The Shining Hour," based on Keith Winter's London and New York stage play; "Goodbye Mr. Chips," James Hilton's story and "Rage in Heaven," by the same author; "Ma Pettingill," by Harry Leon Wilson; "The Whipsaw," *Liberty Magazine* prize story; Charles Dickens' "Pickwick Papers"; "Gold Eagle Guy," Melvyn Levy's play of early San Francisco. "Robin Hood of El Dorado," by Walter Noble Burns; "Mad Love," based on Maurice Renard's story; "The Hands of Orlac"; "The House of Trujillo," Anne Cameron's *Saturday Evening Post* story; "Calm Yourself," by Edward Hope; "The Distaff Side," John Van Druten's New York and London stage play.

Rudyard Kipling's "Kim"; "Presenting Lily Mars" and "Rennie Peddigoe," both by Booth Tarkington; "Nancy Stair," novel by Elinor Macartney Lane which Philip Barry modernized; Arnold Bennett's "Sacred and Profane Love"; "Three Wise Guys," by Damon Runyon; Herbert Gorman's novel, "Suzy"; Mary Roberts Rinehart's "Tish"; Gene Fowler's novel, "Timberline"; Louis Bromfield's "Living in a Big Way" and Clements Ripley's "A Lady Comes to Town," both of which appeared in *Cosmopolitan Magazine*.

Merton Hodge's play, "The Wind and the Rain"; the Hungarian play, "Her Excellency's Tobacco Shop" by Laszlo Bus-Fekete; "Man Crazy" by Vina Delmar; "Any Port in a Storm," based on Guy Gilpatric's series of *Saturday Evening Post* stories; "Manners Maketh Man," an original by John Monk Saunders, and "Tell No Tales," an original by Oliver H. P. Garrett and Fritz Lang.

The Shorts Lineup

DETROIT, May 6.—Thirty-six two-reel and 47 one-reelers, together with 104 issues of the Hearst Metrotone News, make up the short subject program for M-G-M next season, at the company's sales convention at the Book-Cadillac was told today.

On the schedule are "Our Gang," featuring Spanky McFarland; also the Charley Chase and Thelma Todd-Patsy Kelly comedies. All of these will be produced at the Roach studio. There will be eight releases in each of the groups.

In the "Junior Feature" bracket are six "Crime Doesn't Pay" two-reel features, to follow the recent release "Buried Loot," which inaugurated this series, and six M-G-M star musical revues in Technicolor.

The one-reel releases include 10 FitzPatrick Traveltalks in Technicolor. The first will be "Japan in Cherry Blossom Time."

Pete Smith, commentator on outdoor sports and novelties, will do two complete sets of one-reel releases, 12 in each group. One of them is titled "Oddities," the other is "Sports Champions."

The program will be supplemented by a group of 13 one-reel "Happy Harmonies" cartoons, to be produced in tri-color Technicolor.

In addition, there will be semi-weekly issues of the Hearst Metrotone News, featuring Edwin C. Hill as the M-G-M Globe Trotter.

Currently, MGM is releasing 77 shorts aside from the 104 issues of the newsreel. In the two-reel division are 38 releases, divided into six series of which Roach is producing five. In the single-reel division are 39 releases in four series.

Garbo Renews Deal

HOLLYWOOD, May 6.—MGM production announcement, released today and listing Garbo for a picture following "Anna Karenina," indicates the star has signed a new contract.

Preparing "Oliver Twist"

HOLLYWOOD, May 6.—George Cukor has been making secret tests for two weeks, preparatory to casting "Oliver Twist" for M-G-M. Cukor is not assigned officially to direct, but it seems likely that the David Selznick-Cukor-Freddie Bartholomew combination, which made "David Copperfield," will be used.

Ted Lewis Vehicle Set

HOLLYWOOD, May 6.—The title of the picture which Ted Lewis will make for M-G-M is "Here Comes the Band." The story will be a combination of several musicals that the studio has purchased. Nat Pendleton and Ted Healy will be in the cast and Paul Sloane will direct. Lewis is due here June 3.

Two Added to "Bounty"

HOLLYWOOD, May 6.—Herbert Mundin and Hal LaSeuer have been added to the cast of "Mutiny on the Bounty." Frank Lloyd is directing now in Catalina waters for M-G-M.

Lehrman on Hubbard Film

HOLLYWOOD, May 6.—Henry Lehrman, writer, has checked in at M-G-M lot and has been assigned to work with Arthur Kober on the screenplay of "Calm Yourself." Lucien Hubbard will produce.

Tone with Boleslawski

HOLLYWOOD, May 6.—Franchot Tone was set to start in "Manhattan Madness" at M-G-M today. The story is from an original by David Silverstein, and the cast will include Maureen O'Sullivan, and Lewis Stone. Richard Boleslawski will direct.

Testing for "Two Cities"

HOLLYWOOD, May 6.—Judith Anderson and Blanche Yurka both have been tested for the important role of Mme. LaFarge in "The Tale of Two Cities" by M-G-M. Ronald Colman stars and Brian Aherne plays Charles Darnay.

"Nuisance" for Tracy

HOLLYWOOD, May 6. — Spencer Tracy's first under his new M-G-M contract will be "Little Miss Nuisance." Jean Arthur and Rosalind Russell are in the cast. John W. Considine, Jr., will produce from the script by Jack Kirkland and Jesse Lasky, Jr. Tracy's second film will be "Riff Raff."

"Delinquent" in Series

HOLLYWOOD, May 6.—M-G-M has announced "Delinquent" as the title of the third in the series of "Crime Doesn't Pay" shorts. Though no cast has been selected, John Farrow is slated to direct. The series is being made under supervision of Harry Rapf.

M-G-M After "Passport"

HOLLYWOOD, May 6.—M-G-M has obtained an option on "Passport to Hell," magazine serial by James Warner Bellah. The story is being considered as a vehicle for Clark Gable.

Strickling in Detroit

DETROIT, May 6.—Howard Strickling, head of the studio publicity department, hopped in by plane from Hollywood to attend the convention at the Book-Cadillac.

Marsh Rejoins M-G-M

HOLLYWOOD, May 6.—Joan Marsh, after two years off the lot, has returned to M-G-M for a role in "Anna Karenina." Clarence Brown is directing.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Murder in the Fleet"

(M-G-M)

HOLLYWOOD, May 6.—When Ted Healy says: "This ain't a battleship, it's a haunted house," he keynotes the laugh, thrill and mystery content of this murder melodrama played on a cruiser.

Designed for suspense and light entertainment, the picture achieves its intent. The focus of attention is the installation of a secret electric gun-firing device. Conflict arises between connivers who don't want it installed and officials who do. To prevent its installation two murders are committed. Suspicion falls upon visitors, a foreign consul, salesman and crew. The trial is held on board. Spooky events occur until the murderer is located trying to blow up the ship, whipping up a tingling climax.

Robert Taylor has the romantic lead, with Jean Parker the object of his affections. Healy and Nat Pendleton ably carry the comedy, fighting for Una Merkel's favor. Jean Hersholt, as a mad inventor, does superbly in a small part. Mischa Auer, as an Oriental, is splendid. Donald Cook, Keye Luke, Mary Doran, Raymond Hatton, Ward Bond and the team of Hyams & McIntyre support nicely.

Edward Sedgwick wrote the original and directed all right from Joe Sherman's and Frank Wead's screen play.

As a topical film spotlighting the navy against secret machinations this should satisfy as a pleasing show.

No production code seal. Running time, 70 minutes. "G."

What They're Down For

Detroit, May 6.—Star and featured player assignments on the company's 1935-36 *program so far as definite designations go were announced to the M-G-M eastern sales regional today as follows:*

LIONEL BARRYMORE—Star in three; no titles.
WALLACE BEERY—Co-stars with Jean Harlow and Clark Gable in "China Seas." Star individually in two; no titles.
RONALD COLMAN—Lead in "A Tale of Two Cities."
JOAN CRAWFORD—Star in "Glitter" and three others.
CLARK GABLE—Co-star with Jean Harlow and Wallace Beery in "China Seas." Star individually in two more.
GRETA GARBO—Star in "Anna Karenina" and one other.
JEAN HARLOW—Co-star with Wallace Beery and Clark Gable in "China Seas." Star individually in two others.
TED LEWIS—Lead in "Here Comes the Band."
MYRNA LOY—Co-star with William Powell in "After the Thin Man."
JEANETTE MACDONALD—Co-star with Nelson Eddy and individual star in one other.
MARX BROTHERS—Stars in unnamed vehicle.
ROBERT MONTGOMERY—Star in two.
GRACE MOORE—Star in one.
WILLIAM POWELL—Star in "The Great Ziegfeld" and "The Black Chamber." Co-star with Myrna Loy in "After the Thin Man"; solo star in one other.
NORMA SHEARER—Star in at least one.

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Albany, N. Y. (WOKO)
Atlanta, Ga. (WGST)
Atlantic City, N. J. (WPG)
Baltimore, Md. (WCAO)
Bangor, Me. (WLBZ)
Birmingham, Ala. (WBRC)
Boston, Mass. (WNAC)
Bridgeport, Conn. (WICC)
Buffalo, N. Y. (WGR)
Charlotte, N. C. (WBT)
Chattanooga, Tenn. (WDOD)
Chicago, Ill. (WBBM)
Cincinnati, O. (WKRC)
Cleveland, O. (WHK)
ColoradoSprings,Col. (KVOR)
Columbus, O. (WBNS)
Dallas, Texas (KRLD)
Denver, Colo. (KLZ)
Des Moines, Iowa (WREC)
Greensboro, N. C. (WBIG)
Harrisburg, Pa. (WHP)
Hartford, Conn. (WDRC)
Houston, Texas (KTRH)
Indianapolis, Ind. (WFBM)
Jacksonville, Fla. (WMBR)
Kansas City, Mo. (KMBC)
Knoxville, Tenn. (WNOX)
Little Rock, Ark. (KLRA)
Los Angeles, Cal. (KHJ)
Manchester, N. H. (WFEA)
Memphis, Tenn. (WREC)
Miami, Fla. (WGAM)
Minneapolis-St. Paul (WCCO)
Mobile, Ala. (WALA)
Montreal, Que., Can. (CKAC)
New York City (WABC)
New Orleans, La. (WDSU)
Oklahoma City, Okla. (KOMA)
Orlando, Fla. (WDBO)
Pensacola, Fla. (WCOA)
Peoria, Ill. (WMBD)
Pittsburgh, Pa. (WJAS)
Providence, R. I. (WEAN)
Richmond, Va. (WMBG)
Roanoke, Va. (WDBJ)
Rochester, N. Y. (WHEC)
Salt Lake City, Utah (KSL)
Santa Barbara, Cal. (KDB)
Savannah, Ga. (WTOC)
Shreveport, La. (KWKH)
Sioux City, Iowa (KSCJ)
South Bend, Ind. (WSBT)
Spokane, Wash. (KFPY)
Springfield, Mass. (WMAS)
Tacoma, Wash. (KVI)
Tampa, Fla. (WDAE)
Toledo, Ohio (WSPD)
Toronto, Ont., Canada (CFRI
Utica, N. Y. (WIBX)
Washington, D. C. (WJSV)
Wheeling, W. Va. (WWVA)
Wichita, Kan. (KFH)
Windsor, Detroit (CKLW)
Winston-Salem, N. C. (WSJS
Worcester, Mass. (WORC)

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MOTION PICTURE DAILY

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VOL. 37. NO. 108 NEW YORK, WEDNESDAY, MAY 8, 1935 TEN CENTS

Milliken and Quigley Begin British Talks

Explain Origin, Purpose Of Production Code

By BRUCE ALLAN

LONDON, May 7.—Carl E. Milliken and Martin Quigley discussed the origin and purposes of the American production code with leaders of the Federation of British Industries here today. Another conference is to be held in a few days to go into further details.

Sir Francis Joseph, president of the Federation, and Guy Locock, director, were present.

An official statement issued after the conference said:

"Mr. Milliken and Mr. Quigley explained fully the origin and purposes

(*Continued on page* 11)

2 RKO Subsidiary Units Show Profit

Keith-Albee-Orpheum Corp. and subsidiaries, RKO units, report for the 13 weeks ended March 30, 1935, but subject to year-end adjustments, a net profit of $41,789.95 after deducting all charges, including depreciation of $210,414.04, but before provision for Federal income taxes amounting to $12,835.

For the corresponding period last year, operations resulted in a net profit of $167,522.49, including depreciation

(*Continued on page* 11)

Plane Victim Dies; Wallace Shows Gain

KANSAS CITY, May 7.—Mrs. William Kaplan, wife of the production manager of the "Annapolis Farewell" company, died at the Samaritan Hospital at Macon, Mo., this morning as a result of injuries sustained when the Sky Chief, TWA plane, crashed near Atlanta, Mo., Monday morning.

Hospital reports declare Paul Wing, business manager of the unit and father of Toby Wing, actress, is in an

(*Continued on page* 11)

125 Leo Men Start K. C. Meeting Today

KANSAS CITY, May 7.—Approximately 125 members of Leo's cohorts, including home-office distribution officials, district managers, auditors and representatives from 19 exchanges in the south and west meet Wednesday

(*Continued on page* 14)

Chase Still Fox's Largest Stockholder, Report Reveals

By BERTRAM F. LINZ

WASHINGTON, May 7.—Chase National Bank continues the largest individual stockholder in Fox Film with 1,149,507 shares of Class A common, it was revealed when the company filed registration statements with the Securities and Stock Exchange Commission for the listing on the N. Y. Stock Exchange of 2,479,273 shares of no par common Class A, as well as 25,000 warrants for the same stock classification and 34,514 debenture rights.

The company also reported, as required, a list of all holders of 10 per cent or more of its stock including White, Weld & Co. of New York, with 462,659 4/6 shares; voting trustees, 14,349 shares of Class B common; Amerex Holding Corp., warrants for 15,665 2/3 shares and Hayden, Stone & Co., warrants for 5,167 shares.

S. R. Kent was listed for 1 1/6 shares of A common while his personal holding company, the Berkshire

(*Continued on page* 4)

Texas Houses Opening; New Ones Going Up

DALLAS, May 7.—Dark houses continue to reopen and new houses are going up over the state. Humble, Tex., closed for one year, has opened with E. N. Collins operating the Lindell. Karnes City, closed for several years, is to have a theatre operated by W. H. Hall. W. H. Allen is to open the Primrose at Poth, closed for some time.

Moran, Tex., will get a new theatre, the Moran, owned and operated by R. L. Hansard. John Richardson has

(*Continued on page* 12)

Erpi-Para. Claim Deal Before Court

The agreement in settlement of Erpi's $2,000,000 claim against Paramount Publix was approved in a report submitted to the Federal District court here yesterday by Special Master John E. Joyce.

The settlement allows Erpi's claim at $1,200,000 and includes new recording license agreements between Erpi

(*Continued on page* 12)

Crosby with Para. For 2 More Years

HOLLYWOOD, May 7.—Bing Crosby has ironed out his contract difficulties with Paramount and has signed a new agreement calling for three pictures yearly for the next two years. The studio also holds an option under the new contract on Crosby's services for a third year.

Score Charges Questioned in Canadian Quiz

TORONTO, May 7.—Highly illuminating evidence regarding the theatre situation in Canada was forthcoming at the investigation before Judge James Parker at Toronto into the license fees imposed by the Canadian Performing Rights Society, when Thomas J. Bragg appeared to give facts in behalf of Famous Players Canadian Corp., of which he is comptroller and secretary-treasurer.

Bragg protested that theatres are required to pay charges for copy-

(*Continued on page* 4)

Para. Not to Seek Fox Met Extension

Proceeding on the assumption that no plan of reorganization for Fox Metropolitan Playhouses can be consummated until 30 days after it has been approved by the Federal court, Paramount will make no formal application for an extension of the time during which cash bids or new plans will be received by the court and the

(*Continued on page* 12)

Battle Lines Drawn On NRA Legislation

WASHINGTON, May 7.—Lines for the fight between President Roosevelt and the Senate over extension of the Recovery Act were defined today when the House Ways and Means Committee agreed to sponsor the Administration bill extending the law for two

(*Continued on page* 4)

Ascap Offers Present Pacts To Year's End

Move Made in Opposing Quick Trial of Suit

The American Society of Composers, Authors & Publishers is willing to extend all contracts now in force to the end of the current year, Federal Judge John C. Knox was told yesterday by Nathan Burkan, Ascap counsel, at a hearing on a motion brought by the Attorney General's office to obtain a preference on the court trial calendar for the government's suit against Ascap. Judge Knox reserved decision on the government's motion.

The statement on Ascap's willingness to extend current contracts to the end of the year followed arguments by representatives of the Attorney General's office that exhibitors, radio and hotel men throughout the country who held Ascap contracts which would

(*Continued on page* 11)

First Div. Awaits Word on Financing

HOLLYWOOD, May 7.—First Division is awaiting word from Pathe on future financing, according to Henry Hobart, who has returned here following conferences with Nicholas Ludington at Santa Barbara.

Ludington had been scheduled to leave yesterday for the east, but delayed his departure until today. Hobart indicated that the company would seek new backing if Pathe definitely decides to withdraw.

Phila. and Portland Request Clearance

Independent exhibitors in Portland, Ore., and Philadelphia have petitioned Campi for permission to draft clearance and zoning schedules for their territories.

William Cutts of the Independent Exhibitors' Ass'n., Portland, and a member of the clearance board there, sent in the request for his group. John C. Flinn, executive secretary of

(*Continued on page* 4)

Griffith to Remake "Blossoms" Abroad

LONDON, May 7.—D. W. Griffith is understood ready to sail from New York on Friday night to remake one

(*Continued on page* 11)

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About 20 of Jersey Allied to Go South

About 20 members of Allied of New Jersey will attend the national convention in Atlanta on May 20-24, it was stated yesterday after the conclave had been discussed at the regular meeting of the unit.

James P. Clark, president of National Film Carriers, and Clint Weyer, secretary of the organization, will attend.

Other topics discussed were committee reports. The next meeting will be held at the Douglas Hotel, Newark, May 14.

The I.T.O.A. holds its regular session today. Film buys will be the principal topic. This subject, however, was not touched on by the Allied group yesterday.

Arranging Convention

RICHMOND, May 7.—Officials of the M.P.T.O. of Virginia meet here Wednesday to map plans for the association's annual convention in Roanoke on June 10.

Gallup to Divulge Plans

Bruce Gallup, president of the Ampa, will appoint committees and outline his plans for the coming year at a closed meeting of the association tomorrow at the M. P. Club.

"G-Men" Holds Over

CHICAGO, May 7.—The Chicago will hold "G-Men" for a second week.

Insiders' Outlook

By RED KANN

DAVE BOUDREAUX and F. M. Mallory are New Orleans residents and their disappointment is keen over their inability to see the Huey Long sequence in the third issue of "The March of Time" in their local theatres. They, therefore, wrote *Time Magazine* registering that protest. Last week the communications made the "Letters" department of the magazine and drew editorial comment from the publication's editors. . . .

▼

"Fearing that New Orleans audiences 'might riot' if shown 'The March of Time' sequence on Huey Long, the Manhattan headquarters staff of Loew's Theatres, Inc., ordered that sequence deleted in that city," went the comment. "Fearing a revenge tax from the Long Gang if the sequence were not deleted and riots from anti-Longsters if it were, the Saenger circuit decided not to show this 'March of Time' issue at all in Louisiana." . . .

▼

Several of the Saenger officials are sizzling over the incident. Their side of the story runs along these lines: "The entire third issue of 'The March of Time' appeared to us to be highly controversial and we do not believe controversy has any place in an establishment, such as a picture theatre, where the purpose is to entertain the public. We, therefore, asked the producer for the privilege of skipping the third release, agreeing to add one at the end of our contract. The proposals went for theatres in Texas as well." . . .

▼

Agree or not, as you like, the Saenger attitude finds itself violently at odds with the rebuttal which takes a straight buyer-and-seller situation out of that category and into the columns of a publication which happens to own the producer. They view the procedure as a direct effort to take an unfair advantage made possible by the peculiarity of the relationship between printed and pictorial journalism. . . .

▼

The major issue, however, is not that at all, but the poising of the question whether or not material as highly controversial as the subject matter in this particular "March of Time" release belongs on theatre screens. This column earlier had stamped with its approval the guts and the daring which ripple through the two-reeler under fire and sees no reason to about face. It was anticipated at the outset and, let it be made clear, by "March of Time" executives themselves that wholesale slashes would be instituted by exhibitors if the subject itself were not shelved. . . .

▼

Your average theatreman hears enough from patrons about dissatisfaction over the quality of straight entertainment. He is obviously wary of running material which may alienate segments of his audience and, from many angles, cannot be blamed. As inadequate as the following observation may be, the major trouble might appear to rest in the average limited intelligence of the purchasers of tickets and mass disinclination to get beyond surface markings of topics which disturb the set tenor of their mental ways. . . .

▼

How it goes when one producing company has a hookup with William Randolph Hearst: The gentleman from San Simeon has ordered his editors to trim Paramount and Metro publicity and expand on Warner. In practice, for instance, there is the topline yarn in last night's *New York Evening Journal* on the impending W. B. convention in Hollywood next month. . . .

▼

Teaser: Who is that Grade A producer, irked by the ways of his associates, who is reported contemplating a new hatrack under a trademark not currently his? . . .

New Times Officers

Arthur Hays Sulzberger was elected publisher of the *New York Times* and president of the New York Times Co. yesterday at a meeting of directors.

Col. Julius Ochs Adler was chosen general manager, a newly created post, and Godfrey N. Nelson, now secretary of the company, was appointed a director to fill the vacancy caused by the death of Adolph S. Ochs.

Mrs. Wallington Dies

Mrs. Anita Wallington, wife of James Wallington, NBC announcer, died early yesterday at St. Mary's Hospital, a victim of peritonitis. Before her marriage Mrs. Wallington was Anita Furman, captain of the Rockettes of the Music Hall.

Oscar Smith Buried

CLAREMONT, N. H., May 7.—Funeral services have been held here for Oscar Smith, partner of Fred Sharby who operates an independent circuit through New England.

Rolan Signs Fox Midwest

Ralph Rolan, vice-president of March of Time, has closed a deal with the Fox Midwest Theatres, Kansas and Missouri divisions, for the future "March of Time" reels.

No Pittsburgh Rate War, Harris States

There has been no price war in Pittsburgh so far as the Alvin is concerned, says John H. Harris in a letter to MOTION PICTURE DAILY. He raised scales when asked to do so by the Penn and Stanley, he writes.

Harris' letter was the result of a recent item headed "Pittsburgh's Price War Ends with Deal."

He says the Penn cut its scale to 40 cents top, the level at which the Alvin had been operating, because it expected to do more business at that figure. He denies that prior to this drop he had been asked to boost the Alvin top.

Line Up League Talent

Through Mrs. Rose Warner Charnas of the entertainment committee, Harry Hershfield, Helen Gleason of the Metropolitan Opera, Al Jolson, Sophie Tucker, Rudy Vallee and Juliette and Yvette Rugel have consented to appear at the fifth anniversary luncheon of the Milk and Egg League of New York at the Commodore May 14.

Woodhull Plans Weekly

R. F. Woodhull, one-time national president of the M.P.T.O.A., is reported planning a national weekly trade paper. Efforts to reach him at Dover, N. J., his home, for comment, were without results yesterday.

Appeal Maryland Ban

BALTIMORE, May 7.—Public Welfare Pictures has filed an appeal in the Baltimore City Court against a ruling of the Maryland State Board of Censors condemning "Children of Loneliness." A hearing will be held Wednesday.

Wall Street

Big Board Has Bad Day

	High	Low	Close	Net Change
Columbia vtc (c1)	48½	47½	47½	.....
Cons. pfd (1v)....	17	17	17	.....
Eastman (5)	138½	136	136	—3½
Eastman pfd (6)..	153	151	153	+1
Fox Film "A" ...	11¾	11½	11½	— ¼
Loew's, Inc. (2)..	38⅜	38	38⅛	— ⅜
Loew's, Inc., pfd (6½)	106	106	106	— ¾
Paramount	3⅝	3½	3½	.....
Pathe	⅝	⅝	⅝	.....
Pathe "A"	8⅞	8⅞	8⅞	— ⅛
RKO	1½	1½	1½	.....
Warner	3⅛	3	3⅛	.....
Warner, pfd	20	20	20	.....

Curb Issues Show Decline

	High	Low	Close	Net Change
Technicolor	18⅝	18	18	— ½
Trans-Lux (.10K).	2¼	2¼	2¼	— ¼

Most Bonds Are Off

	High	Low	Close	Net Change
General Theatre 6s '40	11⅞	11¼	11¼	—1
General Theatre 6s '40 ctf.....	11¾	11¼	11¼	— ¼
Keith B. F. 6s '46	78⅝	78½	78½	—1
Loew's 6s '41 ww deb rights..	104¾	104½	104¾	+ ¼
Paramount B'way 5½s '51	56	55½	55½	— ⅜
Paramount Publix 5½s '50	90	89⅜	89¾	—1
Pathe 7s '37 ww..	31	31	31	+1
Warner 6s '39 wd	59¼	57⅞	58½	—1

(K and v) Paid this year.

(Quotations as at close of May 7)



"BOO!"

—"Mark of the Vampire" is the best horror-thriller since Hollywood began scaring the public!

AND IT TAKES 2 BROADWAY FIRST RUN THEATRES to accommodate the crowds!

Now packing 'em in DAY and DATE at the Rialto and Mayfair on Broadway!

P. S. Orchids to Cleveland for that swell scarifying showman campaign—and the business was great! Go thou and do likewise!



Scare-ads in N. Y. papers. They clicked!

Line Up in Coast's Bank Night Battle

LOS ANGELES, May 7.—With all eyes in the exhibition field focused on a Federal court test involving the right of the grievance board to suspend film service in a bank night case, which is scheduled to come up this week, the tangle gained added interest as a result of the arrival of Emmett Thurmon, chief legal representative for Affiliated Enterprises, owners of bank nights, and Claude Ezell, attorney from Texas. He announced he would give legal aid to the bank night interests.

At the same time a split in the grievance board has become apparent. At the last hearing J. J. Millstein of M-G-M voluntarily disqualified himself as a member of the grievance board. Since then he has resigned, and it is reported other resignations are pending.

The grievance board has called off all bank night hearings pending the decision of the case now before the Federal Court as a result of the resignation of Millstein and the threatened withdrawal of other members of the board.

Holds Union Scale Ruinous

TOPEKA, May 7.—If compelled to pay operators the union scale he will be forced to close his theatres, Glen W. Dickinson, circuit operator, told Robert A. Gaffney, assistant deputy code administrator, at a hearing yesterday on Dickinson's application for exemption from the code labor provisions.

Before returning to Washington Gaffney allowed an additional 72 hours for introduction of further data to determine union scales in Kansas under the code.

Dickinson testified he still operates under the boom time overhead acquired when leasing theatres eight years ago and could not meet salaries paid by his competitors. Complaints to the labor board and NRA compliance director against Dickinson's scale cuts have been pending about a year. A decision will be given in Washington.

Get Temporary Injunction

DALLAS, May 7.—Brady Amusement Co. at Brady has secured a temporary injunction against distributors attempting to stop service on a bank night award. A permanent injunction will be sought at the hearing in District Court May 29.

Suit for a temporary injunction filed by S. & C., operating the Palace in San Antonio, against the grievance board, its secretary and the distributors, will be heard in San Antonio. The injunction is asked to keep distributors from cutting off service on a bank night decision.

Loew Charges Start Retaliation

Complaints by Loew's against the Majestic and Bridge theatres in Washington Heights yesterday acted as a boomerang when both defendants charged the major circuit with reducing admissions in another form of violation.

Irving Greenfield, attorney for Loew's, declared that the Majestic was putting on "Lucky" contests which were in violation of the code. Henry Suchman, representing Harman Yaffa, retaliated by producing a card advertising Loew's Rio giving away pies free in connection with a stunt on "Gold Diggers of 1935."

Benjamin Brodie of the Bridge admitted putting on "Screeno," but stated Loew's 175th St. also violated the code recently when it invited youngsters to join a parade in conjunction with "David Copperfield," following which they would be admitted without charge.

Greenfield stated he was not familiar with the charges complained of by the respondents. The local grievance board, with ex-Senator George Thompson acting as chairman, handed down a cease and desist order, but it becomes effective only when Loew's discontinue the practices to which the respondents object.

Spry Hit in Campi Appeal

Charges that Thomas D. Spry, Warner branch manager in Boston and a member of the Boston clearance and zoning board, was prejudiced were made yesterday by L. J. Baron, who has theatres in Warren and West Warren, Mass., on appeal before a Campi committee from a decision of the board which dismissed his complaint for relief.

Baron stated that Spry was biased because Warners-First National had not sold him since the advent of sound.

Although Roy H. Haines, local Warner branch head, was a member of the committee hearing the appeal, E. T. Gomersall of Universal came to the defense of Spry, declaring the Warner man of "fine character." Gomersall said he knew Spry personally and that he would not do anything unethical as charged.

Baron's houses are opened one day a week, Saturdays. He stated Fox was trying to hold him back 30 days after Springfield and in many instances had not been able to play pictures earlier than 45 to 60 days.

Says Bank Night Outside Code

Roy L. Walker, attorney at Lampasas, Tex., writes to Red Kann that the injunction he obtained as a result of a film stoppage order issued by the Dallas grievance board was for the purpose of forcing distributors to comply with their contracts.

Walker contends there is nothing in the code authorizing code boards to rule bank nights unfair competition. The board's ruling was aimed at the Brady Amusement Co.

Chase Still Fox's Largest Stockholder, Report Reveals

(*Continued from page* 1)

Finance Corp., is down for 11,369 shares. Other heavy holders included W. C. Michel, executive vice-president, with 1,242 1/6 shares; Sydney Towell, treasurer, 1,234 1/6 shares and $7,000 in debentures; Daniel O. Hastings, 1,001 1/6 shares; Richard F. Hoyt estate, 17,850 shares; Seton Porter, 1,001 shares and Winfield Sheehan, 10,244 2/6 shares of A and 166 4/6 shares of B.

Information on salaries and remuneration of officers and directors and bonus and profit-sharing arrangements, supervisory contracts, construction and service contracts and other contracts with underwriters and others was also filed with the commission, but confidentially and with the stipulation the data would not be made public.

The status of the tieup between Fox and Gaumont British was shown in statements revealing the Fox ownership of the American Investment Co. which owns 49 per cent of the voting stock and approximately 75 per cent of the outstanding stock of the Metropolis and Bradford Trust Co., Ltd., which, in turn, holds 58 per cent of the ordinary stock of G. B. Outstanding indebtedness includes $1,696,600 by Fox Film; $722,500 by Fox Film Realty; $1,566,000 by Fox Realty of California and £2,500 by Fox Film, Ltd.

Phila. and Portland Request Clearance

(*Continued from page* 1)

Code Authority, has instructed them to proceed on the mapping of zones.

The Independent Exhibitors' Protective Ass'n. of Philadelphia passed a resolution at its meeting Monday favoring a zoning setup following which the request was sent to Flinn. The petition reads:

"Due to the peculiar situation that exists here wherein one circuit virtually dominates the entire territory, and particularly on account of recent actions by that circuit in reducing admissions while maintaining the same protection which it had prior to the price cuts, it becomes extremely necessary that there be no further delay in the preparation of a clearance schedule for this territory."

Both petitions will be taken up at the Campi session tomorrow.

Meanwhile schedules already prepared for Milwaukee, Kansas City and New Haven will be the first to be considered by Code Authority. The Los Angeles plan, the first to be adopted, goes into effect a week from today.

Battle Lines Drawn On NRA Legislation

(*Continued from page* 1)

years. The Senate Finance Committee also reached a decision after an appeal by Donald R. Richberg, chairman of the Industrial Recovery Board, and Charles West, White House liaison with Congress, for support of the President.

It is understood that Richberg agreed to a two-year extension with the restrictions on intrastate business and price fixing adopted by the Senate committee, but asked that the President be given more than the 30 days provided by the committee for the President to revise codes to meet the new requirements.

Jubilee Seats on Sale

Boxes and reserved seats for the Actors' Charity Jubilee Show at Madison Square Garden on May 18 in aid of the N.V.A. Fund and Masonic Clubs of New York State, will be placed on sale tomorrow at the Garden and the various theatre ticket agencies.

Question Score Fees In Canadian Probe

(*Continued from page* 1)

righted music in films. One is the film rental; the second the score charge for filmed music and the third was a license fee to the Canadian Performing Rights Society.

"It is very difficult for me to understand why, after we rent a picture for which we pay large rentals, we cannot show it until we have paid the score charges and the performing rights," Bragg said.

Judge Parker asked for information on the so-called score charge, but no one in the courtroom was able to offer an explanation beyond that it might be for the recording right of music.

President H. T. Jamieson of the Canadian Society argued that the license fee of 10 cents per seat should be doubled.

Bragg came back with the contention that people were patronizing neighborhood houses to the detriment of large downtown theatres, as indicated by the fact that the average price of a theatre ticket had dropped from 36.7 cents in 1930 to 29 cents in 1934. Paid admissions to the Famous Player theatres to the number of 160 had fallen from 48,400,000 in 1930 to 44,588,000 in 1934.

The circuit had reduced its theatre rents by $340,000 since 1932, Bragg pointed out; salaries had been reduced more than $150,000 by a 35 per cent reduction in the payroll, while profit of $1,906,000 in 1930 had fallen to $21,984 in 1932, although it rose again to $302,625 in 1934 because of economies. On the other hand, there had been no reduction in taxation and out of every dollar taken in 24 or 25 cents had to be put aside to cover taxes.

Americans Spend More on Shows

Continuing, Bragg declared that the annual per capita expenditure for film shows in the United States in 1934 was $6.50 as compared with $2.40 in Canada. This was due, he believed, to the different habits of the peoples, Canadians being more of the home-loving type with fewer diversions. In the states, theatres operated seven days per week, while most of those in Canada were open on a basis of six days weekly. Comparing theatres in Toronto and Buffalo, N. Y., Famous Players' large downtown house averaged $13,000 per week in gross income, while a theatre in Buffalo of 10 per cent greater seating capacity, averaged $35,000.

R. C. Cassells, counsel for the Performing Rights Society, asked witness: "Is Famous Players a United States corporation?"

Bragg replied: "The stock is controlled by Paramount-Publix Corp. in the United States."

The Canadian chain paid $2,253,000 to United States film producers in 1934, he continued. Advertising was the fourth largest expenditure for the 160 theatres, amounting to $1,250,000 last year. The rental of a film program represented about 10 per cent of the gross receipts, although this ran as high as 35 per cent in the case of a special production. This rental was exported to producers in other countries. Bragg said there had been no reduction in film rentals during the depression years.

Other theatre witnesses are yet to be heard before Judge Parker who announced that the inquiry would move to Montreal May 10.

"Four stars. Smash hit. Warner Bros. have been starting cycles in films ever since they made the first all talking picture, 'The Jazz Singer,' starring Al Jolson, a cycle which will probably go on until television comes along. They started the young gangsters off in the films with their 'Doorway to Hell,' featuring Lew Ayres and James Cagney, and brought musical films back into favor with '42nd Street. Now they have inaugurated a new cycle by giving Cagney a vehicle that puts him on the other side of the fence, as it were, making him the hero of an exciting, swiftly moving drama about the 'G-Men.' The picture is so absorbing, so thrilling, and has been done with such excellence, that we are bound to be deluged with a flood of films showing us other phases of the work of these able, incorruptable Government agents who always get their men. Cagney comes through with a fine performance. He makes a believable Department of Justice agent. He is courageous, and honest, a man of education and high calibre, even though he had come up from the gutter. All in all, his Brick Davis is a credit to the Government's crack detective agency. Cagney's screen portrait of Davis is sharp, clear and impressive. And his performance goes far toward making the picture the excellent entertainment it is. The picture has been skillfully directed by William Keighley who keeps the audience in a state of breathlessness from the beginning to the end. A mob, literally a mob, turned out for the first showing of the film at the Strand Theatre yesterday morning and greeted it enthusiastically."—Kate Cameron in N. Y. Daily News

"Wildly exciting melodrama. Magnificent! Don't miss it. A wildly exciting, vigorous and handsome thriller. It is smashing melodrama, with a kick and with a purpose. And it restores to the screen the substantial James Cagney who first endeared himself to the public as the hero of riotous melodrama. Cagney gives a stirring performance, far the best he has given in seasons. He is supported by a great cast which includes Margaret Lindsay, Ann Dvorak, Robert Armstrong, Barton MacLane, William Harrigan. The film seethes with action. It is filled with gun play, fights, chases, thrills. The romantic interest is strong and appealing. Comedy and pathos neatly balance the sheer melodrama. Extraordinarily timely, 'The G-Men' uses many powerful situations right out of news. It is a thrilling, exciting and inspiring film. Don't miss it."—Bland Johaneson in the N. Y. Daily Mirror

"If the crowds that stormed the Strand Theatre yesterday are any indication, then 'G-Men' is the most terrific box-office smash that Warners have yet produced. With the house jammed half an hour after it opened and police trying to hold back mobs battling to get in despite S. R. O. signs, the waiting cash customers broke through the ropes and police protection, scattered house managers and their assistants left and right, and smashed down two doors, tearing them right off their hinges, in a riotous rush into the lobby. There's your answer to theatre owners who alibi empty houses by saying that people aren't going to the theatre for this reason or that. Give the public a good picture and look what happens! And 'G-Men' is more than a good picture—it's about the most exciting entertainment that has yet come out of Hollywood. Packed with fast and furious action, taking up a theme that's vigorous and alive, and unfolded in staccato tempo, it will hold you breathless from the moment it opens until its thrilling end. For Warners have once again gone to newspaper headlines for their screen material and graphically depict the warfare between the U. S. Government's Department of Justice agents and organized crime. James Cagney gives a performance that tops even his previous brilliant characterizations. The Cagney strut, the knowing eyebrow, the down-to-earth understanding and the hard-boiled intelligence—they're all there in a performance that's swift and sure and electrical. Incidentally, the criticism levelled at the 'Public Enemy' type of film was that it caused youngsters to leave the theatre with the desire to be a swaggering gangster. Warners have started a new cycle and, after seeing Cagney in this one every youngster will leave the theatre with a consuming ambition to become a government agent. One intensely vivid sequence after another. The pictured exploits of the 'G-Men' make for spectacular and dynamic action, and Director William Keighley tells his story with mounting suspense. Cagney is perfect in his role and excellent work is done by Robert Armstrong, Barton MacLane, Edward Pawley, William Harrigan, Russell Hopton, Noel Madison, Raymond Hatton, Harold Huber, Addison Richards and a number of others. It's a tremendous picture—and worth fighting your way in to see."—Rose Pelswick in N. Y. Journal

"'G-Men' is an electrifying movie picturing nation's war on crime with Cagney in fast-moving role. Again the staccato rat-tat-tat of the 'typewriters' and automatics echo from the thrill-filled screen of the Strand Theatre in a Warner picture which ushers in the most pulse-quickening cinematic cycle since the exciting days of the prohibition exposes. It is not only thrilling theatre but adorns its throbbing tale with a moral which should keep aroused a people shocked from complacency by the earlier film preachments against the surrender of the nation to the underworld. One climactic incident is heaped upon another in the attainment of the whirlwind finish. James Cagney contributes another of his electrifying characterizations and is admirably aided by Robert Armstrong, who contributes as thoroughgoing and virile a portrayal as any to distinguish his long career. The picture is loaded with fine actors who add a wealth of color and excellent histrionicism to the roles. William Keighley's direction keeps the action zipping along with the speed of a bullet, and maintains suspense right to the end."—Regina Crewe in N. Y. American

"Blazing melodrama. The photoplay contains several episodes which have scarcely been equalled for excitement and dramatic vigor since 'The Public Enemy' and 'Little Caesar.' Mr. Cagney's performance is the most effective he has given in a long time."—Andre Sennwald in N. Y. Times

"Jimmy Cagney scores hit in 'G-Men.' Jimmy Cagney went over to the law's side with a bang, in Warner Bros.' latest thriller, 'G-Men.' There may have been crowds watching the parade on Eighth Avenue, but we'll bet bigger ones were at the Strand, for this reporter fought to get in and out of the theatre. And did that mob of fans approve of Jimmy's new characterization? They howled and roared their approval. Thrills abound from beginning to end and we defy you not to lose your breath in the exciting sequences. A grand picture."—Julius Cohen in Journal of Commerce

"It is one long, lusty paean in homage to our Federal Agents. It is also a highly exciting film, one so packed with swiftly paced action and so capably played throughout that it easily surmounts any difficulties presented by the routine plot. A thoroughly engrossing melodrama, with a timeliness and significance seldom surpassed. Superior acting. This robust film is worth an evening of any moviegoer's time."—Liberty Magazine

"With its rapid, explosive action continually punching you in the eyes 'G-Men' emerges a swell show. A new twist in the cinema's annals of crime. It makes you feel as if you had consumed a two-volume chronicle novel of all the outrages ever perpetrated by America's various number one public enemies. A skillful, thrilling and exciting blend of fact and fiction, this 'G-Men' is as exciting as any of the old underworld films. Indeed, in many ways it is acted with a finer degree of suspense and credibility than some of those old shockers. Mr. Cagney has acted any number of superb characterizations in his screen career, but I think that here as Brick Davis he gives his most satisfactory performance. He is surrounded by a cast chosen with judgment. The construction of the film by Seton I. Miller, who wrote it, and William Keighley, who directed it, is swift and staccato. Recommended as good, solid, arresting entertainment of its kind." — William Boehnel in N. Y. World-Telegram

"A vivid, racing melodrama. One of the fastest melodramas ever made, giving the Strand Theatre audiences enough excitement to last them for weeks, or until the next of the new cycle comes along. 'G-Men' has started something. The first of its kind for several years, 'G-Men' is surefire entertainment." — Eileen Creelman in N. Y. Sun

"A thrilling drama. Undoubtedly the most thrilling melodrama that has come out of Hollywood since the movies abandoned blood and gunfire for sweetness and light. The Warners, with their customary instinct for surefire, topical movie subjects, have plucked the material for their new picture right out of the nation's headlines. Told with breathless realism and with meticulous regard for the record of recent events. It is, we assure you, all very thrilling, and not to be missed by any one who likes his screen entertainment. The acting is excellent." — Martin Dickstein in Brooklyn Eagle

"Cagney leads 'G-Men' to Broadway to clean up at the box office. The Freres Warner, taking advantage of the headlines in their usual excellent fashion, have turned the spotlight upon the activities of the Government special agents, those seekers after criminals who are known, in the parlance of the underworld and the headline writer as 'G-Men.' An actionful, exciting and thrilling film. It's more exciting passages keep you thrilled." — Al Sherman in N. Y. Morning Telegraph

"Great, gripping, glamorous. Socko! Another red-blooded cinema triumph for the Strand! You haven't seen a movie thriller until you've gaped and gulped and gasped in frenzied excitement at 'G-Men.' Let's forget immediately that the Warner Brothers have rendered a patriotic service by filming this dynamic drama, which glorified the Department of Justice agents of the United States Government, and give a rousing cheer for 'G-Men' on its merits as smash hit screen entertainment. Here is, indeed, the roughest, toughest, shootingest, fightingest film since 'The Public Enemy.' And Jimmy Cagney portrays a straight, brave, kindly role in the picture, giving a smooth, ingratiating and intelligent performance. He proves once again his versatility. It's a fine role in a super-fine production. William Keighley turned out a swift-paced, always intensely gripping picture. Replete with breath-taking dramatic action. Heartily recommended as a punch-packed film treat — guaranteed to chill and thrill all movie fans who can take cinematerial which mixes lead with laughter. They'll not only take it — but like it! And how!" — Irene Thirer in the N. Y. Post

"Not since 'The Public Enemy' startled film-goers with its stark and brutal reconstruction of gangster activities has there come so compelling a photoplay of the underworld as 'G-Men.' With the resourcefulness of James Cagney in giving a most magnificent performance and an impeccably chosen supporting cast, the production is a vivid and exciting entertainment. In 'The G-Men' the screen has singled out Federal men as the heroes and the exploits of the Department of Justice agents over the last three years have given it splendid material for celebration. Those most vociferous of Hollywood's critics who deplored the glorification of the plug-ugly in the extended series of gangster works, should be effectively silenced by the resultant chronicle. A gripping and fast-moving melodrama of today. William Keighley's staging of the shooting episodes, together with his frequent manipulation of the action by shots of many careening automobiles and the mounting crescendo of his climax have been accomplished with rare skill and ingenuity. The playing of the lesser roles is uniformly excellent. The most tremendously gripping screen offering ever presented by Warner Bros., as well as a signal commemoration of some of the most valiant deeds of our day." — Howard Barnes in N.Y. Herald-Tribune

The financial reports on "G-Men" are every bit as breathtaking as the critical comments. Every hour brings new records! "Phenomenal" is the only word for the business this show has done in every single situation! In San Francisco, 70,000 admissions poured into the Warfield Theater in seven days, topping all marks for the past four and one-half years! The run is to be continued indefinitely at the St. Francis! Then in Chicago, despite snow and sleet, extra cashiers were forced into service thirty minutes after the biggest opening in weeks at the Chicago Theater. Next stop—Houston, with business zooming 25% over normal figures! Texas crowds forced the management to schedule a special midnight showing. In Indianapolis, the SRO sign went up at two in the afternoon. Only complaint by manager is that patrons are staying through two shows! On to Memphis, and the biggest gross in the history of the city! Opening to a tremendous preview Friday night, it went still higher on Saturday, and on Sunday turned in the greatest gross since the theaters have been opened. All records, including the almost impossible '42nd Street' mark, fell before long lines of moviegoers. Omaha's Brandeis Theater opened to the biggest business in a year! In Minneapolis, another holdover is assured, as tremendous weekend business smashes all Orpheum Theater records for the year! At St. Louis' Shubert Theater the biggest turnout in the house's history makes a new record a certainty! Even a rainstorm couldn't keep away the thousands who tried to squeeze into the packed theater. They had to be turned away! In Newark, every box-office record in the history of the 15-year-old Branford Theater was topped! Picture may be held for three weeks, an unheard of run at this house. The Albany Strand Theater opened to capacity standing room with a heavy hail storm as competition! Even with a bad break in weather, overflow crowds made Pearl Street look like Times Square. Second day matinee was even bigger than first day. And in New York, the first five days at the Strand have trebled average business and broken every record in the theater's history. Opening-day mobs tore two doors from their hinges! Block-long lines and constant SRO crowds have forced a twenty-one-hour continuous performance policy with the doors opening at 8 A. M. and remaining open until 5 A. M. The Strand run will be continued indefinitely.

Milliken and Quigley Begin British Talks

(Continued from page 1)

of the code and members of the film group present pointed out certain difficulties under which the British industry suffers, owing chiefly to the distance separating Great Britain from California, where the American code is centered, and to slight differences between the lines on which British censorship and the American form of control are carried out.

"The meeting adjourned for a few days in order that representatives of the British industry might consider a more detailed form in which their points might be put forward."

Alexander Korda was host at a dinner in honor of the two emissaries at the Savoy tonight.

Plane Victim Dies; Wallace Shows Gain

(Continued from page 1)

extremely serious condition following a blood transfusion this morning. C. B. Drew, electrician, is also in a precarious state.

Doctors despair of saving Wing, who is suffering from internal injuries, 11 broken ribs and two fractured vertebrae.

Richard Wallace, director; Kaplan, and Henry Sharpe, cameraman, have improved and are reported out of immediate danger, although danger of complications, such as pneumonia, prevails. Wallace is suffering from three broken ribs, chest injuries and a slight brain concussion.

Delayed by strong head winds, Louis D. Lighton, Paramount producer, finally arrived today from Hollywood in a private, high-speed plane and proceeded to the airport at Kirksville. Mrs. Wallace, Mrs. Wing and other relatives of the various victims arrived from the coast by air at noon and were rushed to Macon by auto.

Arthur Cole, of the Kansas City Paramount office, took charge yesterday, but today relinquished details with the arrival of Lighton.

Epstein Reaches Wallace

MACON, Mo., May 7.—Dave Epstein, Richard Wallace's business manager, is here from Hollywood. John Miljan arrived on the same plane with him.

Expected to Pull Through

Friends of Richard Wallace yesterday were advised by the director's wife, prior to her departure from Hollywood to her husband's side, that he is expected to live.

Hatrick in Narrow Squeak

KANSAS CITY, May 7.—Edgar B. Hatrick, general manager of the Hearst film interests, missed the ill-fated Sky Chief by the merest coincidence. In company with various Hearst Publication executives, he had traveled by private plane from Los Angeles to Albuquerque, there planning to transfer to the unlucky TWA air liner. He changed plans at the last minute and boarded the Santa Fe Chief instead.

Gassaway Presents Views On "Political Crackpots"

By SHERWIN A. KANE

The film boys sat around the stove at the Motion Picture Club at the lunch hour, or hours, yesterday and listened, alternately applauding or guffawing, while Congressman Percy L. Gassaway, "the old cow man" from Oklahoma, spoke his mind about Huey Long, Father Coughlin and political apostles of "insincere" share-the-wealth creeds, "more dangerous than communists." Maybe some of the boys didn't agree with everything the long-haired Oklahoman had to say but they liked the way he said it and, as Harry Hershfield put it at the close of the session, "It's good to see a United States congressman come out of a washroom without a black eye."

Yesterday's luncheon forum provided the occasion for Representative Gassaway's first visit to New York, an event, he told his audience in rich, western dialect, that "left him scared as a runaway darkey." But his fright didn't stifle his political opinions nor give him a case of "nerves" when, early in his speech, a photographer's flashlight bulb "back-fired" with a pistol-like explosion a few feet from his head.

"I've been shot three times and shot at a dozen times," the "cow man" remarked with a complacency that would have done credit to an artillery veteran.

"The American people," he observed, "are being stampeded" by the exponents of share-the-wealth programs who, though aware that they are unable to deliver what they so glibly promise, nevertheless do not hesitate to trade on the "ignorance and innocence" of large sections of the population for political power.

"These crack pots," the gentleman from Oklahoma says, "are like the parent who promises his children that if they will be good all year Santa Claus will bring them something nice for Christmas; then on Christmas Eve goes out in the backyard and fires a revolver shot into the air and returns to tell the kids that Santa Claus has just committed suicide."

"They are insincere in their promises of 'something for nothing,'" he continues. "When it comes time to divide the wealth theirs will be the bottom half of the bottle that they can't pour out because the top half belongs to some else."

Father Coughlin, he said, "has joined the money-changers," and Huey Long "is a political tom-tit who imitates a woodpecker and attacks the largest trees just to see if he can put a hole in them."

Representative Gassaway was introduced by Louis Nizer, toastmaster, as one whom the newsreels had disclosed to be the new "cowboy star" of pictures, invited to the non-partisan Motion Picture Club with the same degree of interest which would await his political adversaries.

The Oklahoman curtsied to the film industry, referring to it as the "greatest audience next to newspapers" and one which "had contributed more to the masses than any other business."

"If your industry," he said, "had produced no more than 'The Covered Wagon,' 'Carolina' and 'It Happened One Night,' it would have performed a wonderful service."

2 RKO Subsidiary Units Show Profit

(Continued from page 1)

charges amounting to $245,963.82, but before provision for Federal taxes.

B. F. Keith Corp. and subsidiaries show a net of $35,820.13 for the 13 week period ending March 30, 1935, but subject to year-end adjustments, after deducting all charges including depreciation of $169,103.68 but before provision for Federal income taxes amounting to $6,000.

For the corresponding period last year, operations resulted in a net profit of $101,017 after deducting all charges including depreciation amounting to $198,978.65, but exclusive of Federal taxes.

Mrs. Fye, New Censor

HARRISBURG, PA., May 7.—Governor Earle here today appointed Mrs. Hester M. Fye, Waynesburg, to the state board of censors to succeed Mrs. Mary J. Kerr, Connellsville, whose term has expired.

Mrs. Kerr held the post of secretary. Mrs. Fye's appointment, however, is subject to the Senate's approval.

M. P. Club Meets Friday

A meeting of the general membership of the Motion Picture Club has been called by Felix Feist, president, for Monday at 1 P. M. at the club.

Fox Tries New Deal For Talent Signing

HOLLYWOOD, May 7.—Fox has inaugurated a new plan to insure more harmonious working relations with agents.

In the future agents will contact Jack Gain for long-term contracts for actors, writers and one-picture directors. John Zinn will handle long-term pacts for directors, and Col. Jason Joy will hire the writers. James O'Keefe will be the contact for music and composers, Julian Johnson will buy stories and plays, Phil Friedman and James Ryan will take care of one-picture deals for players and Winfield Sheehan and Sol Wurtzel will handle stars, directors, writers and larger negotiations.

Allen Rivkin, recently appointed an aide to Wurtzel at the Western Ave. studio, has resigned and has returned to Movietone City as a writer. Fanchon Royer, costume designer at the Western Ave. plant, also has resigned and that place has been taken temporarily by William Lambert from Movietone City.

Will Attend Carnival

MEMPHIS, May 7.—Katherine De Mille, Grace Bradley, Gail Patrick, Gertrude Michael and probably Cary Grant are expected to attend the Cotton Carnival which started yesterday and terminates on Sunday. M. A. Lightman is handling the detail.

Ascap Offers Present Pacts To Year's End

(Continued from page 1)

expire within the next few months were faced with uncertainty over contract renewals because of the delay in the trial of the government's suit. Such licensees, it was stated, did not know whether to enter negotiations for new contracts or not, as future rates and pacts might be vitally affected by the outcome of the government suit.

Ascap opposed the government's motion for a preference which would bring the case to an early trial and argued that the case would have to be heard before three judges if the government insisted on haste. Arthur Schwartz, also of the Burkan office, and Henry Ward Beer, representing composers and publishers, argued against the government's petition for leave to take the depositions of Ascap licensees in various sections of the country. Judge Knox also reserved decision on this petition.

Griffith to Remake "Blossoms" Abroad

(Continued from page 1)

of his early successes, "Broken Blossoms," for Julius Hagen at the Twickenham Studio.

Hagen today admitted negotiations were under way, but added no contract had been signed as yet.

"Broken Blossoms," with Richard Barthelmess, Lillian Gish and Donald Crisp, was produced by D. W. Griffith in 1919.

The director was reported in Kentucky yesterday and could not be reached for a statement.

Compromise Sought On Mass. Dog Races

BOSTON, May 7.—A truce looms in the Massachusetts dog racing fight. A bill has been introduced by Representative McDonald to permit the sport until a year from next November, when the question of pari-mutuel betting would again be made a referendum. Local option is proposed at present to abide by the referendum at the last election.

Governor Curley is in favor of abiding by the last referendum.

Warns on New Ohio Tax

COLUMBUS, May 7. — Governor Davey sent a message to the Legislature today in which he said: "There is no alternative to levying special temporary taxes to meet payments on old age pensions estimated at $7,000,000 for the last half of this year."

Members of the House Taxation Committee contend the Governor has no right to request additional taxes until he fulfills his pledge to reduce expenditures. Davey made no suggestion as to a taxation program.

Capitol Variety to Golf

WASHINGTON, May 7.—The local Variety Club on Friday will hold a golf tournament. Exchange forces and exhibitors are invited.

Purely Personal

AL FRIEDLANDER, who arrived by air from the coast late Monday night, is thankful to MYRNA LOY that he missed the plane which crashed near Atlanta, Mo. Learning that the MGM star was to leave on the air liner ahead of the ill-fated conveyor, FRIEDLANDER switched reservations and made the earlier plane. When he got to the air field a few minutes ahead of departure time, FRIEDLANDER saw MISS LOY put two of her friends aboard instead of leaving with them.

•

RAY LEWIS, editor of the *Canadian M. P. Digest,* is back from Hollywood, where she addressed women's clubs on the rapprochement between the British and American industries. She has scheluled other addresses before the English-Speaking Union in Toronto and London.

•

PORTER JOHNSON, 13-year-old son of P. K. JOHNSON of the Interstate circuit in Dallas, has returned south after winning fourth place in the national tumbling contest conducted over the week-end by the Y.M.C.A. He is the tumbling champ of the south.

Quip of the Day

"It makes me 'tzopple' to see what the picture business is growing down to," expostulates Mox Shabbus, Hollywood exhibitor in warm mood.

"Last week my competitor played on Monday, 'Bank Night'—Tuesday, 'China Night'—Wednesday 'Country Store Night'—Thursday, 'Screen-o-Night' — Friday, 'Race Night'—Saturday, "Merchandise Give-Away Night'—Sunday, 'Prosperity Night.'

"For a novelty, I think he should run a 'Moving Picture NIGHT.' All the 'nights' that's left for me is night mares!"

CHARLES STERN, assistant to AL LICHTMAN, has returned to his desk after being away for three days with a bad cold. He recently returned from a seven-week southern trip and last week was in Boston.

•

ARTHUR DICKINSON, of the M. P. P. D. A., left last night for Atlanta to attend a convention of the National Fire Protection Association. From there he will go to Hollywood for the S. M. P. E. convention.

•

NORMAN L. CARTER, assistant to E. V. RICHARDS, of the Saenger circuit, returns to New Orleans on Friday. He says business in N. O. is splendid, but has broken badly in East Texas.

•

SAM ECKMAN, JR., returns to London on the *Ile de France,* which steams from New York on May 18. It's the boat he came over on a few weeks ago.

•

IRVING GREEN, of the local Fox exchange, yesterday became the father of an eight-pound boy. Mother and child are doing nicely at the Rockaway Beach Hospital.

•

GEORGE HAIGHT left for Hollywood by plane yesterday to assume the position of general production assistant to SAMUEL GOLDWYN.

•

SAM SAX entertained 37 midshipmen and 17 officers and instructors of the Spanish naval training ship, *Juan Sebastian de Elcano,* at the Brooklyn Vitaphone plant yesterday.

•

MOE SANDERS, office manager of the local Fox exchange, returns today from a two-week vacation, the first in years.

•

MIKE MARCO is in from the coast for conferences with HARRY C. ARTHUR and JACK PARTINGTON on Fanchon & Marco operations.

•

JAMES P. CLARK, of Horlacher's, Philadelphia, arrived yesterday for a short visit. He returns to the Quaker City today.

•

GEORGE MANN, of the Redwood circuit in Dallas, is in town with his family. At the Waldorf.

•

OLGA SWERTLOW, well known among filmdom's secretariat, is now part of GEORGE WEEKS' staff at GB.

•

CHARLIE MOSKOWITZ is back from his Miami holiday.

•

CARY GRANT hurried back to the coast Monday night.

•

MARIA GAMBARELLI flies in from the coast today. It's a vacation.

•

HARRY GOLD, of U. A., is down with a cold.

•

HERSCHEL STUART is back from Dallas.

•

. . . *Canada*

JOSEPH M. FRANKLIN, now operating a chain in the Maritime Provinces, has been sojourning at Miami Beach in search of health after months of illness at Halifax. JOE used to be RKO theatre representative for Canada with headquarters at Toronto, but struck out for himself.

OSCAR R. HANSON, general manager of Ontario Allied Exhibitors and Associated Theatres and president of Empire Films, took a run over to Detroit from Toronto to see how the Michigan independents were getting along.

DONAT PAQUIN, owner of the Laurier in Hull, Quebec, has invaded Ottawa with the cash purchase of the recently-built Victoria, the reported price being $80,000.

F. S. REVELL of Toronto and B. I. P. representative in Canada, has finally recovered from a lengthy siege of sickness in a Toronto hospital.

LORNE MOORE, with the Capitol at North Bay since 1929, has been transferred to Sudbury to become assistant manager to JACK PURVES, at the Sudbury Capitol.

Flash Review

Law Beyond the Range—. . . western fans will go for the star's (Tim McCoy's) villain-busting efforts. . . .

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

RCA Television Plans

A television program costing more than $1,000,000 and requiring a year to 15 months will be launched shortly, David Sarnoff, RCA head, revealed yesterday.

Para. Not to Seek Fox Met Extension

(*Continued from page* 1)

Fox Met bondholders' committee, it was stated yesterday.

Paramount interests identified with consideration of a $4,000,000 or $4,500,000 cash bid by the company for Fox Met, point out that even in the event either the Joseph M. Schenck or Si Fabian reorganization plan is approved by the committee and the court at tomorrow's hearing, Fox Met creditors must still be given 30 days in which to assent to or reject the plan which is tentatively approved. This period, according to the Paramount spokesmen, is sufficient for the completion of the preliminary study of Fox Met which Paramount will make in advance of a bid and for arranging the financing of the cash offer in the event one is justified by the preliminary study.

The Paramount interests also assume that a cash offer made after court approval had been given to either the Schenck or Fabian plans would still command consideration because of the obvious advantages of a cash sale over the long term securities issues proffered Fox Met bondholders by the plans now before the court.

The Fox Met bondholders' committee continued its study of the Fabian and Schenck plans yesterday and negotiations with the proponents of the plans are expected to be resumed today. The committee is expected to make it recommendations on the plans to Federal Judge Julian W. Mack tomorrow. B. S. Moss and associated financial interests are still regarded as possible cash bidders for the circuit.

Erpi-Para. Claim Deal Before Court

(*Continued from page* 1)

and Paramount at reduced royalties which, it is estimated, will save Paramount $250,000 annually, as compared with former rates. In addition, provisions are incorporated for the establishment of new sound equipment servicing agreements for Paramount theatres.

The claim settlement was vigorously opposed by William Yoost, a Paramount bondholder, who was refused permission to intervene in the proceedings by the Federal district court. The U. S. Circuit Court of Appeals on Monday upheld the district court's ruling denying Yoost the intervention right. The decision cleared the way for Joyce's report, which now must be finally approved by Judge Alfred C. Coxe.

Joyce also approved petitions for expunging six claims aggregating $119,000 against Paramount Publix, which had been assigned to and were held by Paramount Enterprises.

Says B'klyn Sale Being Probed

The sale of the Brooklyn Paramount building to Si Fabian by the trustees of Allied Owners Corp. is under investigation by the Sabath Congressional committee on real estate reorganizations, the *N. Y. World-Telegram* said yesterday.

The allegation that the sale was under investigation by the committee figured in the questioning of Milton C. Weisman, proponent of a plan of reorganization for Fox Metropolitan Playhouses, reported in MOTION PICTURE DAILY of April 25. The building is said to be assessed at $4,800,000 and was sold to Fabian for $75,000 cash and a 20-year mortgage of $1,425,000. The sale is said to have been approved by the first and second mortgage bondholders' committees and the Reconstruction Finance Corp., to which the Allied Owners stock is pledged.

The building was described as a "lemon" and its assessed valuation "too high" by an R. F. C. spokesman, according to the *World-Telegram.*

Texas Houses Opening; New Ones Going Up

(*Continued from page* 1)

opened the Royal in Archer City. Harry Roth will open the Morris at Naples. Frost will have a theatre shortly, owned by Charles Barker.

R. Z. Glass, operating the Knox Street neighborhood theatre here, has taken over the Oak Lawn, suburban house.

P. G. Cameron, operating the Peak, has taken O. E. Easter as a partner.

Hall Industries of Beeville has taken over the entire Mart Cole Circuit and, in addition, the Guild at Crystal City.

To Build in St. Louis

ST. LOUIS, May 7.—Right on the heels of Harry Koplar's announcement that he intended to build a string of suburban houses through his new company, St. Louis Suburban Theatres Co., comes an announcement of a building of a 1,200-seater on Delmar Boulevard.

This house is to be erected by S. D. Rossi, Inc., and is to be leased by a syndicate headed by Maurice Davis. Observers are wondering whether the city is in for a period of suburban competition like that which has torn the first run field for several years.

Charter Three N. Y. Firms

ALBANY, May 7.—Modern Research Corp. and American Mechanographic Corp., films and records, have been chartered by Anne Kahn, Travis S. Levy and Howard M. Rosenthal.

Let Freedom Ring, Inc., has been chartered by Ruth Kliger, Mathilda Kossack and Murray Gottlieb.

Takes New Haven House

NEW HAVEN, May 7.—Edwin S. Raffile has acquired the Globe after 10 years as manager from Moses J. Slepack. Wide Range sound is to be installed, evening prices will be raised from 15 to 20 cents and giveaways will be tried.

Form Kentucky Firm

FRANKFORT, KY., May 7.—Citizens' Theatre Co. of Henderson, Ky., has been incorporated with capital of $10,000.

Two Theatres Here to Be Sold

Two theatres, the Imperial at 250 West 46th St. and the Chanin at 249 West 45th St., are to be offered at auction by James R. Murphy on May 24. The sales will take place at the Vesey St. salesroom by order of William Levin, referee, to satisfy mortgage judgments.

Randforce Amusement Corp.

1515 BEDFORD AVENUE
Brooklyn, N. Y.

April 3rd, 1935



Mr. Red Kann
Motion Picture Daily
1790 Broadway
New York City

Dear Red:-

Your 'Daily' has been improving day by day to the extent that it is one of the most interesting issues now.

Your comments and knowledge about the different items of our business, have been of extreme interest to everyone concerned.

Wishing you continual success, I am,

Sincerely yours,

Samuel Rinzler

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ALHAMBRA
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CONGRESS
CROSS-BAY
CULVER
DUFFIELD

EMBASSY
EMPRESS
FORTWAY
GLENWOOD
HIGHWAY
KINEMA

LEADER
LEFFERTS
MARBORO
MARCY
MASPETH

MESEROLE
OZONE PARK
PARKSIDE
PARTHENON
REPUBLIC

RIDGEWOOD
RIVERA
ROEBLING
SAVOY
SENATE

STADIUM
STONE
STRATFORD
SUPREME
WALKER

BOOKED BY SHOWMEN
AS AN ALL YEAR-ROUND
BOX OFFICE ATTRACTION

125 Leo Men Start K. C. Meeting Today

(Continued from page 1)

through Friday at the Muehlbach in a second and final sales convention.

Ground covered earlier in the week in Detroit, including outline of product for the new season, selling policies, quotas and sales expectations will be repeated here.

Whereas William F. Rodgers, eastern sales manager, flanked Felix F. Feist, general sales manager, at the Detroit sessions, it is Tom J. Connors, southern sales manager, and Edward M. Saunders, western sales manager, who are second and third in command here.

On Thursday night there will be given a testimonial banquet in celebration of Feist's 10th year as general sales manager.

Others from New York include Howard Dietz, publicity director; Si Seadler, advertising director; William R. Ferguson, exploitation director; Jay A. Gove, sales development manager; Arthur Lacks, in charge of newsreel bookings; J. S. MacLeod, manager of exchange maintenance; Alan F. Cummings, manager of exchange operation; Fred C. Quimby, short subject sales manager; Charles J. Sonin, purchasing agent; Charles F. Deesen, manager of the contract department; M. L. Simons, editor of *The Distributor;* Harold Postman, assistant to Connors and Joel Bezahler, assistant to Saunders.

District managers include George A. Hickey, Charles E. Kessnich, Sam A. Shirley and Harris P. Wolfberg.

Regal Films, M-G-M's Canadian distributor, will be represented by a delegation headed by H. L. Nathanson. Hal Roach and Howard Strickling will be on hand as representatives of the M-G-M studio. Arthur Loew may also be here.

Those from the Field

Atlanta—Roy M. Avey, manager; Lafayette B. Butler, Henry D. Hearn, Louis C. Ingram, Charles F. McGuire, salesmen; Thomas E. Lucy, office manager, Fred C. Groover, booker.

Chicago—Felix Mendelssohn, manager; Max C. Brodsky, Frank P. Ishmael, T. I. Mendelssohn, David E. Ross, salesmen: John G. Kemptgen, office manager; Alfred Putz, booker.

Dallas—Leroy Bickel, manager; Clyde Houston, Henry G. Krumm, Charles D. Lyne, salesmen; Anthony V. Philbin, office manager; L. G. Whitington, booker.

Denver—Henry A. Friedel, manager; Robert Cain, Julian H. King, salesmen: Fred S. Zekman, office manager; Mike Cramer, booker.

Des Maines—Walter E. Banford, manager; Dexter C. Kennedy, Louis Levy, salesmen: Harold Cohen, office manager; Gerald McGlynn, booker.

Indianapolis—Wade W. Willman, manager; Thomas C. Baker, Robert D. McRaven, Herbert A. Wagner, salesmen: Foster B. Gauker, office manager; Earl Herndon, booker.

Kansas City—Frank C. Hensler, manager; Edwin W. Green, Sam B. Stoll, Truly B. Wildman, G. M. Baumeister, salesmen; John A. Muchmore, office manager; Joseph Maguire, booker.

Los Angeles—Jacob J. Milstein, manager; Francis A. Bateman, William A. Caliban, salesmen.

Memphis—J. F. Willingham, manager; Carl F. Mock, Jack C. ReVille, salesmen; Maurice L. Basse, office manager; Louis J. Weber, booker.

Milwaukee—Sam Shurman, manager; Edward J. Lipson, A. Jack Sbumow, salesmen; Josepb H. Imbof, office manager; Herbert Bennin, booker.

Minneapalis—William H. Workman, manager; William P. Cameron, Louis H. Coen, A. S. Clatworthy, George W. Turner, salesmen; Wilfred Watmough, booker.

New Orleans—C. James Briant, manager; Virgil H. Bridges, Frank Jelenko, salesmen; Eldon F. Briwa, office manager.

Oklahoma City—William B. Zoellner, manager; James N. Byrd, salesman; Joseph Markowitz, office manager; William A. Lewis, booker.

Omaha—Harry J. Shumow, manager; Carl Nedley, Fred C. Thortsen, salesmen; Voight B. Trent, office manager.

Partland—Louis Amacher, manager; Joseph T. Warren, salesman.

St. Louis—Clayton T. Lynch, manager; Glen C. Gregory, John X. Quinn, George F. Reilly, salesmen: Sidney Rosenthal, office manager: Forrest Snyder, booker.

Salt Lake City—Maurice Saffle, manager: Clarence W. Boulet, Samuel J. Gardner, salesmen.

San Francisco—Grover C. Parsons, manager: Lee S. Hulling, Edward C. Mix, salesmen.

Seattle—L. C. Wingham, manager; Mac Rubenfeld, B. Wallace Rucker, salesmen.

Auditars—Parke D. Agnew, John J. Asb, Robert Long, William Marsh.

Explaiteers — Morris Abrams, Fred A. Bartow, E. B. Coleman, Claude E. Morris, J. Frank Shea.

The regional will proceed under the following program:

Wednesday

10:30-1 P.M.—Morning session, banquet hall.
1-1:45 P.M.—Luncheon, Trianon Cafe.
2-5:30 P.M.—Afternoon session, banquet hall.
Evening—To be announced.

Thursday

10 A.M.-12:30 P.M.—Morning session, Banquet Hall.
1-1:45 P.M.—Luncheon, Trianon Cafe.
2-5:30 P.M.—Afternoon session, Banquet Hall.
2-5:30 P.M.—Afternoon session, Banquet Hall.
7:30 P.M.—Convention dinner, Trianon Cafe.

Friday

10 A.M.-12:30 P.M.—Morning session with sales managers.
1-1:30 P.M.—Luncheon, Trianon Cafe.
2-5:30 P.M.—Afternoon session with sales managers.
Adjournment.

Selznick Due Today

CHICAGO, May 7.—David O. Selznick, M-G-M producer, passed through here today en route from Hollywood to New York. To avoid Kansas dust storms, he traveled east on the Union Pacific.

Roach Adds 2 Comedies

HOLLYWOOD, May 7.—Hal Roach is adding two extra comedies to two series. A new Charlie Chase starts Wednesday under direction of James Parrott and a new "Our Gang" the following Wednesday with Gus Meins directing.

William Janney has replaced Barry Norton in the cast of the Laurel and Hardy comedy, "Bonnie Scotland." Others in the cast are Lionel Belmore and Minerva Urecal.

Gordon to See Play

CHICAGO, May 7.—Leon Gordon, M-G-M writer, was here today en route to New York to see "The Bishop Misbehaves," which he will adapt for M-G-M. The picture goes into production in about three weeks with Edna May Oliver and Maureen O'Sullivan.

Eastern M-G-M Men Back

M-G-M's eastern and New England sales forces returned yesterday from Detroit after attending the three-day regional sales convention at the Book-Cadillac.

Joe Vogel, in charge of Loew operations exclusive of New York, flew in Monday. William F. Rodgers, eastern sales head, and William A. Scully, eastern district head, remained in Detroit for further discussion on sales policy. They are due back today.

Felix Feist, Howard Dietz, Si Seadler and Howard Strickling are in Kansas City after the Detroit session and are due back in New York on Monday.

Short Subjects

"Beginner's Luck"

(Roach-M-G-M)

In many houses this short will probably take the play right away from most features particularly because of the interest in amateur contests now sweeping the country. Besides this, it's grand entertainment. The story concerns itself with the efforts of Spanky McFarland to keep from winning such a contest to thwart his mother's plan to make an actor out of him. The other members of Hal Roach's "Our Gang" series all do their bits to help matters along. Highly recommended. Production Code Seal, No. 677. Running time, 20 mins. "G."

"Colorful Guatemala"

(FitzPatrick-M-G-M)

This travelogue, done in Technicolor, falls short of the standard set by previous members of the series. Its one redeeming feature is the beautiful, natural color photography. Guatemala City and the outlying territory are covered but the subject matter is not very interesting. Only at the end of the reel, when the cameraman makes a tour of a coffee plantation, does it pick up. Fairly entertaining. No production code seal. Running time, 9 mins. "G."

"Spice of Life No. 6"

(Columbia)

Dr. Rockwell opens and closes this reel with some more of his insipid chatter and the jokes culled from newspapers and various other publications don't quite make up for his remarks. The gags presented are funny, however, and should produce many a laugh from audiences, but on the whole the reel is only average.

Production Code Seal No. 0351. Running time, 10 mins. "G."

"The Calico Dragon"

(M-G-M)

This Harman-Ising cartoon is based on the well known nursery tale of the same name. Done in color, and with an appropriate musical score accompanying, it is entertainment that is aimed particularly at children but with appeal to adults as well. Recommended. No production code seal. Running time, 8 mins. "G."

Court Fight Impends On "Little Colonel"

Prepared to fight to a finish legal moves threatened by Peter and Adam Adams of the Park Lane, Palisades Park, N. J., to stop him from playing "The Little Colonel" for three days starting tomorrow, Julius Charnow of the Leonia, Leonia, yesterday retained David T. Wilentz, attorney general for the state of New Jersey, to represent him in the proceedings, if and when, filed.

H. A. Toner, attorney for Adams Brothers, yesterday was drawing papers to file suit against Fox for an injunction. The suit is expected to be filed today.

Toner on Monday withdrew a complaint against the Leonia before the New Jersey advisory committee of the local clearance and zoning board on the ground he could not get relief within 48 hours.

Plaintiffs Rest in Suit Against Erpi

WILMINGTON, May 7.—David R. Hochreich, vice-president and general manager of Byers Studios and former president of Vocafilm, was recalled to the stand today in the General Talking Pictures-Duovac Radio suit against Erpi, Western Electric and A. T. & T. and brought the plaintiffs' side of the testimony to a close at noon. Court adjourned until 10 o'clock tomorrow morning, when the defense will open.

Hochreich, who testified last week that allegedly unfair practices of the defendants brought about the ruin of Vocafilm, today told of an agreement between Erpi and the Music Publishers' Protective Ass'n in which Erpi assertedly paid a trustee for the music organization $100,000 for recording license rights. Hochreich also told of other agreements between the defendants and exhibitors and producers.

Montgomery Elected Screen Guild's Head

HOLLYWOOD, May 7.—Robert Montgomery has been named president of the Screen Actors' Guild. James Cagney, Ann Harding and Chester Morris have been elected first, second and third vice-presidents, respectively, with Kenneth Thomson named as secretary; Boris Karloff, assistant secretary; Warren William, treasurer; Noel Madison, assistant treasurer. Directors are as follows: Fredric March, Arthur Byron, William, Alan Mowbray, Robert Young, C. Henry Gordon, Lyle Talbot, Edward Arnold, Donald Woods, Robert Armstrong, Paul Harvey.

The guild's annual meeting has been set for May 26, when the new officers will be inducted.

Indiana Exhibitors Elect Roy R. Bair

INDIANAPOLIS, May 7.—Roy R. Bair of this city was elected president of the Associated Theatre Owners of Indiana at the group's annual meeting here today. He operates five local theatres and succeeds Earle Cunningham. Frank Sanders, operator of the Stratford and Mecca here, was named to the directorate.

Other officers are: Morris Rubin, Michigan City, vice-president; Harry Markun, Indianapolis, treasurer; Helen B. Keeler, Indianapolis, secretary; Charles R. Metzger, Indianapolis, counsel and general manager.

Eddie Cline Becomes Producer for Para.

HOLLYWOOD, May 7.—Eddie Cline has joined Paramount as a producer with the Harold Hurley unit. According to report, his first film will be "Timothy's Quest." The studio asserts Cline will not direct under the terms of his contract.

Warner Boat Ride Set

The Warner Club's annual boat ride up the Hudson to Bear Mountain will be held Wednesday, June 19, with dancing, bridge tournaments, athletic contests and a dinner as the highlights planned so far. Additional activities are being considered, however, and will be announced by the committee in charge of the affair later.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 109 NEW YORK, THURSDAY, MAY 9, 1935 TEN CENTS

Missouri to Act on Sales Tax Dispute

Decision Expected This Week in Long Fight

JEFFERSON CITY, Mo., May 8.—Action in the Missouri sales tax situation is expected this week when the Senate will be asked to reconsider its vote of two weeks ago reducing the two per cent rate as passed by the House, to one-half of one per cent on retail sales.

The end of this week is expected to see a definite decision. Commercial interests are threatening to demand a referendum on the two per cent rate if it finally prevails, but the administration believes provisions in the bill for old age pensions will defeat that proposal.

The sales tax is the only thing left to consider, and adjournment is looked for by May 18.

Fox New Setups in West About Ready

KANSAS CITY, May 8.—Reorganization of Fox West Coast theatre holdings will be completed here late this month when Fox Midland and Rocky Mountain units will be discharged from bankruptcy in the U. S. District Court after more than two years of operation by a trustee.

Spyros Skouras arrives here today for conferences with E. C. Rhoden, Fox Midwest division head, and Rick Ricketson, Rocky Mountain division

(*Continued on page* 5)

Schenck's Fox Met Plan Seen Favored

The Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Metropolitan Playhouses was reported late yesterday to have the inside track with the Fox Met bondholders' committee, subject to further modifications

(*Continued on page* 5)

Figure $600,000 on Col.'s Third Quarter

During the third quarter of Columbia's fiscal year ending March 31 the company's earnings are estimated at $600,000, about $3.40 a share, by the *Wall Street Journal*. This, the paper estimates, will bring earnings for the nine-month period up to $8.50 a share.

Three Brothers Largest Stockholders in Warners

By BERTRAM F. LINZ

WASHINGTON, May 8.—The Warners—Harry M., Albert L. and Jack L.—alone and through Renraw, Inc., which they control are the largest individual stockholders in Warner Brothers Pictures, Inc., application for registration of securities filed with the SEC reveals.

The company seeks to list on the New York Stock Exchange $32,581,000 of optional six per cent convertible debentures, 103,107 shares no par $3.85 cumulative preferred and 4,398,122 shares of $5 par common, all of which, except 596,787 shares of common, have been issued.

The three brothers, according to the report filed, together listed holdings of 325,882 shares of common,

(*Continued on page* 5)

Copyright Bill Is Scored at Hearing

By CLARENCE LINZ

WASHINGTON, May 8. — Vigorous protests against the State Department sponsored Copyright Bill were voiced today before Senator William G. McAdoo of California, chairman of the Senate Patents Committee, by representatives of the M.P.P.D.A., Ascap and other organizations.

Criticism was chiefly directed at the provision striking out the minimum penalty for infringement and the rigidity of the protection given an author against changes in his work, both E.

(*Continued on page* 5)

Dent Sails; Other Britishers Follow

LONDON, May 8.—Arthur Dent, managing director of British International, sailed today for New York on the *Ile de France*.

It is believed definite that Charles Woolf, managing director of Gaumont British, will sail Saturday with his brother, Maurice Woolf, and his son, John Woolf.

Jeffrey Bernerd will take charge under Mark Ostrer during Woolf's absence.

Publix Enterprises Final Meeting Set

A final meeting of creditors of Publix Enterprises, the large Paramount theatre holding company which went into bankruptcy concurrently with the parent company in Jan., 1933, is scheduled for May 20 for the final

(*Continued on page* 4)

Under Oath

Al Lichtman says Sam Rinzler is now making his after dinner speeches under oath.

Canada Ticket Tax Is Hiked Unexpectedly

TORONTO, May 8. — Without the slightest warning, a bombshell was exploded by Premier M. F. Hepburn of the Ontario Government in the ranks of exhibitors when he announced drastic increases in the amusement tax to be promulgated by Order-in-Council and effective June 1.

By means of the revised levy, Hepburn declared he hoped to raise a further $1,500,000 during the coming 12 months to cover the cost of unemployment relief, the new tax tickets being printed with "Ontario Amusement Tax for Relief Purposes."

The new scale wipes out the tax exemption on tickets up to 25 cents. The only exception is on tickets of nine cents or less—of which there has been none since the days of the old nickel shows. The tax on tickets from nine to 18 cents is one cent, but then comes

(*Continued on page* 4)

Evergreen State in An Expansion Move

PORTLAND, May 8.—The Evergreen State Amusement Co., operating the Liberty, Hollywood and Paramount here, has taken over a fourth local house, the Oriental. The house will be remodeled and reopened in two weeks.

This is said to be the first step in an expansion program of the company scheduled for 10 Oregon cities.

Warners Delay Move On Coast Clearance

LOS ANGELES, May 8. — Warners will take no action against the local zoning schedule until the schedule has had an opportunity to prove its worth in actual operation, Lou Halper, in charge of the circuit's theatres here, said today.

Find 42% of Seats in 93 Large Towns

These Serve 36,435,000 Of the Population

Analysis of seating capacities in relation to population shows that 42 per cent of the 9,720,000 seats used regularly in this country are in 93 cities of 100,000 or more population. In other words, 3,873 theatres with 4,083,000 seats serve 36,435,000 persons, an average of one seat to every nine persons, according to studies made by *Motion Picture Herald* and published today.

In smaller communities there are only 5,637,000 seats for the remaining 85,565,000 persons in the country, according to the *Herald* figures.

The average seating capacity in cities of over 100,000 population is given as 1,054, while the average for the entire country is 610.

Approximately 1,500 theatres operate one or two nights a week.

"Time," First Div. Contract Cancelled

"The March of Time" has negotiated a release of its contract with First Division Exchanges, Inc., and, effective immediately, will physically distribute through 13 of that company's branches on an issue-to-issue basis until a deal with a national distributor is consummated. The original deal with First Division which

(*Continued on page* 5)

Marco and "U" Talk Deal on 2 Musicals

HOLLYWOOD, May 8. — Fanchon & Marco are negotiating with Universal to make two musicals with Mike Marco handling the production end and Fanchon, his sister, the dance numbers and routines. The deal has been on for some time and is expected to be closed within the next few days.

(*Continued on page* 4)

M-G-M Sales Policy To Be More Flexible

KANSAS CITY, May 8.—Asserting that M-G-M's policy for the new season would be more flexible than ever, particularly as regards preferred playing time and percentages, Felix Feist,

(*Continued on page* 4)

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Hendricks, Holland Win Quigley Awards

Bill Hendricks, manager of the Warner, Memphis, and Sid Holland, manager of the Elco, Elkhart, Ind., are winners of the Quigley Awards for April in the contest of the Managers' Round Table Club of *Motion Picture Herald*.

This is the second time Hendricks has won. His latest award is for his campaign on "Baboona." He gets the silver plaque. Holland gets the bronze plaque for his campaign on "Ruggles of Red Gap." Hendricks won the 1934 grand award.

First mention awards were voted to Bernard Simon, manager of Loew's Metropolitan, Brooklyn, on "Reckless," and Al Zimbalist, publicity director, West End-Lyric, St. Louis, on "Ruggles of Red Gap."

RKO Sets Norway Deal

A deal whereby all RKO product will be distributed through Norway has just been made by that company and the Kinografens Filmbureau of Oslo. "La Cucaracha" is also included in this deal. Carl Gerhard Wallman of International acted for RKO.

"U" Board Reelected

WILMINGTON, May 8.—Directors of Universal were reelected today at the annual meeting here. They follow: Carl Laemmle, R. H. Cochrane, P. D. Cochrane, C. B. Paine, Helen E. Hughes, J. R. Grainger, J. Meyer Schine and Simon Klee.

Purely Personal

BOB GOLDSTEIN, the old saloonkeeper, and JOE MOSKOWITZ, the big money man at United Artists, ganged up last night and gave a dinner for HARRY GOETZ and ARCHIE MAYO at the Warwick. The excuse was the impending departure of GOETZ on a week-end and the first night of freedom MAYO has enjoyed since his return from Europe. Present at the double feature were AL LICHTMAN, JACK COHN, CHARLES C. MOSKOWITZ, ABE LYMAN, "HAM" FISHER, LOU BRECHER, LOU IRWIN.

•

"TURK" CARTER, RALPH ROLAN, ED FINNEY, ED EDELSTON, HERMAN ROBBINS, SAM DEMBOW, GEORGE SCHAEFER, JACK COHN and NATE SPINGOLD among those at "21" yesterday, but where was WILLARD MCKAY?

Quip of the Day

Ali Gaga of the eagle eye reports he has been catching a number of two-reel comedies at the Trans Lux and Bijou which feature a comedian named Charlie Chaplin. He thinks that with good material this Chaplin fellow can be developed into a good attraction.

SAM MARX, coast story head, leaves for the M-G-M studios today. He was undecided last night whether to go by air or rail, but indications are he will use the latter traveling route.

•

LILLIAN TEMPLETON, stylist at the Fox studio, returns from the continent on the *Paris* today. The LYNN FARNOLS will submit her to a cocktail party tomorrow afternoon.

•

MAX GORDON, who tried hard to figure in what Rochester theatre "Dodsworth" was playing as he crossed the continent the air way, sails for London Saturday.

•

MYRNA LOY has no fear of plane crashes. She came in yesterday from the coast by the air route. It's her first visit here, she says.

•

A. H. SCHWARTZ yesterday celebrated his 25th wedding anniversary and left with his wife for Hot Springs, Va., by plane.

•

KARL BRENKERT leaves for Detroit today after an extensive stay here conferring with equipment dealers.

•

PHIL SPITALNY and his girl band start work today on a Vitaphone short at the Brooklyn plant.

•

MILT KUSELL took an air liner to Buffalo yesterday. He'll be back in a day or so.

•

WILLIAM ("POP") LANDAU was operated on yesterday at the Medical Center.

•

HARRY GOLD returned to his desk yesterday, fully recovered from a bad cold.

•

GEORGE COYLE, boxing usher of the Music Hall, goes back into training to meet the visiting English Golden Glovers due here shortly. COYLE is also high up in the running for the captaincy of the local team.

•

ALICE WHITE is in town for personal appearances on the Loew circuit. She's at the Warwick.

•

LEE SHUBERT and HARRY CHARNAS lunched together yesterday at the Edison.

•

J. E. MCCAULEY of Peeler Lamp Co., is in town.

Academy Will Study Television Effects

HOLLYWOOD, May 8.—The Academy research council has appointed a fact-finding committee of six to conduct a thorough investigation of television and its probable effects on the industry. It is felt that research along these lines will be of genuine interest to the industry.

The committee, consisting of Carl Dreher, chairman; Gordon Chambers, J. G. Frayne, Hollie Moyse, N. M. La Porte and R. C. Wilman, will contact television authorities immediately, making a complete report to producers as soon as possible.

La Porte, of the Paramount home office, although here at present, will have charge of the New York end of the investigation.

Plans for the campaign to be adopted were taken up at a meeting of the council tonight. Also presented at the meeting were reports on the silent camera, by Virgil Miller; on reel length, by S. J. Twining; on release print quality improvement, by L. E. Clark, and on screen illumination, by John Aalberg.

Ruth Waterbury in New Magazine Post

HOLLYWOOD, May 8.—The new setup in the editorial offices of *Photoplay* on the coast has Ruth Waterbury in the editing spot formerly held by Ivan St. Johns. St. Johns, it is reported, will continue with the organization in a different department.

Shadoplay is being combined with *Movie Mirror*, of which Miss Waterbury has been the editor, and will be published under the *Movie Mirror* banner.

Although Miss Waterbury has already moved into her offices, the switch will not become effective until later this month. She will edit both magazines.

Scott on "Annapolis"

HOLLYWOOD, May 8.—Paramount has assigned Ewing Scott to assist Alexander Hall in the direction of "Annapolis Farewell." Scott will direct exterior sequences while Hall is working indoors. The assistant left Hollywood with the new troupe Monday night.

Mantell, Brodie to Build

Edmund Mantell and Ben Brodie, who recently took over the Stadium, plan to build a 600-seat theatre in the Bronx shortly. Plans are now being drawn, but the location is being kept secret until all contracts have been closed.

Reisman Returning

LONDON, May 8.—Phil Reisman, foreign sales manager of Radio, sailed for New York today on the *Ile de France*.

Saenger Bond Shift Progresses Rapidly

NEW ORLEANS, May 8.—With the Saenger interests now out of receivership and with ownership and operation vested in two new companies Saenger Theatres Corp. and Saenger Realty Corp., exchange of the bonds of the old companies is well underway. E. V. Richards is president of the new companies.

The same amount of bonds, $2,550,000, issued by the old companies, Saenger Theatres, Inc., and Saenger Realty Corp., Inc., will be issued by the new companies. There will be no change in the amount of stock outstanding which is practically all held by Paramount Publix. Most of the bonds are held locally.

Creditors of the old companies are entitled to receive subordinated notes of the new companies. The notes, it is pointed out, are actually not subordinated, since the new firms found its unnecessary to borrow cash for operation and current needs. The notes will be paid within three years. Past due interest on the five different series of bonds is being paid in cash to bondholders at the time of their exchange of the old bonds for the new.

Additional provisions have been made under the new setup for the building of sinking funds for the retirement of the bonds. Bonds of the old theatre company, listed at about $25 more than a year and a one-half ago, now listed at about $85 per $100 face value. Bonds of the old realty company are now being quoted in the vicinity of $98 per $100 face value. The bonds are in units of $500 and $1,000.

Hammons Is Dined By His Associates

Executives of Educational and Fox yesterday tendered Earle W. Hammons, president of the former company, a testimonial luncheon at the Astor in honor of the 20th anniversary of the founding of Educational.

J. H. Skirball, sales manager for Educational, acted as toastmaster and presented Hammons a 16mm home projection sound apparatus on behalf of the company's staff. Bruno Weyers, vice-president of Educational, and Felix A. Jenkins, chief counsel and secretary of Fox, paid tribute to the Educational head. Hammons also spoke briefly.

About 50 attended, including Julio Elias, Educational's representative in Spain: George Skouras, Allan Friedman, Larry Kent, Edward Peskay, William Clark, Percy Heiliger, Harvey Day, Harry H. Buxbaum, Roger Ferri, Joe Lee, Jime Clark and Truman Tally.

Ruling Reserved on RKO Trustee Appeal

Decision was reserved by the U. S. Circuit Court of Appeals yesterday on an action contesting the validity of the appointment of Irving Trust Co. as trustee of RKO under Section 77-B of the bankruptcy law.

The action was brought by Edward L. Garvin, attorney for RKO creditors, and alleges that RKO's petition for reorganization under 77-B was filed prematurely last June and that the appointment of the trustee, therefore, was improper. It was alleged that RKO's petition was filed several hours in advance of the enactment of the new bankruptcy law.



THE PICTURE OF THE WEEK

Because its dramatic story of Military School life offers lovable Jackie Cooper his finest opportunities since "The Champ," Warner Bros.' "DINKY" emerges as this week's outstanding screen release. Expert in their featured assignments are Mary Astor and Roger Pryor, deftly directed by D. Ross Lederman. Released May 11th.

M-G-M Sales Policy To Be More Flexible

(Continued from page 1)

general sales manager, confirmed at the opening of his company's regional meeting here today that the sales policy in the future would provide that each situation be sold individually according to local conditions.

Feist said that M-G-M would continue to frown on duals and dime admissions. He asserted no dime theatres would be sold. It was also revealed by him that the budget on specials would be increased.

M-G-M is stepping up its releasing program next season to 50 features. Although it was announced the program would call for 49, the company is reviving "Smilin' Thru," with Norma Shearer, which increases the list to the new figure.

Seek Policy Shift

Following a lengthy session yesterday during which product in general was discussed, the I.T.O.A. passed a resolution to wire Felix F. Feist in Kansas City to "please change the sales policy next season."

Feist is presiding at the second M-G-M regional sales convention there. The telegram will be sent today, because the I.T.O.A. meeting broke up late yesterday and Harry Brandt, president, wanted to put his official stamp of approval on it before it was sent.

"Marietta" Cincinnati Wow

CINCINNATI, May 8.—"Naughty Marietta" is making local box-office history with an estimated take of around $36,000 for a four-week run, with still another seven days to go. It played two weeks at the RKO Albee, which, in itself, is something of a record for this house. It was moved to the Capitol for the third stanza and was transferred to the Grand for the fourth. It now has been held for the fifth week, with present indications that it will pile up a respectable gross.

Plan New M-G-M Office

OKLAHOMA CITY, May 8.—Construction of a $50,000 brick building on the northeast corner of Lee and Grand Aves., to be leased to M-G-M for 10 years, will be started within 30 days by G. A. Paul.

Roach Feature Delayed

HOLLYWOOD, May 8.—Production on the new Laurel & Hardy feature, "Bonnie Scotland," is being held up until a suitable ingenue is found to play opposite Barry Norton.

M-G-M Re-Signs Benchley

HOLLYWOOD, May 8.—Robert Benchley, who has been away from Hollywood for the past year, has signed a new contract with M-G-M the terms of which call for the familiar output of Benchleyiana.

Joe Rapf to Vacation

HOLLYWOOD, May 8.—Joe Rapf, head of the M-G-M wardrobe department, leaves here May 15 on a vacation, the first in 15 years. He will go to New York via the Canal, and from there to Europe.

Warners Sign Bryan Foy

HOLLYWOOD, May 8.—Bryan Foy has been signed by Warners as a supervisor. He is now reading stories for his first group of pictures.

Leo's Men Now at K. C.

KANSAS CITY, May 8.—As "official host," HARRIS P. WOLFBERG, Kansas City district manager, promised this convention would exceed in hospitality the meeting of 1933, which was the first held in this, the "Heart of America," as the Chamber of Commerce calls it. WOLFBERG vows an M-G-M repeat engagement is always better than the first.

✣

HOWARD DIETZ recalled that during the previous pow-wow here, the mercury hovered around the 100 mark, and is glad for a "cooler reception" this trip.

✣

Arrangements for the dinner Thursday night, for which BILLY FERGUSON and his crew of exploiteers take a bow, called for a magnificent tribute to FELIX F. FEIST on the observance of his 10th anniversary as general sales manager for M-G-M. The motif of "10" was to be carried out throughout the proceedings, and from all reports it is plain the show would be worth that many bucks for a ringside seat.

✣

For his part, HAL ROACH promised Leo's shock troops the "best pictures ever made for 1935-36."

✣

JOSEPH VOGEL of Loew's had planned to be here, but was recalled to New York from Detroit.

✣

EDDIE CARRIER flew in from Manhattan. After piloting the traveling studio around Kansas the last month, he remains in Kaycee to stage screen tests at Loew's Midland starting May 24 for three days. The tieup is with KMBC and daily air programs have been arranged.

✣

SI SEADLER indulged in plenty of handshaking around the Muehlebach Hotel lobby, he has that many friends.

Attendance was swelled to around 150 by the presence of auditors, office managers and head bookers, who, 'tis said, are experiencing the thrills of their first convention.

✣

FERGUSON performed in his usual able manner in making ready for the actual business of the sessions. The decorations are striking and feature 10-foot star heads suspended around the hotel lobby, the management of the staid hostelry winking at precedent to permit the stunt.

✣

The exploitation crew was on hand early in the week to prepare for the onrush, and had no trouble finding plenty to do. By name and headquarters they are CLAUD E. MORRIS, Kansas City; FRED BARTOW, Chicago; E. B. COLMAN, Atlanta; MORRY ABRAMS, Minneapolis; FRANK SHEA, Los Angeles.

✣

CLARENCE J. BRIANT, New Orleans branch head, is somewhat touchy on the subject of HUEY LONG.

✣

"The house is yours," the men were informed by Manager JOHN MCMANUS of Loew's Midland, who extended cordial greetings and Midwestern hospitality.

✣

Exhausted from the grind in Detroit and the long rail trek west, the home office staff, topped by FEIST, made 40 winks of sleep the first order of business on arrival Tuesday night.

✣

HARRY J. SHUMOW, heading the Omaha representation, is making fluent use of his linguistic talents. As Nick Kampopulous he impersonates a couple of Greek exhibitors. Just for fun.

Publix Enterprises Final Meeting Set

(Continued from page 1)

discharge of Irving Trust Co. as trustee, and the final winding up of the bankruptcy of the now defunct theatre company.

The meeting will also pass upon the final report of the trustee showing gross receipts of $1,943,163 and disbursements of $1,910,953; the final applications for allowances and the formal release of the Publix Enterprises' assets to Famous Theatres Corp., Paramount's new theatre subsidiary.

Claims against the company which have been allowed aggregate $5,061,894, and dividends of $1,547,042 have already been credited against these claims. If any additional funds are available, a final dividend will be declared for creditors at the scheduled meeting.

Claim Strand Record

All attendance records at the Strand were broken last week by "G-Men," according to Warners. It is claimed that 132,421 people saw the film during its first week.

Marco and "U" Talk Deal on 2 Musicals

(Continued from page 1)

Marco has been in New York since Monday discussing contract terms with Universal home office executives.

Mike Marco left for the coast yesterday afternoon by airplane after conferring with Universal executives on a production tie-up. Details of the deal will be worked out in Hollywood upon Marco's arrival there today. He could not be reached for a statement.

Para. Gets Ratoff Film

Paramount will release "18 Minutes," made in Great Britain with Gregory Ratoff starring and John Loder and Benita Hume in support. Monty Banks directed.

Columbians to Dine

The Columbian Club of Columbia Pictures home office will install its new officers at the first dinner dance of the season to be held at The Claremont Inn Friday night.

Canada Ticket Levy Hiked Unexpectedly

(Continued from page 1)

the big jump in the levy with an assessment or five cents on tickets from 19 to 45 cents inclusive, an increase of around 150 per cent.

From 46 to 85 cents inclusive, the tax will be 10 cents and that for admissions from 86 to $1.50 will be 15 cents. Higher brackets see a sharp increase up to 50 cents in tax as the maximum.

The worst smash of all is the imposition of a five-cent tax on the 25-cent ticket, as this had become the popular price for matinees in many large theatres and for evening shows at neighborhood houses.

This fact drew the following comment from Premier Hepburn: "Seventy-five per cent of the theatres had dropped their admission price to 25 cents to escape taxation. They will now have to pay five cents on this ticket."

The action of the Ontario Government came as a bolt from the blue. Not one official in Famous Players Canadian Corp. had wind of the contemplated increases, although officers of that chain are said to be close to Premier Hepburn.

Premier Hepburn announced that the Government had decided not to take any action on the request of certain exhibitors for legislation to prohibit distribution of chinaware or other merchandise.

Both circuit and independent theatre organizations have been so flattened by the Government's decision to jump the tax that no word is forthcoming regarding a meeting to urge reconsideration. Evidently there would not be much use, because Hepburn has stated that the tickets are being printed and the new taxes will start June 1.

Kill Mass. Film Bill

BOSTON, May 8.—Another victory has been won by the industry in the killing by the State Legislature of the petition of Alexander Sullivan who sought a law penalizing the alleged unauthorized showing of pictures that have been prohibited. Sullivan claimed that through accident, or deliberate intent, some theatres on occasion have shown films that have not been cut according to the Sunday censorship regulations in Massachusetts.

Shelve Mass. Sales Tax

BOSTON, May 8.—Bills proposing a sales tax in Massachusetts have been put over to the next annual session of the Legislature. Mayor Mansfield of Boston, State Tax Commissioner Henry F. Long, and Representative J. Walton Tuttle of Framingham are among those having petitions thus treated by the Senate.

Ohio Income Tax Passes

COLUMBUS, May 8.—The House here late yesterday passed the income tax bill of Representative P. E. Ward by a vote of 91 to 31. The measure, providing a higher rate than the Federal income tax law and designed to raise approximately $20,000,000, now goes to the Senate where its defeat is predicted.

Twins Born to Mrs. Dix

HOLLYWOOD, May 8.—Twin sons were born today to Mrs. Richard Dix, the boys weighing slightly over six pounds each.

Fox New Setups in West About Ready

(Continued from page 1)

manager at Denver. While there will be a realignment of the corporate structure of the two divisions, and probably a geographical realignment to some extent, major operations will not be disturbed.

The Rocky Mountain and Midland corporations were automatically dissolved when National Theatres took title to the assets last Saturday. Through the transfer, National Theatres acquired the stock of Fox Midwest Theatres Corp., which supersedes Rocky Mountain, and the purchase of Midland gave National Theatres ownership of stock in Fox Central States Theatres Corp. The new companies were formed after the bankruptcy to take over the assets of the defunct corporations.

The new Fox Midwest corporation will have headquarters at Denver and Associated Theatres will be one of its subsidiaries. Heretofore the holding company for what is known as the Midwest division, Fox Midland will henceforth be known as Fox Central States, with headquarters in Kansas City.

Appeals Sale of Fox Units

KANSAS CITY, May 8.—A hearing is expected early next week in Federal court here on an appeal from the bankruptcy court brought by Lee H. Hamlin involving the sale of Fox Midland and Fox Rocky Mountain to National Theatres, which has been approved by major creditors and the referee in bankruptcy.

Hamlin has petitioned that the court set aside the sale contending that as a creditor he would not obtain full amount of his claims and that the amount paid for the assets of the two firms was far below their actual worth.

Schenck's Fox Met Plan Seen Favored

(Continued from page 1)

of the plan recommended by the committee which, if not voluntarily conceded by Schenck, might cause a postponement of the court hearing scheduled for today.

William L. Bainton, of counsel for the Fox Met noteholders' committee, and Milton C. Weisman, receiver of Fox Theatres and a co-sponsor of the Schenck plan, spent most of yesterday in conference with Federal Judge Julian W. Mack, before whom today's hearing is scheduled. Although no comment on the conference was made, it was reported that modifications of the Schenck plan which would make it acceptable to the committee were discussed. Among these, it is believed, was a provision restricting the declaration of dividends by the new company until such time as a large part of the new bonds to be issued under the Schenck plan has been amortized.

If the modifications sought by the committee are conceded by Schenck, it is believed that the committee will come into court today prepared to recommend acceptance of that plan. If the modifications are subjected to negotiation, the court hearing will undoubtedly be postponed until the negotiations have been concluded. The committee's recommendation would probably result in the court's giving its tentative approval to the Schenck plan.

In favoring the Schenck plan over the one proposed by Si Fabian the committee is reported to have been influenced mostly by the belief that the new securities of reorganized Fox Met, which both plans proposed to issue to the present bondholders, would have greater value through continued operation of the circuit by Skouras and Randforce, as contemplated in the Schenck plan, than under a new operation such as Fabian proposes.

It was learned from an authoritative source yesterday that no bid for Fox Met will be made by B. S. Moss and that no new plans such as that which the Fox Theatres stockholders' protective committee considered making will be received. This leaves only Paramount in the field as a possible cash bidder and no action from this source is expected for several weeks.

Three Brothers Largest Stockholders in Warners

(Continued from page 1)

55,970 shares of preferred or 70,328 with Renraw and $6,060,799 in debentures.

Officers and directors holding stock include Harry M. Warner, president, 102,908 shares of common, 15,403 2/3 shares of preferred, $1,602,333 debentures; Albert Warner, vice-president, 102,581 shares of common, 20,603 2/3 preferred, $2,008,133 debentures; J. L. Warner, vice-president, 120,393 shares of common, 19,970 2/3 preferred, $2,450,333 debentures; Sam E. Morris, vice-president, 3,000 shares of common, $40,000 debentures; Herman Starr, vice-president, 500 common; Abel Cary Thomas, secretary, 232 common; S. Carlisle, comptroller, 1,200 common; S. P. Friedman, director, 600 common, $46,000 debentures, and Morris Wolf, director, 166 2/3 common.

The company asked additional time in which to file the salaries and remuneration of officers and financial statements required by the act until Feb. 29.

The Warner statement showed 126 wholly owned and 15 partly owned subsidiaries and the ownership of 50 per cent or more of the stock of 43 affiliates. Outstanding funded indebtedness included $32,600,000 in debentures, $219,000 by First National properties, $589,700 by Warner Bros. properties, and $1,141,300 by Alexander Pantages.

Holders of 10 per cent or more of any class of securities included Renraw, Inc., 14,358 shares of preferred; Albert Warner, 21,035 shares; Harry M. Warner, 10,618 shares; Sigler and Co., New York, 20,700 shares.

"U" Files Report, Too

WASHINGTON, May 8.—Universal was another major producing and distributing company which filed application with the SEC to list 18,000 shares of $100 par eight per cent cumulative first preferred on the New York board and 250,000 shares of common on the New York Curb Exchange.

Universal's report showed 41 wholly owned and six partly owned subsidiaries. The company has no funded indebtedness, and holders of 10 per cent or more of any class of securities included only Carl Laemmle with 15,708 shares of second preferred and 186,085 shares of common, or 75 and 74 per cent, respectively.

Holdings of officers and directors included Carl Laemmle, president, 1,135 shares first preferred, 15,702 second preferred, 186,084 common; Carl Laemmle, Jr., vice-president, 350 common; Samuel Sedran, vice-president, 50 common, four first preferred; Helen E. Hughes, assistant secretary, 20 first preferred; Willard S. McKay, secretary, 279 first preferred, 46 second preferred, 700 common; P. D. Cochrane, director, 184 second preferred, 2,096 common; R. H. Cochrane, vice-president, 2,862 common.

The company reported it had outstanding contracts with McKay to serve as general counsel at a retainer of $700 weekly and with James R. Grainger as general sales manager for the U. S. and Canada for a year ending July 16, next, at $1,000 weekly and two and one-half per cent of any increase in business over the preceding year.

Like Warners, Universal asked an extension until April 1, 1936, to file a report on salaries and remunerations of officers.

EK Head Paid $90,903

WASHINGTON, May 8.—Frank W. Lovejoy, president, general manager and a director of Eastman Kodak was paid $90,903 in 1934 and William G. Stuber, chairman of the board, $61,230, it was disclosed today in a registration statement filed with the SEC today.

Thomas J. Hargrave and C. E. Kenneth Mees, vice-presidents both, were down for $45,000 each.

Bride Objects

Lincoln, May 8.—Seizing upon the joint occurrence of Anna Sten's personal appearance here Monday with her picture "Wedding Night" and the marriage of Barney Oldfield, *Sunday Journal* and *Star* theatre editor, to Vada Kinman, non-pro, theatre publicity men wanted Miss Sten to act as bridesmaid. The bride objected.

"This will be no double feature," she said flatly.

Jubilee Film in Color

LONDON, May 8.—British Movietone News photographed the jubilee procession in Dufaycolor. Two hundred prints were shown yesterday. This is the first real color newsreel here.

Color prints are to be shipped to the states.

Coast Policies Shifted

LOS ANGELES, May 8. — Warner's Hollywood and Hillstreet will operate on a day-and-date policy beginning tomorrow, with prices slashed to 40 cents, except for loges, which will remain at 55 cents.

Fred S. Meyer a Colonel

CINCINNATI, May 8.—Col. Paul E. Krieger, manager of the Universal exchange here, has secured a Kentucky colonel's commission for Fred S. Meyer, a studio executive.

Copyright Bill Is Scored at Hearing

(Continued from page 1)

P. Kilroe of the M.P.P.D.A. Copyright Committee and Gabriel Hess, counsel, urging the retention of the minimum penalty as offering a certain amount of protection to the film industry against plagiarism and piracy, while Kilroe also contended that the bill should be more specific in assuring purchasers of scenarios the right to make needed changes.

The proposed bill is "worse than no law at all," the senator who conducted the hearing alone, was told by Louise Silcox, of the Authors' League, while John G. Payne, of the Music Publishers Protective Ass'n., asserted it does not give any protection to publishers.

Much of the time of the hearing was consumed by Gene Buck, president of Ascap, in an attempt to defend that organization against the charges which have been voiced against it, which ended when Senator McAdoo ruled the discussion was not relevant to the question before the committee.

Following the conclusion of testimony, the senator gave ten days in which the various interests could file briefs amplifying the points they brought out today.

"Time," First Div. Contract Cancelled

(Continued from page 1)

was to run 10 months' minimum ends with the third subject, which is now in distribution.

The 13 territories where First Division will continue to distribute "The March of Time" on a temporary basis are Albany, Atlanta, Buffalo, Charlotte, Cincinnati, Cleveland, Detroit, Louisville, New Orleans, New York, Philadelphia, Pittsburgh and Washington.

Temporary arrangements also have been made with independent exchanges in 12 other territories—Midwest Film Distributors, handling Kansas City, Des Moines and Omaha; Farwest Film Exchanges in Los Angeles and San Francisco; Distinctive Screen Attractions, Denver and Salt Lake City; Monogram Independent Film Distributors, Dallas; Henri Ellman's Capital Film Corp., Chicago and Milwaukee; Lee Goldberg, Indianapolis; Gilbert Nathanson's Monogram Pictures Exchange, Minneapolis, and Principal Exchange, Seattle.

Tishman, Walker Aide

E. B. Tishman, associated with Root, Clark, Buckner & Ballantine, counsel for the Paramount Publix trustees, was loaned yesterday to Frank C. Walker for an indefinite period to assist in the latter's work as director of the National Emergency Council, the "clearing house" for the new $4,800,000,000 emergency relief fund. Tishman will be assigned to Walker's Washington office.

Golfing ASC Date Set

HOLLYWOOD, May 8.—The date of the second annual A.S.C. golf tournament has been set for May 12 at the Brentwood Golf Club here. It is estimated that approximately 300 will be starters.

Alien Actor Briefs Stir Dickstein Ire

WASHINGTON, May 8.—Hollywood producers were today subjected to a barrage of criticism for their dependence upon briefs rather than personal appearances to influence the course of legislation before Congress.

Opening hearings on his bill to make alien actors subject to the contract provisions of the Immigration Law, Representative Samuel Dickstein of New York, chairman of the House Immigration Committee, threatened to reject briefs sent to Washington by a number of producers, but finally accepted the brief of the Hays office after portions had been read by Representative Charles D. Millard of New York.

Declaring that "nobody reads them," Dickstein declared he wanted the producers to appear so that they might be cross-examined, while Representative Charles Kramer of California agreed "the industry ought to show some indication of willingness to come here."

The sole objection to the bill today was offered by Lodwick Vroom of the Dramatists' Guild, who asserted that passage of the bill would seriously handicap the revival of the legitimate drama, while Paul Dullzell of Equity declared the enactment would "bring about better days for the American actor."

The major defense of the bill, however, came from Dickstein himself. Declaring "an investigation of Mr. Hollywood and Mr. Metro Mayer ought to be held," he charged "this whole situation has been very badly neglected" and that the film producers had imported foreigners wholesale.

"Somebody in Hollywood brought in 1,100 at one time and only hired a few of them," he asserted. "They bring in a dozen or more and may pick out one or none. They give them temporary contracts for three weeks and never send them back. We have a lot of Charlie Chaplins in this country and don't give them a chance."

In the hope the producers would appear, Dickstein recessed the hearing until May 15, at which time also Equity was invited to file a complete reply to the M.P.P.D.A. brief.

Bank Night Spreads In Kansas and K. C.

KANSAS CITY, May 8.—While exhibitors in Kansas City, Mo., are in the throes of a fight over bank night, in Kansas City, Kan., separated from the larger city by only a state line, the promotion has been contracted for by all but two of the 11 theatres, and already has started at the Electric, Fox Midwest first run house.

Giveaways of some form thus embrace all of Greater Kansas City, circuits included, with the exception of a half dozen theatres. Some of the downtown subsequent runs in the Missouri city are planning to join the parade.

Because of the widespread adoption of bank night in Kansas, exhibitors anticipate no move to check it such as has been undertaken in Missouri by Mrs. A. Baier. The Kansas attorney general has ruled bank night is "not illegal" when participants are not required to purchase an admission.

"Jack pot," something similar to bank night, has made its appearance here, as has "auction night," wherein gifts are given for merchants' coupons. Jay Means, head of the I. T. O., has extended premiums to four nights a week at his Oak Park.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Headline Woman"

(*Mascot*)

HOLLYWOOD, May 8.—A capable cast and an action story provide a framework for fast entertainment involving police reporters and a police commissioner.

Roger Pryor, reporter, gets his news service in wrong with Police Commissioner Conway Tearle by a story ridiculing the department, so Tearle orders no more news for the press. Pryor then make a dupe of Ford Sterling, a dumb cop, tipping him off to underworld doings in return for news.

Sterling rises rapidly to become a detective lieutenant, and through him Pryor arranges a raid on a gambling establishment owned by Morgan Wallace. During the raid Wallace is shot by Jack LaRue, gangster, as his companion, Heather Angel, witnesses the crime.

Pryor, thinking he has a great scoop, hides Miss Angel and learns just before breaking the story that she is the daughter of the owner of his paper. Protecting her from the police and rival reporters, he ferrets out LaRue. As rival reporters chase Pryor he pins the murder on the gangster, vindicating Miss Angel for a romantic finish.

The direction of William Nigh provides some clever touches. The picture has speed and should appeal as an average show.

Previewed without production code seal. Running time, 75 minutes. "G."

"Alias Mary Dow"

(*Universal*)

HOLLYWOOD, May 8.—A mild story places this for duals. The exploitation angle is the reaction of a working girl who finds herself suddenly in society.

Sally Eilers, looking lovely after months off the screen, plays a tough hasher and taxi-dancer. Henry O'Neill persuades her to impersonate his daughter, kidnapped as a child, to make happy the last moments of his wife, Katharine Alexander. Miss Alexander recovers and Miss Eilers has to continue the deception with her former dance hall associates trying to cash in on her new wealth and break up her romance with socialite Raymond Milland.

Miss Eilers does nice work and so do Milland, O'Neill and Miss Alexander with capable support from Chick Chandler, Baby Jane Quigley, Addison Richards, Lola Lane, Clarence Muse, Corbitt Morris and Phyllis Crane under Kurt Neuman's direction.

Production Code Seal No. 843. Running time, 70 minutes. "G."

"The Informer," this morning's opener at the Radio City Music Hall, was reviewed by wire from Hollywood on April 25.

"Goin' to Town," previewed by wire from Hollywood on April 16, will open at the Paramount tomorrow morning.

"The Bride of Frankenstein," which will be previewed tonight at the Roxy, was reviewed from Hollywood by wire on April 9.

Stirling Quits Board

NEW HAVEN, May 8.—George S. Stirling, non-industry member of the local clearance and zoning board, has tendered his resignation because of pressure of business. A member of the investment firm of Day, Stoddard & Williams, investment brokers, Stirling has served on the board since its inception.

Miller Quits Stanley

PHILADELPHIA, May 8.—Dave Miller, chief booker for Stanley-Warner Theatres here resigned yesterday, effective May 18, after five months in the post. Miller was a veteran of 15 years with Universal, rising from salesman to district manager. His future plans have not been announced, nor has his successor been named yet.

Evergreen Men Shift

SEATTLE, May 8. — Executive changes in Evergreen States have followed the visit of Charles and Spyros Skouras. Al Finkelstein has taken over the Oregon division with offices at Portland and Al Rosenberg has taken the eastern Washington houses with headquarters in Spokane. Frank L. Newman, Sr., continues to handle the local houses.

To Help Arrange Meet

RICHMOND, May 8.—Hunter Perry, Charlottesville, today was named committee chairman to arrange for the convention to be held in Roanoke on June 16 and 17 by the M. P. T. O. of Virginia. The organization placed itself on record as against theatrical films in schools.

Holts to New Haven

BRIDGEPORT, May 8.—Ted Holts will end his duties as Globe manager on May 10. He will go to New Haven to join the Loew maintenance staff.

Dismissal of Action Against Erpi Asked

WILMINGTON, May 8.—Motion for dismissal of the anti-trust suit of General Talking Pictures and Duovac Radio against Erpi, Western Electric and A. T. & T. was made by George F. Hurd, chief counsel for the defendants, in U. S. District Court here today.

The motion was mainly on behalf of A. T. & T. It was asserted there was not sufficient evidence to uphold the allegations in the bill of complaint and the plaintiff had failed to prove any damage had been sustained.

It had not been charged nor proved, the motion stated, that A. T. & T. had a part in agreements between Erpi and exhibitors, its only connection in the case being its relationship with Erpi through Western Electric.

Hurd said there was no relationship between Western Electric and Erpi except a contractual relationship under a 1926 agreement under which the former granted the latter patent rights to manufacture and sell equipment.

Samuel E. Darby, chief counsel for the plaintiffs, in opposing the motion said Western Electric controlled Erpi stock 100 per cent. He held Western Electric operated Erpi to promote the sale and leasing of its products.

Judge John P. Nields took the matter under advisement.

Flash Review

One New York Night—. . . nice comedy-mystery entertainment . . . should do well. . . .

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Refuse Spokane Fee Cut

SPOKANE, May 8.—The City Council here yesterday decided against theatres when it refused a reduction in city licenses, declaring the theatres were entitled to "no consideration."

Wall Street

Small Gains on Big Board

	High	Low	Close	Net Change
Columbia vtc	50¾	47⅜	50⅛	+2⅝
Consolidated	4½	4½	4½	— ¼
Cons. pfd (1v)	17¼	17	17¼	+ ¼
Eastman	140½	138½	140	+4
Fox Film "A"	12	11½	12	+ ½
Loew's, Inc.	39½	38¼	39½	+1⅜
Loew's, Inc., pfd.	106¾	106¾	106¾	+ ¾
M-G-M, pfd	27½	27½	27½	+ ¼
Paramount Publix	3⅝	3½	3½	.....
RKO	1⅝	1½	1⅝	+ ⅛
Universal pfd	32¾	32¾	32¾	—2¼
Warner Bros.	3⅜	3	3⅜	+ ¼
Warner Bros. pfd	21¾	20	21¾	+1¾

Curb Issues Slightly Up

	High	Low	Close	Net Change
Technicolor	18¼	18	18¼	+ ¼
Trans-Lux (.10K)	2½	2¼	2½	+ ¼

Gen'l Theatre Bonds Gain 1

	High	Low	Close	Net Change
General Theatre 6s '40 ctf	12⅝	11⅜	12¼	+1
Keith B. F. 6s '46	79	79	79	+ ½
Loew's 6s '41 ww deb rights	104⅝	104½	104½	.....
Paramount B'way 5½s '51	56	55⅞	56	+ ¾
Paramount F. L. 6s '47	89	88½	88½	— ⅝
Paramount Publix 5½s '50	90	89½	90	.....
Warner Bros. 6s '39 wd	61½	58½	61	+2½

(*K and v*) *Paid this year.*

(Quotations as at close of May 8)

FASTER

MUCH faster than regular Eastman Super Sensitive "Pan" under tungsten light. Faster even than that famous film is when *hypersensitized.* That is half of the news about Eastman Super X Panchromatic Negative. The other half: Eastman Super X shows no increase in grain size over Super Sensitive "Pan"... in fact, the tremendous gain in speed in this latest Eastman film has been achieved without sacrificing or impairing any valuable characteristic. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

SHOW BUSINESS IS CALLING THE ROLL FOR ITS OWN NEEDY!

MORE URGENT NOW THAN EVER!

FOR the sick and needy of all branches of Show Business . . . anywhere in the United States.

FOR wards and beds in Hospitals in various cities and the Sanitorium at Saranac Lake.

YOU'RE ASKED to Donate 10% of gross receipts for Monday, May 20—and to aid the national radio network publicity and newspaper campaign to increase attendance on that date.

N. V. A. BENEFIT FUND

Sign

THE PLEDGE ..TEAR IT OFF AND SEND IT IN

NO COLLECTIONS FROM AUDIENCES

HONOR PLEDGE

FIRST ANNUAL ACTORS' DAY BENEFIT: N. V. A. FUND

_____
Owner or Manager's Name

_____
Name of Theatre

_____
Town and State

I pledge my support to the FIRST ANNUAL ACTORS' DAY BENEFIT FOR N. V. A. FUND. Instead of taking collections from audiences, I will run the Eddie Cantor "short film" which you furnish gratis, and I will Donate (10%) per cent of GROSS RECEIPTS of above theatre, on Mon., May 20th.

SPONSORED BY

INDEPENDENT THEATRES

CIRCUIT THEATRES ★

DISTRIBUTORS ★ ★

PRODUCERS ★ ★ ★

ACTORS ★ ★ ★ ★

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FIRST ANNUAL ACTORS DAY BENEFIT N.V.A. FUND

Circle 7-5851 • 1619 Broadway • New York City

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 110 NEW YORK, FRIDAY, MAY 10, 1935 TEN CENTS

Schenck's Fox Met Plan Given Approval of Court

Formal Choice Of Para. Board Slated June 3

Expect Confirmation of Present Management

The formal election of Paramount's new board and officers will take place June 3 instead of May 15, it was decided yesterday at a meeting of the present board and of Paramount creditor representatives.

Indications still are that on that date the present management, headed by Adolph Zukor, will be confirmed for carrying on with the new company at its outset. This is the word that is now expected to be given to Paramount's sales personnel at the annual convention, June 13-16, in this city. Changes in the election plans of the company, it was learned, explain the setting back of Paramount's sales convention from its original date, May 23-26, to the present June date. Officials of the company felt that it was imperative that the executive per-

(*Continued on page 7*)

Kane-Para. Deal Is Approved by Court

A settlement of Robert T. Kane's $35,440 suit against Paramount Publix, based on the disaffirmation of his contract as general manager of Paramount foreign production in 1933, was approved yesterday by Federal Judge Alfred C. Coxe. The settlement provides for the allowance of a claim of $21,000 against Paramount to be settled in Kane's favor on the same basis as other general claims against

(*Continued on page 7*)

Jersey Film Battle Is Taken into Court

Court moves by Peter and Adam Adams of the Park Lane, Palisades Park, N. J., to stop the showing of "The Little Colonel" at the Leonia, Leonia, N. J., failed yesterday when a process server with an injunction signed by Vice-Chancellor Campbell of Paterson served papers on Joe Lee,

(*Continued on page 15*)

Universal to Meet June 5-8 in Chicago

HOLLYWOOD, May 9.—Universal's convention will be held June 5-8 in Chicago, probably at the Hotel Sherman. Carl Laemmle, Sr., James R. Grainger and Fred S. Meyer will leave June 3. Publicity Director John Leroy Johnston flies east May 29.

Farnsworth to Propose Hours Schedule for Reel Cameramen

Unable to come to an agreement with Louis Krouse, vice-president of the I.A.T.S.E., and Jack Connolly of Pathe News, on the credit hours for newsreel cameramen, Deputy Administrator William P. Farnsworth will propose an hour schedule of his own to the union and cameramen for consideration, the NRA executive stated yesterday. If the proposal is not accepted, he will put an order through, he said.

Farnsworth is on a short vacation and will not return to Washington until Monday, when he will draft the proposal. Both factions have different ideas on working hours for the newsreel men, but Farnsworth believes he has the solution.

Salary does not enter into the controversy, the matter being confined to what constitutes working hours.

Feist Asserts M-G-M Gained 20% for Year

KANSAS CITY, May 9.—M-G-M revenue jumped 20 per cent in the past year, thereby indicating improved business at theatres, Felix F. Feist, general sales manager told the company's western regional sales convention here.

Declaring theatre attendance follows the nation's trend and is an ac-

(*Continued on page 7*)

Republic 2nd In Field With Season Lineup

Republic is the second company under the line with details of its program for the new season which will total 42 features divided into six groups and four serials.

The group will be topped by five "Republic Gold Bond Specials." Then will follow five "Blue Ribbon Winners," eight in a "Republic Showmanship

(*Continued on page 15*)

Loew Closes Deal For Chicago Site

CHICAGO, May 9.—Loew's is going ahead with its theatre building plans here, having finally closed for the purchase of its first site at Oak Park.

(*Continued on page 8*)

Cal. Tax Is Made 20% of U. S. Rate

SACRAMENTO, May 9.—The joint steering committee of the State Legislature which is attempting to work out a budget-balancing plan acceptable

(*Continued on page 15*)

Rule Texas Laws Cannot Apply to Film Contracts

DALLAS, May 9—Karl Hoblitzelle, Robert J. O'Donnell and interstate circuit won an important victory here with the handing down of a decision by the Civil Court of Appeals affirming a denial by the State District Court for the granting of a temporary injunction to R. Z. Glass of the Knox and Fair theatres here.

The complainant brought his suit in connection with contracts Inter-

(*Continued on page 12*)

Tentative Action Seen As Closing 3-Year Competition

The Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Metropolitan Playhouses, embodying a 10 per cent participation by Keith-Albee-Orpheum, was given tentative approval yesterday by Federal Judge Julian W. Mack.

The plan, with the modifications which were agreed to yesterday by Schenck, was given the unconditional approval of three of the four members of the Fox Met bondholders' committee, while the fourth, Frederick Peyser of Hallgarten & Co., stated that he was in accord with the plan in principle and withheld his complete approval only until he had seen the latest modifications in printed form.

Approval of the Schenck plan, indicated in yesterday's MOTION PICTURE

(*Continued on page 8*)

Quigley, Milliken Again Meet English

By BRUCE ALLAN

LONDON, May 9.—A second conference was held today between representatives of the Federation of British Industries and Martin Quigley and Carl E. Milliken on development of methods for fitting British production methods into the workings of the American Production Code Administration.

The British presented ideas they have developed since the first talks a few days ago.

Quigley and Milliken were guests at a dinner tonight at Dorchester House given by the F.B.I.

Hess-Harrison Libel Suit Gets Underway

Trial of the $50,000 libel suit of Gabriel Hess, attorney for the M.P.P.D.A., against P. J. Harrison, publisher of *Harrison's Reports*, opened in state supreme court here

(*Continued on page 8*)

No Delay Expected On Midland Shifts

KANSAS CITY, May 9.—Attorneys for National Theatres here today said the appeal by Lee H. Hamlin filed in the U. S. District Court to prevent

(*Continued on page 7*)

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Erpi's Engineers on Stand in Trust Case

WILMINGTON, May 9.—Halsey A. Frederick, Mountain Lakes, N. J., Erpi electrical engineer, was the second witness called by the defendants, Erpi and Western Electric and the A. T. & T., in the anti-trust case brought on by General Talking Pictures and Duovac Radio in the U. S. District Court here today.

George E. Mather of Richfield, N. J., another Erpi engineer, also completed his testimony this morning, with both men discussing the early development of sound and of sound equipment of the defendants.

No Merger Intent

George Batcheller of Chesterfield and Maury Cohen of Invincible yesterday declared they had no idea why their companies are being mentioned in connection with expansion of Republic Pictures, impending outgrowth of Monogram.

Chesterfield and Invincible are not financed by Consolidated, as reported, but by Pathe Exchange, Inc., and contemplate no merger, they say.

Delay M. P. Club Meet

A meeting of all M. P. Club members slated for today has been postponed until a later date, to be decided next week. The session was put off due to absence of Felix F. Feist, president of the club, who is in Kansas City winding up the second regional M-G-M sales meeting.

Insiders' Outlook

By RED KANN

TEMPTATION, maybe, is to be pushed rudely aside under a plan, now fulminating, whereby major advertising men around the town will lay off the *Daily News* system of star ratings in their newspaper copy and on their theatre marquees. Discussed in Hays office conclaves, an understanding is drawing near, with June 1 as the effective date. It has yet to be signed. . . .

▼

Like the little boy raiding the pantry, the star idea is swell as long as the cookies hold out. Pouts, frowns, fumings ensue when the larder goes empty. This bedtime story manner of explanation is merely to point out that three and, especially, four star pictures please advertising minds mightily and presumably influence the sale of additional tickets. The theory is the competitive attractions, not so thoroughly star dusted, go into a reverse or, at least, a standstill. . . .

▼

Troublesome has been what to do about the less favored celluloid, of which there is much, the conclusion being that the fastest way out is to forget the stars completely. The scheme now near consummation was close to the finishing line immediately before the opening of "G-Men." Certainly an accord had been reached. The Cagney film then was caparisoned with four of the coveted stars which immediately went up in lights on the Strand marquee and in type in the theatre's newspaper advertising. The reason for it all was simple enough: The final rivet in the resting place of the star system had not yet been driven merely because nothing had been set down in writing. . . .

▼

This is not ther first attempt along such lines. At least once before, the machinery started rolling to end in a complete breakdown when the next four star review happened along. It was open season thereafter. With those rare days in June impending and grosses about to don summer dress, the resistance against use of starring quartets may again prove too tough to ward off. Anyway, it proves one thing, which is that star trouble is no longer a Hollywood exclusive. . . .

▼ ▼

Not the evidence was lacking. But clipping the heels of the comment here the other day about the support accorded Warners in Hearst newspaper columns come facts in a hurry: (1) Brisbane in his "Today" column; in the *New York American*; (2) editorial in the same paper; (3) ditto in the *New York Daily Mirror,* all urging the reader constituency to see "G-Men." In the latter sheet further, a pictorial story on the same flicker. . . .

▼

Metro and Radio are racing, none too mildly, for the same goal which is another name for "The Divine Sarah," a play by George Westley and based on the life of Sarah Bernhardt. Leo's desire: For Garbo. Radio's: For Hepburn. . . .

▼

On the subject of material, there is "The Old Maid," Pulitzer Prize play in which Arthur Mayer owns a twenty-five per cent interest. We go agent long enough to suggest to Metro its suitability for Helen Hayes. And to Radio, for Irene Dunne. Not that anyone will listen. . . .

▼

Alphabetically, merely to maintain some sort of balance of power, are Columbia, Monogram, Paramount and United Artists, one and all after distribution of "The March of Time." Apparently irrevelant fact: Henry R. Luce, editor of *Time,* which controls the reel, is a Paramount director. . . .

Kalmuses Coming East

HOLLYWOOD, May 9.—Dr. Herbert T. Kalmus, president and general manager of Technicolor, left by train for New York tonight. He was accompanied by his wife, Natalie Kalmus, and Arthur Ball, vice-president and technical director of the company. Ball will remain in New York a month, while Kalmus will go to London on an English color deal.

FWC Managers Gather

LOS ANGELES, May 9.—All managers of Fox West Coast and subsidiaries gathered here today.

RKO Radio Board Meets

The quarterly meeting of the board of RKO Radio Pictures was held yesterday with only routine business up for disposition, according to an official of the company. J. R. McDonough, president, who came here from the coast to attend the meeting, returns. today, accompanied by R. F. Sisk, his assistant.

License Is Refused

Henry Mandel, builder, has been denied a license to build a house at Madison Ave. and 79th St. Residents opposed the project.

From M. P. Daily

All of the headlines reproduced on the facing page were culled by the advertising department of Fox Film from box-office reports in Motion Picture Daily.

Wisconsin Theatres Plan Talent Contest

MILWAUKEE, May 9.—A radio talent contest will be staged by Fox in approximately 35 houses in Wisconsin, in co-operation with station WTMJ, starting May 12 and closing June 18.

Local eliminations will be held at the 35 theatres for four weeks, with district finals being held in the fifth week at 17 theatres. One finalist from each district will appear in the grand finals at the circuit's Wisconsin theatre June 18, and from the 17, five prize winning acts will be selected.

Those five winning acts will be presented with contracts calling for four weekly broadcasts over WTMJ. The Milwaukee downtown auditions, to be held at the Wisconsin theatre every Tuesday night, will be broadcast over WTMJ from 9:45 to 10:15 P. M. An applause machine will be used in the theatre to register on a sound meter the amount of applause awarded the various acts.

Russian Group Coming

Boris Shumiatsky, head of the film industry of Soviet Russia, and a group of Russian producers and players will arrive here early next month to study American production methods. Plans are now being made by V. Verlinsky, president of Amkino Corp., distributor of Soviet films here, for the party to visit Hollywood.

Academy to Study Sound

HOLLYWOOD, May 9.—The Academy research council decided at its meeting last night to appoint committees soon consisting of studio sound and construction representatives for the purpose of studying new developments in acoustic construction, a report on which will be made to the studios.

Wingate Tours South

RICHMOND, May 9.—Dr. James Wingate, studio contact for the Hays office on the coast, who used to be director of the New York censor board, has been touring the south for conferences with censor officials. He was cordially received here.

Bank Night in Cleveland

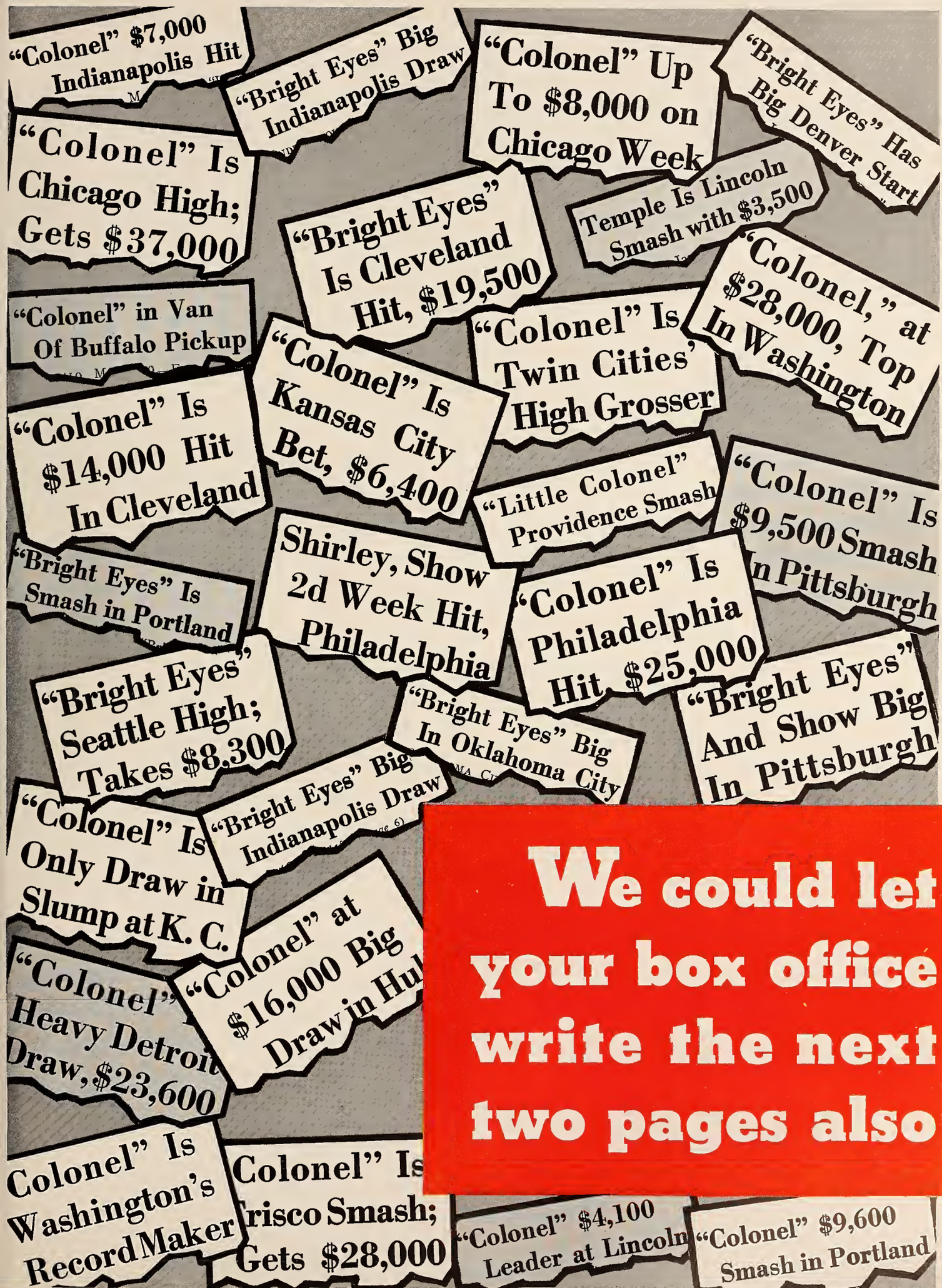
CLEVELAND, May 9.—Bank nights have invaded this city. M. B. Horowitz has introduced it at the Haltnorth here and also at the Falls Theatre, Cuyahoga Falls. It starts Friday at the latter house.

Pathe News Adds Space

Pathe News has taken more space at 126 W. 46th St., now occupying four floors in the building. The leasing arrangement was made through Harold E. Wolf, real estate broker.

Modern Closes Deal

Modern Film Sales Corp. has acquired exclusive distribution rights to the Spanish talker "El Diablo del Mar," starring Jose Ramon Pereda.


"Colonel" $7,000 Indianapolis Hit
"Bright Eyes" Big Indianapolis Draw
"Colonel" Up To $8,000 on Chicago Week
"Bright Eyes" Has Big Denver Start
"Colonel" Is Chicago High; Gets $37,000
"Bright Eyes" Is Cleveland Hit, $19,500
Temple Is Lincoln Smash with $3,500
"Colonel," at $28,000, Top In Washington
"Colonel" in Van Of Buffalo Pickup
"Colonel" Is Twin Cities' High Grosser
"Colonel" Is $14,000 Hit In Cleveland
"Colonel" Is Kansas City Bet, $6,400
"Little Colonel" Providence Smash
"Colonel" Is $9,500 Smash In Pittsburgh
"Bright Eyes" Is Smash in Portland
Shirley, Show 2d Week Hit, Philadelphia
"Colonel" Is Philadelphia Hit $25,000
"Bright Eyes" Seattle High; Takes $8,300
"Bright Eyes" Big In Oklahoma City
"Bright Eyes" And Show Big In Pittsburgh
"Bright Eyes" Big Indianapolis Draw
"Colonel" Is Only Draw in Slump at K. C.
"Colonel" at $16,000 Big Draw in Hu
"Colonel" Heavy Detroit Draw, $23,600
Colonel" Is Washington's Record Maker
Colonel" Is risco Smash; Gets $28,000
"Colonel" $4,100 Leader at Lincoln
"Colonel" $9,600 Smash in Portland
We could let your box office write the next two pages also...



SHIRLEY TEMPLE

in her greatest picture

'Our Little Girl'

with

ROSEMARY AMES
JOEL McCREA
LYLE TALBOT
ERIN O'BRIEN-MOORE

Produced by Edward Butcher

Directed by John Robertson

From the story "Heaven's Gate" by Florence Leighton Pfalzgraf. Screen play by Stephen Avery and Allen Rivkin. Adaptation by Stephen Avery.

FOX

AND LOOK WHAT ELSE IS COMING FOR YOUR SPRING FESTIVAL →

...To write *more* brilliant pages in your box office history *for* MAY · JUNE · JULY

WARNER BAXTER and KETTI GALLIAN in **"UNDER THE PAMPAS MOON"** with Tito Guizar, Veloz & Yolanda

"THE DARING YOUNG MAN" with James Dunn, Mae Clarke, Neil Hamilton

GEORGE O'BRIEN in **"THE COWBOY MILLIONAIRE"**

WILL ROGERS in **"DOUBTING THOMAS"** with Billie Burke, Alison Skipworth, Sterling Holloway, Gail Patrick

"LADIES LOVE DANGER" with Mona Barrie, Gilbert Roland, Donald Cook, Adrienne Ames, Herbert Mundin

"CHARLIE CHAN IN EGYPT" starring WARNER OLAND, with "Pat" Paterson and Stepin Fetchit

"BLACK SHEEP" with Edmund Lowe, Claire Trevor, Tom Brown, Eugene Pallette, Adrienne Ames, Herbert Mundin

"THE LORD'S REFEREE" (tentative title)·

"ORCHIDS TO YOU" with John Boles, Jean Muir, Genevieve Tobin, Charles Butterworth, Harvey Stephens

"GINGER" with Jane Withers, Jackie Searl, O. P. Heggie, Walter King

GEORGE O'BRIEN in **"HARD ROCK HARRIGAN"**

SHIRLEY TEMPLE in **"CURLY TOP"** with John Boles, Rochelle Hudson

FOX

Feist Asserts M-G-M Gained 20% for Year

(*Continued from page* 1)

curate barometer of general conditions, he added that his reports from the field reveal Government spending has helped immeasurably in many localities and that he looked for further stimulus through the expenditure of the recently adopted work relief fund.

"One man is Garbo's most effective rival," said Feist, "and he's also the best business friend she has. The same man is the toughest competition and strongest business tonic for Clark Gable and for everybody else in the motion picture industry. That man's name is Franklin Delano Roosevelt."

Feist went on to explain that the worst nights on the showman's calendar were those on which the President broadcast his "fireside chats." He was thankful there has been only one of those talks lately.

"Those fireside chats," the sales executive went on, "are so hot they burn the manager's house down. The President is terrific box-office. He's the only radio performer who keeps people home from the movies in appreciable numbers. Huey Long is beginning to be felt as a competitive attraction. So is Father Coughlin. But the only one who keeps the public at home on nights when you really have a good picture is the President."

Feist went on to say the President had more than atoned for the patrons he kept away from Gable and Harlow on "fireside nights" by the increased business he has brought to the country's movie theatres.

Film Show as Barometer

"The picture show is an accurate barometer of government aid as it applies to business," he said. "The moment the Government starts spending money in a community attendance jumps. I've been interested in this as a national trade manifestation. I've gone to some length to investigate it.

"Classics are luring people to theatres who never before saw pictures." he continued. It is his opinion the success of "David Copperfield" and other literary works, warrant the continuation of this type of production and named "The Barretts," "Little Women," "Les Miserables" and "Naughty Marietta" as typifying films which are creating wider audiences.

Feist said he regarded giveaways, duals and low admissions as depression measures which exhibitors will discard of their own accord once theatre attendance starts to shoot upward. He said that duals are a bad practice for everyone concerned.

Commenting on Loew's invasion of the Chicago theatre field, Feist said that the booking combine which brought about the building program in that city was better described as an organized conspiracy of exhibitors there against M-G-M.

Feist told the convention that M-G-M's sales policies will remain unchanged, with certain variations necessitated by new selling conditions.

Howard Dietz, advertising and publicity director, outlined the advertising campaign for the new season. Other speakers were Henry Nathanson of Regal Films, Canadian M-G-M distributor, and William R. Ferguson, exploitation head.

Announcement was made that "star" productions would be increased from 22 to 27.

Metro's feature list is to be augmented by an exploitation special to be made with radio tieups, including Station WHN, New York, and other stations allied with it, according to reports current around the Muehlebach. The extra feature will seek to capitalize on the present vogue for amateur radio tryouts and will tie in directly with the Loew chain throughout the country, it is understood.

Reports from the east that a change in the numerical equation of the specials and "Marquee Group" from six to 12 for the former and from 14 to nine in the latter were declared unfounded by Feist.

Anticipating a strong demand for good shorts next season despite the prevalence of duals, M-G-M is increasing the production costs of shorts by 35 per cent, Hal Roach told the convention. Aside from his major contribution to the shorts lineup, Roach plans at least one feature, plus the Laurel and Hardy features announced for this season's program but delayed when the recent split between the comedians developed.

"Lucky Beginners" has been determined as the title for the two-reeler to be made in the east in association with the *New York Daily Mirror*. It provides for amateur talent and links together the paper, Station WHN and the Loew circuit in Greater New York. There is a possibility the stunt may be extended to other large cities depending upon the reception accorded the first two-reeler, Roach indicated.

Production starts the week of June 15. In explanation, Roach pointed out no outstanding personality or personalities could be found to feature in new comedy series and the amateur contest idea thus was resorted to in the anticipation one or more players suitable for a buildup might be discovered. He left for Texas today and is due back in Hollywood on Saturday.

During the day, there was a two-hour screening at Loew's Midland followed by business sessions when Feist announced product and policies.

Festivities attendant upon observance of his 10th anniversary as Metro's general sales manager were broadcast for 30 minutes tonight over Station KMBC. The program featured the convention banquet and the entire show was built around the testimonial to Feist.

M-G-M Men Get Passes

KANSAS CITY, May 9.—Convention delegates were accorded the hospitality of all local first runs through passes promoted by John McManus, manager of Loew's Midland. McManus is of assistance otherwise in local arrangements.

Not a Secret

Kansas City, May 9.—Mystery surrounds the posting of a notice in the office of the Muehlebach Hotel informing the staff of the hostelry: "Do not under any circumstances give out any information about the M-G-M convention. No one is to know this meeting is being held here." Despite this caution, the word got pretty well around.

Roach Re-Signs Chase

HOLLYWOOD, May 9.—Hal Roach has re-signed Charlie Chase to a new one-year contract calling for eight comedies during that period.

I.T.O.A. Wires Go

In addition to the I.T.O.A. telegram sent to Felix F. Feist in Kansas City seeking a change in M-G-M's sales policy, 50 members also sent wires Wednesday night after the meeting. The exhibitors expressed the same desire for alterations in the policy. The telegram read:

"The I.T.O.A. called in special session today desire to bring to your attention the fact that under the sales policy inaugurated by your company and now in effect for subsequent runs they cannot play Metro pictures.

"As accounts of long standing who have made it possible for M-G-M to achieve the heights they have by their support they ask that the M-G-M change its sales policy this year so that they can continue running the pictures made by your company."

Roach Aids on Talent

KANSAS CITY, May 9.—Hal Roach was a speaker over Station KMBC Wednesday night in behalf of the search for talent being promoted by the company's traveling studio. The radio station is tied in directly with the stunt and is contributing considerable time.

Set to Back Gordon, Harris

With several other deals pending, M-G-M is definitely set to finance stage productions by Max Gordon and Sam Harris, it was stated yesterday by a company official. Harris is now working on several scripts, but has not decided which will be the first. Gordon sails tonight for Europe for a vacation.

It was also stated that M-G-M will not form a subsidiary company for financing the Harris and Gordon shows.

Sign Alice Duer Miller

Prior to his departure for the coast yesterday, Sam Marx, story editor for M-G-M, signed Alice Duer Miller to write a story based on "Americans Can Sing, Too," an idea attributed to Jeanette MacDonald. The author leaves Sunday. Hunt Stromberg will produce.

M. P. Ball Season Set

The Motion Picture Baseball League gets under way with a doubleheader Saturday at the James Madison High School field, Brooklyn. The first game will be between Loew-Metro vs. U. A. to be followed by RKO vs. NBC.

Besides the above teams, the league is composed of Columbia, Erpi and Universal. The winner will be awarded the *Motion Picture Herald*-Quigley Trophy and the President's Cup, donated by Erpi.

Roxy Beats Capitol

Members of the Roxy staff yesterday beat the Capitol crew by a score of 11-1 in the first theatre baseball game of the season. The game was held at the Central Park diamond.

Formal Choice Of Para. Board Slated June 3

(*Continued from page* 1)

sonnel of the new company be decided in advance of the sales meet.

Yesterday's board meeting discussed routine changes in the new company's charter, the reduction of the number of shares outstanding, changes in the by-laws of the company and the powers to be delegated to the new company's executive and finance committees. The latter two subjects were held over for further discussion at the next meeting of the board while the charter and certificate changes, agreed on yesterday, go to Federal Judge Alfred C. Coxe for approval at a hearing today.

Signs Six-Year Hawaiian Deal

Neil Agnew, sales manager for Paramount, has concluded negotiations with the Consolidated Amusement Co., operating and interested in 70 theatres in the Hawaiian Islands, providing for a six-year franchise for all of the company's product. Agnew returned early this week from Honolulu where he signed the deal.

Paramount's schedule next season calls for 65 features, 101 single reel shorts and 104 issues of the newsreel. Following the annual convention at the Waldorf June 13-16, district meetings will be held in Boston, Atlanta, New Orleans or Dallas and Los Angeles. Agnew will attend some of the sessions.

Kane-Para. Deal Is Approved by Court

(*Continued from page* 1)

the company in the reorganization proceedings.

Judge Coxe also approved Paramount's application for leave to purchase 18,236 shares of a new issue of Famous Players Canadian stock at $10 per share. The stock will be paid for out of a dividend of $182-363 paid to Paramount by F-P. Canadian on the former's present holdings of more than 96 per cent of the Canadian company's outstanding stock.

No Delay Expected On Midland Shifts

(*Continued from page* 1)

the sale of Fox Midland and Fox Rocky Mountain Theatres to their company will not interfere with the procedure of winding up the bankruptcies, since the transfer of assets the National Theatres has already been effected.

They also said that on the basis of the Federal Court's prior action in vacating the injunction holding up the sale on the petition of Hamlin and other General Theatre Equipment bondholders they expect Hamlin's appeal to be ruled out by the court.

Settle Dressler Claim

LOS ANGELES, May 9.—A claim of Claire Du Brey for $25,000 against Marie Dressler's estate has been settled for $5,000.

Schenck Fox Met Proposal Is Approved

(*Continued from page* 1)

DAILY, has every indication at this time of sealing the disposition of the strategic metropolitan circuit of 84 houses after more than three years of spirited court contests which, at one time or another, involved virtually every major company either as a prospective operator or as a subject of vital sales import. The court's approval comes with the virtual elimination of Paramount as a likely competitive cash bidder and of all other important factors which might have made a last-minute effort to gain control of the circuit. Paramount creditors, it was learned on good authority yesterday, will not countenance a $4,500,000 cash offer, as discussed within the company; holding to the viewpoint that Paramount has no such sum available for theatre investment at this time. The best offer that Paramount could make, it was said, would be a part cash and part security issue, similar, to the Schenck plan, and there is virtually no likelihood now that anything but a large cash offer for outright purchase of the Fox Met bonds could sway the creditors from their support of the Schenck plan.

Creditors have 30 days in which to assent to the plan or to withdraw from the committee which has recommended it. If, at the end of that time, two-thirds of the creditors accept the Schenck plan, it will be placed in effect by the court.

Judge Explains Action

In approving the Schenck plan and rejecting the plan proposed by Si Fabian, the only other one before the court, Judge Mack stated that he was guided largely by his belief that the Fox Met bondholders were better assured under Schenck's plan of the redemption of their new bonds and the payment of interest on them. Other major considerations, the court said, were the Fox Film franchise which would be retained for the circuit under Schenck's plan and the continuance of Skouras and Randforce as operators, which would avoid litigation over their contracts as well as assure efficient operation.

Under the Schenck plan, the court said, Fox Met is no longer "so highly speculative" an enterprise. "We have comparative security for the bondholders, even though much is dependent upon the future management of the properties. The advantages weigh heavily in favor of the Schenck plan and, subject to the modifications in process of drafting, the court finds it fair and equitable and feasible."

The modifications in the Schenck plan agreed to, give the present bondholders $200 in cash and $550 in new debentures for each $1,000 bond and a pro rata bondholder share in a new issue of Class A stock which shall amount to 15 per cent of the outstanding common stock to be held by Schenck and Fox Theatres Corp. Working capital of the new company will be increased from $150,000 to $300,000; Schenck will agree to remain with the company for a minimum of five years and agrees to sell United Artists and 20th Century product to Fox Met on "fair" terms. There is an unconditional guarantee by Schenck and United Artists Theatre Circuit that the $200 cash notes will be paid, and $600,000, in addition to $100,000 already posted, will be delivered to the bondholders' committee on Monday. Additionally, no dividends will be declared on either the common or Class A stock until 50 per cent of the outstanding new notes have been retired, and no dividends will be declared out of a fund to be set aside for "wastage."

It was indicated that Schenck will acquire the 50 per cent stock interest of Fox Theatres Corp. in addition to his own 50 per cent. An agreement was made that he would not dispose of his stock during his five-year tenure, except for the 10 per cent covered by the K-A-O agreement. He reserves the right, however, to dispose of the Fox Theatres' block if he acquires that.

Buy G. R. Machines

SAN DIEGO, May 9.—General Register will supply ticket machines to be used at the California Pacific International Exhibition which opens at Balboa Park, May 29.

Out Hollywood Way

HOLLYWOOD, May 9.—A. M. Botsford recovered from that appendicitis attack. . . . Claude Rains, back, starts soon in "The Last Outpost." . . . Warner Baxter ordered back from Honolulu for "Under the Pampas Moon" at Fox.

✣

Joan Crawford gets a statuette from a Culver City Boy Scout troop. . . . Father and son, DeWitt Jennings, senior and junior, in "Mutiny on the Bounty." . . . Lyle Talbot to vacation in New York when he finishes in "Page Miss Glory." . . . Betty Furness grounded 12 hours at Amarillo by one of those dust storms.

✣

Eddie Quillan grows a beard for "Mutiny on the Bounty." . . . Red Hershon, Universal writer, has teeth trouble. . . . Katharine Hepburn unable to appear in stock at Saybrook, Conn., this summer. . . . Busy at Radio.

✣

Production—"The Return of Peter Grimm" starts at Radio with Lionel Barrymore in lead. . . . Claire Dodd replaces Dolores Del Rio in Warners' "Not on Your Life." . . . James Gleason, man of all work on Radio's "Leander Clicks"—assistant on script, co-director and featured player. . . . Monogram to start last two on current schedule this month—"Make a Million" and "Cheers of the Crowd." . . . "Peter Ibbetson" in work at Paramount with Henry Hathaway directing; Gary Cooper in lead, also Ann Harding.

✣

Directors signed—Norman Taurog by Samuel Goldwyn to direct Cantor's next. . . . Sidney Buchman by Columbia. . . . Leo McCarey by Radio for "Leander Clicks." . . . Sam Zimbalist, production assistant to Hunt Stromberg, made a director by M-G-M. . . . Alfred Santell to Columbia for "A Feather in Her Hat."

Players—Loretta Young signed by Walter Wanger for "Shanghai." . . . Options on Colin Tapley, New Zealand actor, and Little Billie Lee picked up by Paramount. . . . Anne Shirley borrowed by Fox from Paramount for Will Rogers' "Steamboat 'Round the Bend." . . . Walter Abel gets title role in Radio's "Mr. Grant." . . . Julie Haydon given a long-termer by Paramount. . . . Randolph Scott assigned to "So Red the Rose" at same studio. . . . Larry Ceballos to make screen debut in Fox's "Redheads on Parade." . . . Constance Cummings signed by Reliance for lead in "Amateur Lady." . . . Rosamond Pinchot set for role in "The Three Musketeers," Radio.

✣

Writers—Ford Beebe, Earle Snell, Harold Shumate and Sidney Buchman held by Columbia for another year. . . . Barton MacLane, Warner heavy, writing a play. . . . Mildred Cram assigned by Samuel Goldwyn to "Navy Born" script. . . . Marion Morgan and George B. Dowell to get writing credits on Mae West's "Goin' to Town."

✣

Stories—Vera Caspary's "Easy Living" and David Boehm's "Coronado" acquired by Paramount; Fred Ballard's and Mignon Eberhart's play, "Frat House," by M-G-M.

✣

Titles—"Crashing Society" with Guy Kibbee and Zasu Pitts changed by Warners to "Going Highbrow." . . . "Serves You Right" becomes "We're in the Money," also Warners. . . . Columbia to release "Call to Arms" as "Together We Live." . . . "The Arizonian" to be final title of Radio's "Boom Days," with Richard Dix. . . . Paramount takes up option on "Virginia Judge," by Octavus Roy Cohen and Walter C. Kelly.

Hess-Harrison Libel Suit Gets Underway

(*Continued from page* 1)

yesterday before Judge Phillip J. McCook, with a number of distinguished character witnesses for Hess being heard and with Harrison on the stand for brief examination.

Among the character witnesses who testified for Hess were Max D. Steuer, attorney, and former Ambassador James W. Gerard. Hess was examined briefly thereafter and the plaintiff rested his case. The court then denied a motion to dismiss the case made by Jacob Schechter, Harrison's attorney, and the defendant was placed on the stand for examination.

The suit is based on an article published in *Harrison's Reports* more than a year ago which allegedly linked the Hays' attorney's name with those of others who were criminally indicted in a Canadian investigation of film trade practices. No indictment was returned against Hess. The case is being tried before a jury with the principal objective being, according to the plaintiff's side, the vindication of Hess's name.

Loew Closes Deal For Chicago Site

(*Continued from page* 1)

Several other deals are on the verge of being consummated.

The Oak Park house will seat 1,600. It has not been definitely decided whether to have a balcony, but Thomas Lamb, architect, is conferring with home office executives in New York on the plans. Contracts for construction are expected to be let next week. Bids are now being taken.

Robert Lynch and Ernest Schwartz of the Philadelphia M-G-M exchange are here and have received approval of the local city authorities to proceed.

Loew's is moving slowly in the purchase of additional plots because of zoning conditions. All contemplated houses will be in neighborhood sections, but because of the clearance setup and the B. & K. franchise, which has another year to run, the circuit is cautiously feeling its way.

Joe Vogel, in charge of Loew theatre operations outside of New York, attended the recent M-G-M convention in Detroit, but did not visit here, although the trip by air from the auto city is about an hour and a half.

Loew Back From Detroit

Arthur Loew, in charge of foreign activities for M-G-M, has returned from Detroit where he attended the three-day regional convention. However, Loew didn't put in an appearance until the last day. During the first two days he met with a contingent of foreign representatives, now with his company, who came on from the coast specially to confer with him.

Building Upstate

Sam Rosenshine is building a new 500-seat theatre at Lock Sheldrake, N. Y., which will be ready for opening July 1.

Wall Street

Universal Up 1¾ on Big Board

	High	Low	Close	Net Change
Columbia, vtc	52¼	50	51¼	+1⅛
Consolidated	4¾	4⅝	4¾	+ ¼
Cons. pfd (1v)	17¾	17	17⅜	+ ⅜
Eastman	140	139¼	139¼	— ¾
Fox Film "A"	12¼	12	12	.....
Loew's	39¾	38⅞	39	— ½
Paramount	3⅝	3⅜	3½	.....
RKO	1⅝	1½	1⅝	.....
Universal, pfd	32	31	31	—1¾
Warner	3⅝	3¼	3⅝	+ ¼
Warner, pfd	23½	22	22½	+ ¾

Technicolor Up Slightly on Curb

	High	Low	Close	Net Change
Technicolor	18⅝	18⅛	18½	+ ¼
Trans-Lux (.10K)	2½	2¼	2¼	— ⅛

Warner Bonds Gain 2

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	12½	12⅛	12½	+ ¼
Keith B. F. 6s '46	78¼	77⅝	77⅝	—1⅜
Loew's 6s '41 ww deb rights	104⅝	104½	104½	.....
Paramount B'way 5½s '51	56	55½	56	.....
Paramount F. L. 6s '47	88¼	88⅝	88⅝	+ ⅛
Paramount Publix 5½s '50	90	89¾	90	.....
RKO 6s '41 pp	31½	31½	31½	+ ½
Warner Bros. 6s '39 wd	64¼	62⅛	63	+2

(K and v) Paid this year.

(Quotations as at close of May 9)

JUST ONE CRITIC SAID THIS!

★ ★ ★ ★

"The local dramatic pages today are peppered with adjectives indorsing "THE INFORMER". The list so far includes such words as "MOVING" "EXCITING" "HUMOROUS" "SOCK-DOLAGER" "GUSTY" and "STRONG". Elsewhere we have stated it is a triumphant blending of drama, literature and common sense. We have also stated that IT IS ONE OF THE BEST PICTURES WE HAVE EVER SEEN. AND WE MEAN IT!

IT IS A CORKING FILM . . . and if we are allowed a couple more expressions of enthusiasm we should say (*even the morning after*) that it is a COURAGEOUS, STIMULATING, PROVOCATIVE, EXHILARATING, TRAGIC, MYSTICAL, HAUNTING, PULSATING FLIGHT INTO THE SUBLIME!

E. de S. MELCHER
Washington Evening Star

. . . . NOW READ

WHAT THE OTHER WASH

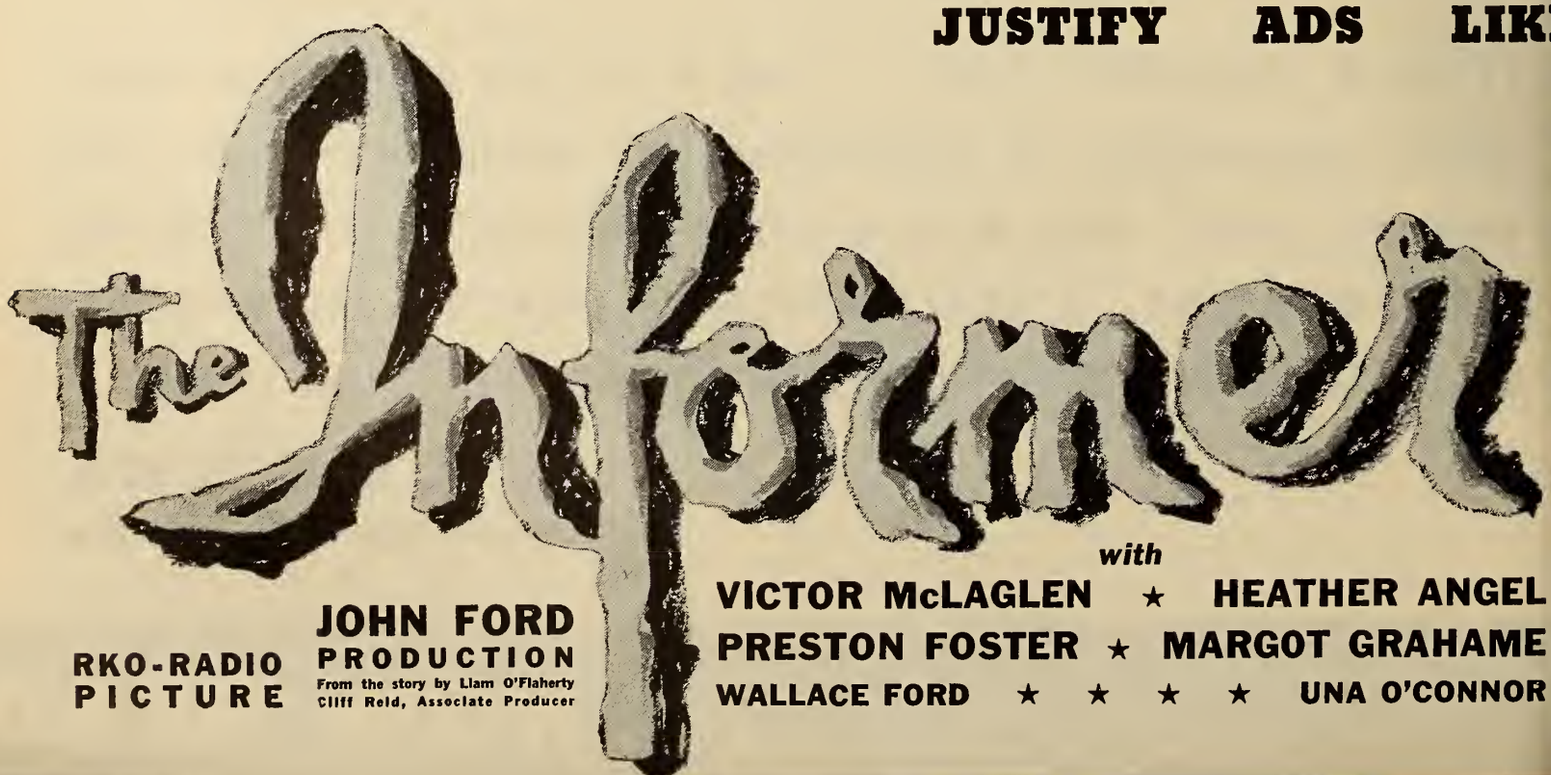
"A powerful and moving story . . . It is so intelligently presented, so beautifully acted and recounts such a gripping narrative that only the adjective 'DISTINGUISHED' seems fit to describe this exceptional picture . . . I didn't think Victor McLaglen was capable of such acting, *magnificent* and *sweeping* in its scope. All concerned with producing 'The Informer' deserve a screen bow. NOTHING CAN KEEP IT FROM MY TEN BEST LIST!"

Andrew R. Kelley, *Washington Times.*

"An honest celluloid sensation. A real *sockdolager, gusty* and *grandly cast* and *infinitely moving.* No fooling, no fancy phrasing, it is *strong* and *sterling entertainment,* and I hope everybody in town makes it a point to see it. It is undoubtedly Victor McLaglen's greatest screen role to date, and it comes close to being *one of the greatest pictures* . . . It's violent and absorbing and altogether distinguished and YOU SHOULD NOT—*MUST NOT*—MISS IT!

Mabelle Jennings, *Washington Herald.*

REVIEWS LIKE THESE JUSTIFY ADS LIKE



INGTON CRITICS SAY...

"'The Informer' is a picture unique in conception and without blemish in execution. Based on that divine supplication, 'Forgive them, Father, for they know not what they do,' and with its action set during a single night . . . it relates a *deeply moving, exciting* and, at times, *humorous story* . . . . beyond any picture in which he ever heretofore has appeared, it reveals Victor McLaglen as an actor of intelligence, versatility and power. *It is a picture that should be seen.* I CERTAINLY SHALL SEE IT MANY TIMES."

Nelson B. Bell, *Washington Post.*

"'The Informer' is a *new experience for moviegoers.* It is as *irresistible* as its chief character, the giant Gypo, himself a moving drama that SWEEPS YOU ALONG AS BEFORE A RAGING TORRENT." **Dick Tenelly, *Washington Daily News.***

★ ★ ★ ★

HARDIE MEAKIN'S AD. IN ALL WASHINGTON PAPERS

We Predict . . .

. . . that Washington, the scene of many memorable successes both on the motion picture screen and the speaking stage, will be unanimous in declaring . . . that

THIS!

'The INFORMER'

(from the novel of the Irish Rebellion by Liam O'Flaherty)

possesses greatness in drama . . . that it is fired with inspiration . . . produced with superb skill . . . acted with spirit and motivated by one of the most unusual stories ever filmed . . . IN FACT, that it is WORTHY TO BE CLASSED WITH THOSE OTHER STAGE AND SCREEN SUCCESSES THAT WILL NEVER BE FORGOTTEN!

The Management
RKO KEITH'S THEATER

THE NATION'S CAPITOL BOOMS OUT THE FIRST SALUTE IN A WORLD-WIDE SALVO OF ACCLAIM . . . THIS WEEK-END, IN NEW YORK, BOSTON, SAN FRANCISCO, CHICAGO, BALTIMORE AND OTHER KEY CITIES, A DEAFENING BLAST OF PRAISE WILL THUNDER FROM THE PENS AND THROATS OF AMERICA'S CRITICS AND ENTHUSIASTIC AUDIENCES . . . CONFIRMING RKO RADIO'S PREDICTION THAT EVERY CRITIC IN AMERICA WILL INCLUDE "THE INFORMER" IN THE LIST OF TEN BEST PICTURES FOR 1935.

Purely Personal

BORIS MORROS is using all his spare time swinging a baton. He is scheduled to lead the orchestra at the N. V. A.-Masonic Club's Jubilee at Madison Square Garden next Saturday night and he believes in practicing long and often. Others scheduled to entertain at the benefit are HARRY RICHMAN, JACK DEMPSEY, SOPHIE TUCKER, AL JOLSON, JOE PENNER, HELEN MORGAN, WALTER O'KEEFE, EDDIE DOWLING, ETHEL MERMAN, WILLIAM GAXTON, VICTOR MOORE, the BRITTONS, BORRAH MINEVITCH, PHIL BAKER, SOLLY WARD, GUY ROBERTSON and JIMMY SAVO.

•

GRACE MOORE, having completed work in Columbia's "Love Me Forever," is coming to town to receive the gold medal awarded her by the Society of Arts and Sciences for her work in "One Night of Love." The presentation will be made next Friday at the annual banquet of the society. The next day she will sail to sing at Covent Garden, London.

Quip of the Day

Joe Nicts, who thinks he is a humorist, goes pen in hand with this:

"Anent the newspaper headline, 'Nazi Film Hissed,' the minister of propaganda probably will announce shortly that the hissing was caused by steam escaping from defective radiator valves."

LELAND HEYWARD singing the praises of that new airplane of his. He still thinks it can break the coast-to-coast record, but up to now nothing's been done about it.

•

WILLIAM A. FINNEY of Cleveland, Loew's western division manager, timed his periodical visit to his local outpost to coincide with Leo's invasion.

•

FRANK C. HENSLER, branch manager at Kaycee, snores so vociferously that other delegates were compelled to object to the hotel management because of loss of sleep.

•

MYRNA LOY dodging crowds in the lobby of the Savoy-Plaza, but submitting to the demands of autograph seekers at the Cort Theatre.

•

AUSTIN C. KEOUGH, who planned to leave for the Paramount studios this week, has postponed the trip three weeks.

•

JOE RIVKIN is getting a great kick from those letters coming in on the HAL ROACH-Mirror talent contest.

•

HERMAN MANKIEWICZ is in the throes of a play called "The Tree Will Grow."

•

JAIME YANKELEVITCH, Argentine producer, will arrive here on the *Western Prince* Tuesday.

•

The DUNCAN SISTERS begin work at the Brooklyn Vitaphone studio tomorrow on a two-reel musical comedy.

•

HARRY LEE, a member of the advertising and publicity department at the Warner home office, will have a poem, "The Bells of Califon," in the July issue of *Good Housekeeping.*

•

SPYROS SKOURAS takes the birds' route to Kansas City today for conferences with ELMER C. RHODEN and RICK RICKETSON. From there he goes to the coast to join EDWARD L. ALPERSON for discussions with CHARLES SKOURAS and J. J. SULLIVAN on new product buys.

•

SAM SONIN, who is ill, has turned the buying for the West End, Long Beach, L. I., over to his nephew, EDDIE. It's the first time in 25 years that SONIN has been unable to get around to do the buying. The house will be opened around Decoration Day.

•

DAVE CHATKIN, LYNN FARNOL, GEORGE BATCHELLER, HARRY ASHER of Boston and LOLA WOURSELL spotted at the Tavern yesterday. CHARLIE MOSKOWITZ and "LEP" FRIEDMAN through the door at Lindy's.

•

WILLIAM WEISS, manager of the Capitol, Passaic, N. J., and brother of ANN WEISS, H. M. WARNER's secretary, recently won the first prize in the Warner Newark zone business drive.

•

ROBERT SAVINI leaves Monday for Charlotte, Atlanta and New Orleans on a business trip. He plans to attend the four-day Allied convention in Atlanta on May 20-24.

•

JOSEPH M. SCHENCK, with the hard part of his Fox Met court struggle behind him, leaves for England tomorrow for a business visit of several weeks.

•

JOE MORRISON is on his way here from the coast for a month of local personal appearance.

•

BEN SHLYEN, publisher of *Box Office,* is in town from Kansas City and plans to stay around for three or four weeks. He made the trip by auto.

•

MONCKTON HOFFE, the British playwright, who accompanied DAVID O. SELZNICK east, leaves for England soon on a vacation trip.

•

LOU LEVIN of the Elwood, Newark, is going to the Allied Atlanta convention. Ditto for IRVING DOLLINGER and his dad.

•

ROBERT EDMOND JONES is the author of an article to appear in the June issue of *Vanity Fair* dealing with color psychology.

•

JACK CONNOLLY, Pathe News chief, is the new general and commander-in-chief of Laffoon's colonels.

•

RUTH CHATTERTON is due back here next Monday from her European vacation on the *Ile de France.*

•

MARY TIBBETTS, stage actress recently signed by Warners, has left to report to the studios.

•

MAURY COHEN of Invincible around, but taking it easy following his long and serious siege of illness.

•

NEIL AGNEW, in spring gray, crossing 57th St. at the junction of Broadway.

•

WILLIAM ("POP") LANDAU is coming along nicely following an operation at the Medical Center.

•

NINO MARTINI is off to Hollywood for his first picture role.

•

CHARLES BLOOM has rejoined Allied of New Jersey as canvasser.

Rule Texas Laws Cannot Apply to Film Contracts

(*Continued from page* 1)

state had signed with various distributors providing that pictures playing first run at 40 cents or more cannot play in subsequent runs at less than 25 cents.

In affirming the verdict of the lower court the Civil Court of Appeals agreed on all of the five points set down by the State District Court, except the damage angle, which it did not pass on. The Civil Court held that since the complaint was dismissed on four points, it didn't have to act on the damages.

George S. Wright of the local legal firm of Thompson, Knight, Baker & Harris represented Interstate. Pat S. Russell was attorney for Glass.

The decision of the District Court, after an exhaustive hearing, was as follows:

1—That the contracts made by the defendants with distributors are made in reference to interstate commerce, and that the anti-trust laws of Texas have no application to such contracts or an alleged conspiracy in reference to the making of said contracts.

2—That the contracts complained of in the plaintiff's petition show on their face that they were made for the licensing of copyrighted films, and the anti-trust laws of the State of Texas have no application to such contracts for the licensing of copyrighted films.

3—That it appears from the evidence that there was no conspiracy as alleged in the plaintiff's petition.

4—That the plaintiffs have not shown such probable damages as would justify injunctive relief.

5—That the NRA for the film industry furnishes a remedy to the plaintiffs.

Forms "40" Club

Sophie Tucker is organizing a "Life Begins at 40 Club" with branches in every city where she has appeared.

The idea, she says, is "to keep alive the spirit of achievement, tolerance and understanding, and the joy of living that every 40-year-old possesses, and to let the youngsters know that they have much to look forward to when they reach 40."

Move to Teach Social Values By Film Begun

The nationwide movement to teach social values to the young via the screen through cooperative efforts of school authorities and producers will receive its baptism of fire this morning with the showing of the first of a series of 20 films designed to emphasize character training to a selected group of New York public school children.

The lead-off picture will be "Sooky." At the Park Plaza in the Bronx the film will be seen by pupils from the fifth and sixth grades in seven schools in that borough. At practically the same time the film will be run off at the Riviera on Broadway for the benefit of pupils from the same grades in 13 Manhattan schools.

Arrangements for the demonstration were made through the cooperation of Dr. Harold G. Campbell, local superintendent of schools, and Will H. Hays, head of the M.P.P.D.A.

The subject matter of the series, which will carry the general title of "Secrets of Success," has been culled from features possessing distinctive qualities and serves to illustrate various character problems. The purpose is to present the basic social issues involved in film plays in brief vivid form so that they may be used as a basis for classroom discussions.

Some Other Films in Series

Some of the other films on which the series has been built are "Huckleberry Finn," "Skippy," "Tom Sawyer," "Tom Brown of Culver," "Wednesday's Child," "Young America" and "Cradle Song."

The films will be given national distribution following their showing to grade pupils throughout New York.

The films were prepared under the direction of the Committee on Social Values in Motion Pictures, of which Dr. Howard M. LeSourd, dean of Boston University Graduate School, is chairman. They have been widely endorsed by educators.

No charge is made for the use of the pictures, and the showing of the films for any purpose other than educational is forbidden. After offering the "Secrets of Success" series to the schools as one answer to a request for cooperation on the part of the industry, Hays called attention to the high standard of pictures recently produced and now in the making.

Exhibitors wishing to show the films in tieups with educational groups should address their requests to Dr. LeSourd at Boston University, Boston.

Jack Holt to "U"; Nat Ross Signs, Too

HOLLYWOOD, May 9.—That Jack Holt has left Columbia was revealed today with the announcement of his signing to make six action pictures for Universal. Nat Ross, who has been directing for Invincible, has signed a producer's contract with Universal, with the Holt series his first assignment. The deal becomes effective in two months.

NEWS!! West Coast Dailies Agree!



Variety Daily: "Packs entertainment to reach action addicts and a much wider audience. Especially it may hope to regale femme audiences with its first rate comedy and nicely handled romance."

Hollywood Reporter: "Much too good for western audiences. O'Brien will win a flock of new fans. A picture the whole family will enjoy."

They're whooping about

GEORGE O'BRIEN *in* The Cowboy Millionaire

Presented by Sol Lesser and John Zanft

with

Evalyn Bostock • Edgar Kennedy
Alden Chase

Directed by Edward F. Cline

FOX release

"G-Men" Gets $11,100, Only L. A. Grosser

LOS ANGELES, May 9.—"G-Men" was the only attraction to make a dent in the lull started by mid-summer weather last week. It hit $11,100, over par by $3,100, at the Hillstreet, but failed to pull Warners' Hollywood out of the doldrums. The take there was $9,200, under the line by $4,800.

"My Heart Is Calling" was good for $3,000, slightly over normal, at the Filmarte, as was "Vanessa" at the 4-Star. Elsewhere business was considerably off.

Total first run take was $88,700. Average is $91,200.

Estimated takings for the week ending May 9:

"CARDINAL RICHELIEU" (U. A.)
CHINESE (2,500), 30c-55c, 6 days. **Gross:** $6,900. (Average, $12,500)
"MY HEART IS CALLING" (Gaumont British)
FILMARTE—(800), 40c-50c, 7 days, 3rd week. **Gross:** $3,000. (Average, $2,750)
"VANESSA" (M-G-M)
4 Star—(900), 30c-55c, 6 days. **Gross:** $3,400. (Average, $3,250)
"G-MEN" (Warners)
HILLSTREET—(2,700), 25c-65c, 6 days, 2nd week. **Gross:** $11,100. (Average, $8,000)
"CARDINAL RICHELIEU" (U.A.)
LOEW'S STATE—(2,500), 25c-65c, 6 days. **Gross:** $7,400. (Average, $14,000)
"PRIVATE WORLDS" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days, 2nd week. Stage: F. & M. revue, Lionel Hampton and his orchestra. **Gross:** $16,500. (Average, $18,000)
"HOLD 'EM YALE" (Para.)
"ONE NEW YORK NIGHT" (M-G-M)
UNITED ARTISTS—(2,100), 25c-55c, 6 days. **Gross:** $2,900. (Average, $3,500)
"G-MEN" (Warners)
WARNER BROS. (HOLLYWOOD)—(3,000), 25c-65c, 6 days, 2nd week. **Gross:** $9,200. (Average, $14,000)
"MARY JANE'S PA" (F.N.)
"SWELLHEAD" (Col.)
WARNER BROS. (DOWNTOWN)—(3,400), 25c-40c, 6 days. **Gross:** $5,600. (Average, $12,000)
"THE WANDERING JEW" (Olympic)
PANTAGES—(3,000), 25c-40c, 6 days. **Gross:** $2,700. (Average, $3,200)

'Dance' and 'Bride' Kaycee's Toppers

KANSAS CITY, May 9.—"Go Into Your Dance" was the ace attraction, with $11,000 at the Mainstreet, and "Bride of Frankenstein" drew standout crowds at the Tower to pile up a big $9,900. At the Newman, "Private Worlds" took $6,500, above par.

Business on "Cardinal Richelieu" was off, while Gaumont's "My Heart Is Calling" was disappointing.

Total first run business was $36,900. Average is $30,500.

Estimated takings:

Week Ending May 2:

"GO INTO YOUR DANCE" (F. N.)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $11,000. (Average, films only, $6,000)
"CARDINAL RICHELIEU" (U. A.)
MIDLAND—(4,000), 15c-25c-40c, 7 days. **Gross:** $7,200. (Average, $8,000)
"PRIVATE WORLDS" (Para.)
NEWMAN—(1,800), 25c-40c, 7 days. **Gross:** $6,500. (Average, $6,000)
"BRIDE OF FRANKENSTEIN" (Univ.)
TOWER—(2,200), 25c, 7 days. Stage: Fred Lightner & Roscella, Four Gyrals, Fay Bros. & Marion, Nolly Tate's Comedy Canines, others. **Gross:** $9,900. (Average, $7,000)

Week Ending May 3:

"MY HEART IS CALLING" (Gaumont British)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $2,300. (Average, $3,500)

Looking 'Em Over

"One New York Night"

(M-G-M)

A local audience alternately chuckled and howled for some two-thirds of this film. It's nice comedy-mystery entertainment. Franchot Tone and Una Merkel do much to carry the picture with sterling characterizations.

The plot ingredients have been deftly handled by director Jack Conway and the action keeps mounting to an interest-holding pitch. The photography of Oliver T. Marsh is excellent.

The yarn, taken from the play "Order Please," by Edward Childs Carpenter and Walter Hackett, centers around a metropolitan hotel. Tone arrives at the hostelry seeking a bride to bring back to his Wyoming ranch. He meets Miss Merkel, hotel telephone operator, and she promptly assists him in getting entangled in a murder mystery in the room next to his. A lost bracelet links Steffi Duna in the mystery and the customary assortment of suddenly darkened rooms, clouts on the head and disappearing bodies results before Tone clears up the mystery and discovers at the same time that it is Miss Merkel he wants to take back home with him.

Others in the capable cast include Conrad Nagel, Harvey Stephens, Charles Starrett, Louise Henry and Henry Kolker.

Despite the lack of marquee names, this film should do well, benefiting particularly by word of mouth advertising.

Reviewed without production code seal. Running time, 63 minutes. "G."

"Law Beyond the Range"

(Columbia)

In "Law Beyond the Range" Tim McCoy continues his fight in the cause of law and order. He does it in so lusty and exciting a manner that western fans undoubtedly will go for the star's villain-busting efforts.

In this instance Tim does his battling not only with fist and gun but with printer's ink as well. He sounds the call to battle when he takes over a western newspaper after the owner, a friend of his dad, passes on. He continues the paper's policy of blasting the crooked politics that rules the town.

The political boss, a first class brigand, sets out to make things hot for Tim. He turns his henchmen loose on him, blows up the newspaper plant and resorts to mud-flinging when the hero decides to run for sheriff on an honest ticket, but nothing can down Tim. At the finish the villain and his cohorts are headed for the jig or the cemetery, and again proof is given that crime cannot win when McCoy is about.

The finish also finds Tim and Billie Seward, who plays the daughter of the late publisher of the paper, very much wrapped up in each other.

Others in the cast are Robert Allen, Guy Usher, Harry Todd and Ben Hendricks, Jr. The direction is by Ford Beebe.

No production code seal. Running time, 57 minutes. "G."

"Rustler's Paradise"

(Ajax)

This William Berke production should give Harry Carey a tremendous boost on the road back. His performance chiefly makes it possible to forget the routine quality of the story and the obviousness of some of the action. After viewing the labored efforts of the majority of western stars, it is refreshing to watch the quiet, yet effective, playing of the former favorite of western fans.

The film retells the story of the good husband who vows never to rest until he has caught up with the man who stole his wife and child. Carey makes the husband tremendously sympathetic. When he suspects a notorious brigand as being the man he is after, he joins the marauder's gang under an assumed identity. His search is rewarded when he finds proof that the outlaw is the right man. At the same time he discovers in the fellow's shack the daughter taken from him years ago.

The tale reaches a fine climax. In a gripping, suspenseful and realistically managed scene Carey strings the villain up by the arms and submits him to a lashing with a bull whip that is guaranteed to bring whoops of delight from the audience. Under the lashing the brigand admits slaying Carey's wife.

Gertrude Messinger plays the daughter nicely. Other players are Edmund Cobb, Carmen Bailey, Theodore Lorch, Roger Williams, Chuck Morrison, Allen Creer and Charles Whittaker.

Robert Cline's fine photography adds to the effectiveness of the picture. Harry Fraser directed.

Neighborhood theatres can play this western with confidence.

No production code seal. Running time, 61 minutes. "G."

(*Additional review on page* 15)

"Scandals" Is Detroit Top; Gets $22,400

DETROIT, May 9.—"George White's 1935 Scandals," with Willie and Eugene Howard heading a stage show at the Fox, grabbed the big money here. The $22,400 take was over par by $7,400.

Two others made excellent showings. "Cardinal Richelieu" took $13,200 at the United Artists and "Babbitt" reached $13,400 at the Broadway-Capitol. "Private Worlds" went slightly over par for $21,300 at the Michigan.

Total first run business was $83,200. Average is $70,000.

Estimated takings for the week ending May 2:

$10 RAISE" (Fox)
"STRANGERS ALL" (Radio)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $4,600. (Average, $5,000.)
"GEORGE WHITE'S 1935 SCANDALS" (Fox)
FOX—(5,100), 15c-55c, 7 days. Stage: Willie & Eugene Howard, Tamara and 3 acts vaude. **Gross:** $22,400. (Average, $15,000.)
"GOLD DIGGERS OF 1935" (Warners)
"VANESSA" (M-G-M)
FISHER—(2,975), 10c-40c, 7 days. 2nd run. **Gross:** $4,100. (Average, $5,000.)
"PRIVATE WORLD" (Para.)
MICHIGAN—(4,100), 15c-55c, 7 days. Stage: Patricia Bowman and 4 acts vaudeville. **Gross:** $21,300. (Average, $20,000.)
"CURIOUS BRIDE" (F. N.)
"A NIGHT AT THE RITZ" (Warners)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $4,200. (Average, $5,000.)
"CARDINAL RICHELIEU" (U. A.)
UNITED ARTISTS—(2,070), 15c-55c, 7 days. **Gross:** $13,200. (Average, $10,000.)
"BABBITT" (F. N.)
BROADWAY-CAPITOL—(3,448), 10c-40c, 7 days. Stage: Lupe Velez and 5 acts vaudeville. **Gross:** $13,400. (Average, $10,000.)

"Richelieu" Leads Portland, $9,000

PORTLAND, May 9. — "Cardinal Richelieu" at the United Artists secured the heaviest take of the week with $9,000, or $4,000 over par.

"My Heart Is Calling," at the Orpheum, plus a stage show, rolled up $6,000, or $1,000 over average.

"Stolen Harmony," at the Paramount, accompanied by the usual stage show, brought in $8,400, or $4,400 over.

Opening of Jantzen Beach, season's baseball and warm weather cut into grosses.

Total first run business was $32,300. Average is $24,700.

Estimated takings for the week ending May 4:

"CASE OF THE CURIOUS BRIDE" (F.N.)
"BABY FACE HARRINGTON" (M-G-M)
BROADWAY — (1,912), 25c-35c-40c, 7 days. **Gross:** $4,500. (Average, $5,000)
"CLIVE OF INDIA" (Para.)
(Second Run)
BLUE MOUSE—(700), 15c-25c, 7 days. **Gross:** $1,400. (Average, $1,700)
"G-MEN" (F. N.)
MAYFAIR—(1,700), 25c-35c-40c, 7 days (second downtown week). **Gross:** $3,000. (Average, $3,000)
"MY HEART IS CALLING" (Gaumont British)
ORPHEUM—(1,700), 25c-35c-40c, 7 days, stage show. **Gross:** $6,000. (Average, $5,000)
"STOLEN HARMONY" (Para.)
PARAMOUNT—(3,008), 25c-35c-40c, 7 days, stage show. **Gross:** $8,400. (Average, $5,000)
"CARDINAL RICHELIEU" (U.A.)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $9,000. (Average, $5,000)

Republic 2nd In Field With Season Lineup

(Continued from page 1)

Group," eight in a "Republic Entertainment Group," eight John Waynes in a "Greater Western Series," eight in a "Fast Action Group" with the star to be selected. The four serials will be in 12 episodes each with feature versions starting Jan. 1. One of them will be "Robinson Crusoe."

Production on the new program under direction of Trem Carr will start next week when "Forbidden Heaven" with Charles Farrell and Charlotte Henry goes into work. Paul Malvern will also go with a unit to Utah next week to make "Westward Ho," which will lead off the John Wayne program. "Two Black Sheep" by Warwick Deeping and "My Old Kentucky Home," will also get under way in May.

The full program:

"Republic Gold Bond Specials"

"The Harvester" by Gene Stratton-Porter.
"Forbidden Heaven" with Charles Farrell and Charlotte Henry.
"Legion of the Lost" by Ex-Legionaire 1384.
"Sitting on the Moon," musical extravaganza.
"House of a Thousand Candles," by Meredith Nicholson.

"Blue Ribbon Winners"

"Michael O'Halloran" by Gene Stratton-Porter.
"Two Black Sheep" by Warwick Deeping.
"Cappy Ricks Returns" by Peter B. Kyne.
"My Old Kentucky Home," from the famous song.
"New York Merry-Go-Round," a New York broadcasting musical.

"Showmanship Group"

"Sailors Forget," by Roland Pertwee.
"The Gentleman from Louisiana" by Tristram Tupper.
"Frisco Waterfront" by Norman Houston.
"The Big Show" by George McCall.
"Down to the Sea" by Emmett Anthony.
"Manhunters" by Norman Hall.
"Laughing Irish Eyes" with Guy Robertson.
"Fairgrounds" by Harry Hoyt.

"Entertainment Group"

"Forced Landing" by William Boehnel.
"Dancing Feet" by Robert Eden.
"The Leavenworth Case" by Anna Katherine Green.
"Harbor Lights" by Dorothy Reid.
"The Girl from Nowhere."
"House of the Seven Gables" by Nathaniel Hawthorne.
"The Spanish Cape Mystery" by Ellery Queen.
"The Return of Jimmy Valentine" by Paul Armstrong, Jr.

"Greater Western Series"

"Westward Ho."
"Riders of the Border."
"The New Frontier."
"West of God's Country."
"Trail's End."
"Winds of the Wastelands."
"The Vanishing Rider."
"The Lonely Trail."

"Fast Action Group"

"Partners of the Sunset."
"Where the Trail Divides."
"Red River Valley."
"Somewhere in the West."
"Riding Luck."
"Where the West Begins."
"Pals of the Range."
"Lost Valley."

The various exchanges recently acquired by Republic are preparing for regional sales meetings which will start the last week in May and be held in New York, Cincinnati and Salt Lake City, with Edward A. Golden, sales chief, presiding. The production lineup will be presented to the meetings and immediately afterward 135 salesmen and managers will take to the field.

Having completed production detail with Carr, W. Ray Johnston, president of the company, is on the wing and is due in Kansas City from Los Angeles today en route to New York.

Looking 'Em Over

"The Texas Rambler"

(Spectrum)

Western fans should like this latest effort of Bill Cody, Jr., because the action is fast moving to the climax and the mystery around which the story is built is maintained until the last.

Cody gives his usual, competent portrayal and the direction of Bob Hill is good. Bill Hyers' photography is above the average.

The yarn has Cody riding into a strange country posing as "The Rambler," a notorious outlaw. After saving Catherine Cotter from being kidnapped, he joins the gang that tried to abduct her. The leader of the outlaws then tries to purchase Miss Cotter's ranch, but, failing in this he makes a deal with her fiance to kidnap the girl so she can be rescued by her fiance. Cody foils the plot when the gang turns on Miss Cotter in earnest and the windup finds the sheriff riding in to corral the crooks. This clears things romantically for Cody and Miss Cotter and all ends well.

Exhibitors should have no trouble with this where westerns are liked. Reviewed without production code seal. Running time, 59 minutes. "G."

Campi Reverses Its Rule on Zone Cases

Rescinding a previous order, Campi yesterday adopted a resolution permitting exhibitors in territories where clearance and zoning schedules have been drawn and are awaiting approval to file individual complaints. For some time theatre owners in New Haven, Milwaukee, Detroit and Kansas City have not been able to file complaints pending action by Campi on clearance plans already drawn.

At the same time, local boards in territories where the schedules have been submitted are being advised to call general meetings of exhibitors in localities affected for possible changes in the plans to meet current conditions.

Al Hanson was appointed to the Los Angeles grievance board, replacing Reeves Espy, who resigned recently.

John Flinn may leave for the coast today to be on hand for the start of the Los Angeles schedule next Wednesday. Pressure of work may force him to delay the trip.

Charles L. O'Reilly was chairman of the session. The next meeting is slated for May 23.

Exhibitors in territories where no schedules have been drawn are being advised to start drawing zoning plans on June 9.

981 Extra Rulings

HOLLYWOOD, May 9.—Of the 1,085 complaints filed with the Standing Committee of Extras for the year ending April 10, 981 decisions were rendered and closed, 70 were rendered and are awaiting compliance, four are awaiting interpretations from Campi, four are slated for further hearings and 26 are awaiting final action of the complaints and grievance committee. Total amount of awards by decisions was $4,696.87, with $480.25 uncollected.

San Francisco and Minneapolis each had six appeals in the list of 33 grievances decided by Campi at its May 2 session. Chicago had four. Charlotte, Dallas, Washington, Indianapolis and Milwaukee had two. Albany, Buffalo, Los Angeles, St. Louis, Salt Lake City, Kansas City and Philadelphia had one.

Of the 11 clearance and zoning appeals, New York topped the list with 11. Los Angeles, St. Louis, Cleveland and Detroit had one, while Boston had two.

Davis, Farnsworth Talk

Warren Jefferson Davis, impartial man and chairman of the studio labor board in California, yesterday discussed the labor situation with Deputy Administrator William P. Farnsworth. Davis would not reveal the nature of his discussions.

He left for Washington last night to attend the annual meeting there of the American Law Institute. Davis plans to take a plane to the coast either Sunday or Monday.

E. L. Smith and Pat Casey are the other members of the labor board.

Ampa to Sponsor an Amateur Broadcast

Ampa will sponsor a half-hour broadcast twice a month for non-professionals in the industry, Bruce Gallup, president, revealed yesterday at the first meeting under his regime. The plan was approved by the board of directors Wednesday. No starting date is set.

Under the plan industry workers who can sing, dance or play instruments are eligible. Heads of clubs of the various organizations will be asked to give auditions to aspirants within their companies and choose one or two for the broadcasts.

Details are practically set to tie up with NBC. If the scheme proves successful, a commercial sponsor will be sought. Hal Horne will be master of ceremonies.

One open meeting a month with one or two prominent speakers is also planned. Gallup stated he will personally approve all speakers. Next week he will hold a special session with the distaff side of the membership. Future meetings will be held at the Edison instead of the M. P. Club.

Cal. Tax Is Made 20% of U. S. Rate

(Continued from page 1)

to all legislators has sent out an income tax proposal with a rate 20 per cent the Federal levy.

The income measure passed by the Assembly recently called for one-third the Federal tax. Passage of the steering committee's plan would necessitate an ad valorem tax of about 30 cents on $100 valuation.

Ohio Income Tax a Worry

Columbus, May 9.—Exhibitors are keeping their fingers crossed as they contemplate the chances of enactment of an income tax law. There is a possibility that the Senate may take up the measure passed by the House a few days ago, but general opinion is that it will be defeated, if this does happen.

Three weeks ago the Senate took a "five minute recess" for the purpose of avoiding action on new taxation. The House has passed a resolution calling upon the Senate to end the recess and Governor Davey is exerting pressure.

The Senate takes up an occasional bill, however. It has just sent to the governor the measure extending the state NRA until the expiration of the Federal NRA, despite the fact that the state law has been ruled unconstitutional by an Ohio judge.

Wisconsin Time Change Up

MADISON, WIS., May 9.—Exhibitors are lining up opposition to a bill pending before the House Committee on Commerce and Manufacturers which is intended to repeal the present ban on daylight saving time.

Florida Bans Walkathons

TALLAHASSEE, May 9.—The Legislature has passed a bill banning walkathons and marathon dances. The measure is now before the governor. Violation of the act would be subject to $1,000 fine or imprisonment for one year.

Jersey Film Battle Is Taken Into Court

(Continued from page 1)

local Fox exchange manager, after the print had been shipped.

The Fox picture opened in Julius Charnow's house for a three-day run. When Charnow opened the Leonia yesterday he found the court papers under his door.

H. A. Toner, attorney for the Adams Brothers, on Monday indicated before the New Jersey advisory clearance and zoning board that he would take court action when he withdrew his complaint against the Leonia for a revision of the Campi decision. According to Code Authority's edict, the Leonia is permitted to play seven days after Englewood, and at the same time, seven days ahead of the Park Lane, which had protection on Charnow's house.

Fox exchange heads hold that the code supersedes contracts and will serve the Leonia and Palisades Park in accordance with the decision. When Charnow is through with the Shirley Temple picture, an availability will be sent to Adams Brothers. In the event the Park Lane refuses to pick up the picture, Fox will institute suit for non-fulfillment of contract, it was stated.

BROADSIDES OF LAUGHTER



Set them roaring in your theatre

NOW Educational's 20th

ANNIVERSARY MONTH . . May

BUSTER KEATON in "TARS AND STRIPES"

with

Dorothea Kent

Produced entirely at U. S. Naval Training Station at San Diego, California.

"Easy laughs. Swell naval atmosphere...plenty of original gags."
—*FILM DAILY*

"Good comedy... effectively set at United States Naval Training Station...lively and entertaining."
—*M. P. Herald*

"Action and laughs . . . authentic atmosphere and beautiful scenic background."
—*SHOWMEN'S TRADE REVIEW*

Contact your Navy Recruiting Office and get back of this comedy for feature box-office business.



JOE COOK in **"A NOSE FOR NEWS"**
"The best thing Joe Cook has done in pictures." —Film Daily

ERNEST TRUEX in **"ONLY THE BRAVE"**
"Easily the best work Ernest Truex has done in the shorts field." —Film Daily

SYLVIA FROOS in **"LOVE IN A HURRY"**
A Young Romance Comedy
with
Warren Hull

TOM HOWARD and **GEORGE SHELTON** in **"GROOMS IN GLOOM"**
A Coronet Comedy

"IT NEVER RAINS"
Frolics of Youth
with
Junior Coghlan and **Dorothea Kent**
From the stage play by Aurania Rouverol

Presented by E. W. Hammons

Educational Pictures
"THE SPICE OF THE PROGRAM"

Distributed in U.S.A. by FOX Film Corporation

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 111 NEW YORK, SATURDAY, MAY 11, 1935 TEN CENTS

Allied Picks Subjects for Atlanta Meet

Three General Divisions Set for Discussions

Final definite plans for the Allied convention at Atlanta May 21-23 will be settled at a meeting of the board of directors to be held May 20 at the Piedmont Hotel, Atlanta.

The present purpose of the Allied leaders, according to a bulletin issued by Sidney Samuelson, is to divide the sessions into three main divisions—business relations, public relations and regional and territorial organization.

Under the business relations heading problems affecting sales policies, double features, premiums, giveaways, price wars and such parts of the code as affect operations will be discussed. Leaders of this discussion will be

(*Continued on page 4*)

Court Passes Date For Para. Election

Court approval of the calling of a special meeting of Paramount Publix stockholders for June 3 to formally elect the new Paramount directors and to pass upon changes in the by-laws of the company, its new capitalization and changes in its corporate charter, was given yesterday by Federal Judge Alfred C. Coxe.

The capitalization, by-law and charter changes are subject to further action by the present Paramount board and will be acted upon within the next two weeks. The principal change

(*Continued on page 2*)

Coast Payroll Levy Sought in New Bill

SACRAMENTO, May 10.—A bill calling for a one per cent studio payroll levy as a contribution toward a state unemployment insurance fund in 1936 has been reported out by the Assembly Unemployment Committee with a "do pass" recommendation. It is based on an interim committee report

(*Continued on page 4*)

M-G-M to Increase Budget on Specials

KANSAS CITY, May 10.—M-G-M will increase its budget on specials for 1935-36 and devote more attention to pictures in this group, Felix F. Feist, general sales manager, told the closing

(*Continued on page 2*)

NVA Aims for $200,000 in Its Big Drive

2,000 to 2,500 Theatres To Contribute to Fund

Backers of the NVA Fund drive are setting their hopes beyond the $200,000 mark. At least that sum is needed, they say, to maintain the Saranac Lake Sanitarium.

Ten per cent of the receipts of theatres in practically all of the large circuits on Monday will be donated to the fund and distributors will give up 10 per cent of their gross rentals and percentages the same day. It is estimated between 2,000 and 2,500 theatres will aid the fund in this way.

One of the high points of the campaign will be the benefit and ball to be staged tonight in Madison Square Garden in cooperation with the Masonic Clubs. It will be run like a

(*Continued on page 2*)

Consolidated's Net $212,536, 3 Months

Net profit of Consolidated Film Industries, Inc., and subsidiaries for the quarter ending March 31, 1935, totaled $212,536.73 as compared with $317,780.94 for the same period last year.

Current earnings, after allowing all charges and Federal taxes, are at the rate of 50 cents a share on the 400,000 shares of preferred and two cents on the 524,973 shares of common outstanding. Net for the identical quarter of 1934 was at the rate of 50 cents on the preferred and 22 cents a share on the common. Outstanding shares in each group last year were the same as this year.

Dust on Films

Omaha, May 10. — Besides damaging vast stretches of the west, dust has found a new way to annoy exhibitors. While film cans are en route, dust works into the containers and causes the films to be scratched.

Independents Fight Filing Of Code Here

ALBANY, May 10. — Alleging that the code tends to promote monopoly and to eliminate independent exhibitors, more than 20 independents in Greater New York and vicinity have filed telegrams and letters with the Secretary of State protesting against refiling of the present code.

At the office of the Secretary of State it was said that at the end of the 15-day period for filing objections, which ends May 24, a date for a hearing would be set.

The present moves are due to the recent enactment of a new law, remedying the defects of the old state NRA act which was declared unconstitutional because it took in all the

(*Continued on page 3*)

First Gaumont Sales Meet Set May 27-29

Gaumont British's first annual sales convention will be held here May 27-29, it was revealed yesterday by George W. Weeks, the company's general sales manager. Branch managers and salesmen from all Gaumont British exchanges in the United States will be on hand.

NRA Code Standing of Exhibitors Hanging Fire

By BERTRAM F. LINZ

WASHINGTON, May 10.—Whether exhibition will be continued under the industry code is now a point on which Donald R. Richberg, chairman of the Industrial Recovery Board, and Senate proponents of a bill to extend the NRA for nine months disagree.

Senators want the modified NRA to exclude "any person whose business is wholly intrastate." Richberg's policy calls for keeping exhibitors in the code.

In an effort to speed up consideration of the measure and enable Congress to adjourn in July, Senate Democrats, in party conference today, decided to limit the NRA legislation to a nine-month extension with all intrastate commerce eliminated.

That Richberg anticipates difficulty in getting industry to accept his point of view was indicated by his prediction that numerous suits would be

(*Continued on page 3*)

Pathe Support For First Div. Stays—Kolbe

New Financing Is Under Discussion, He Says

Continued support will be given First Division by Pathe Exchange, Inc., Frank F. Kolbe, Pathe president, said yesterday shortly after his election to the chairmanship of the First Division board, succeeding Stuart W. Webb.

New financing for First Division is now under discussion, it was stated, with a likelihood that an outside interest will participate in it jointly with Pathe.

Kolbe said that he would remain with Pathe permanently and would take an active part in the affairs of that company and of First Division. His decision refutes reports published after his election as Pathe president that he would occupy the post only

(*Continued on page 4*)

Skourases to Sign 10-Year Pact Soon

Spyros and Charles Skouras are slated to sign a 10-year joint contract with National Theatres for operation of the company's various subsidiaries, including Fox West Coast Theatres, on the coast next week.

Spyros Skouras, executive vice-president of National, leaves for Los Angeles today by plane to confer with his brother on a few details in the pact which have to be cleared up. He was supposed to leave yesterday, but put the trip off until today.

Leo Spitz, who has been representing the Skourases in contract negotiations with Chase and Fox officials, departs for Chicago, his home town, today.

Woolf Resignation Admitted in London

By BRUCE ALLAN

LONDON, May 10.—Reports that C. M. Woolf had resigned as joint managing director of Gaumont British to join a new production venture have

(*Continued on page 2*)

Broker Reported in Move to Take Roxy

A plan of reorganization for the Roxy, embracing a $1,100,000 bid for the theatre's bonds and contemplating

(*Continued on page 2*)

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Broker Reported in Move to Take Roxy

(*Continued from page* 1)

the reinstatement of S. L. (Roxy) Rothafel as operator, has been submitted to the Roxy bondholders' committee, it was reported yesterday.

The offer is said to be sponsored by a financial group headed by Verne L. Bean, broker, and is understood to be only one of several which have been submitted to the committee recently and are under consideration. Efforts to reach Bean yesterday for confirmation of the report were unsuccessful.

RKO Meet Starts in Chicago on June 17

Jules Levy yesterday definitely announced the RKO Radio convention for the Drake Hotel, Chicago, June 17-19. About 250 are expected to attend, including home office, branch and foreign executives in addition to salesmen.

RKO home office employes plan to take a boat ride to Croton Point on June 17.

Ben Throop Passes

Ben Throop, husband of Rubye de Remer and well known in film circles here and on the coast, died early yesterday morning at the Harbor Sanitarium from peritonitis following an operation.

Funeral services will be held Sunday afternoon at 2:30 o'clock at the Little Church Around the Corner. Burial will be in Woodlawn Cemetery.

Purely Personal

E. W. HAMMONS, head of Educational, was given a surprise party at his Mamaroneck home Thursday night by AL CHRISTIE, J. H. SKIRBALL, ROBERT C. BRUCE, GEORGE EPSTEIN, L. J. WOODRIDGE, BRUNO WEYERS, B. J. KEARNEY, GORDON WHITE, F. X. CARROLL and HARVEY DAY in honor of the 20th anniversary of the founding of the company.

•

ROBERT EDMOND JONES, with MRS. JONES as hostess, will entertain at cocktails next Tuesday. It's all by way of celebration of the advent—shortly now—of "Becky Sharp." He goes summer-theatre at Central City, Colo., in July.

•

POLLY MORAN and her pianist, ALLEN FOSTER; JACK CONNELLY, general manager of Pathe News, and LAIRD S. GOLDSBOROUGH, foreign news editor of *Time,* will be on the *Paris* when it sails today.

Quip of the Day

"First, I hear the Hollywood studios are moving to Florida," said Mox Shabbus in expansive mood befitting his station as a Hollywood exhibitor.

"Next, I read Carolina is the place—North or South they didn't say."

"The third it's Arizona, high and dry, then Jersey with mosquitoes, then New Mexico with jumping beans. Now it's Delaware, with peaches."

"Next, I suppose we'll read," minced Mox, "that Hollywood secedes from the Union!"

JOSEPH A. PHILLIPSON of Lincoln Theatres Corp., Lincoln, Neb., is in town. He attended a code appeal hearing yesterday in which the company's Stuart, Lincoln, Orpheum and Colonial were involved.

•

ARTHUR W. KELLY, JOE MOSKOWITZ, JULES LEVY, BOB WOLF and ARTHUR LOEW were among the M. P. Club diners yesterday.

•

JOHN FLINN is undecided when to leave for Los Angeles. He wants to be on hand when the schedule goes into effect.

•

ANN SOTHERN and MARIA GAMBARELLI have left for the coast after a vacation here to resume work at Radio.

•

CHRIS BUCKLEY returned to Albany yesterday after several days here conferring with RKO executives.

•

CHARLIE GIEGERICH, sales manager of Celebrity, leaves next Tuesday on a tour of key exchanges.

•

KATHARINE HEPBURN flew into town yesterday, remaining only a day.

•

A. H. SCHWARTZ returns from Hot Springs, Va., on Monday.

•

GENE RAYMOND is in from the coast.

•

HARRIET HOCTOR arrives today by train from the coast, where she was working in "The Great Ziegfeld" at M-G-M. Her father's illness brought on the hurried trip here.

•

GEORGE MANN, head of the Redwood circuit in San Francisco, and his wife and children, left for Boston, Indianapolis and San Francisco yesterday after an extended visit in the east.

•

J. R. MCDONOUGH, president of RKO Radio, and R. F. SISK, his assistant, flew to the coast yesterday. SISK will attend the company's convention in Chicago next month.

•

FLORENCE RICE and MICHAEL BARTLETT arrived in town yesterday from the coast for a short vacation.

•

MORT BLUMENSTOCK left for Philadelphia yesterday. He'll return Monday.

•

ED LEVY of New Haven was in town yesterday.

•

MILT KUSELL returned yesterday from Buffalo.

•

BILL FRANK will week-end in Boston.

Court Passes Date For Para. Election

(*Continued from page* 1)

in the by-laws will reduce the number of directors authorized from the former 20 to "not less than 16 and not more than 18" and will classify the directors in three groups of not more than six each. The three groups will serve either one, two or three-year terms until 1938, after which directors will be elected annually for one year terms. The classification of directors will be submitted to the court for approval on May 24, together with other routine procedure in the establishment of the reorganized company.

M-G-M to Increase Budget on Specials

(*Continued from page* 1)

sessions of the company's western regional which terminated here tonight.

Reports current in Hollywood that Hal Roach would assume charge of the company's entire short subject production were denied both by Feist and by Roach, prior to the latter's departure for the coast, via Texas.

Howard Dietz, director of advertising and publicity, declared $1,500,000 will be spent on outdoor and magazine advertising next season, thereby verifying an earlier MOTION PICTURE DAILY story which stated Metro was sold on billboard and magazine advertising and would concentrate largely on both media next year.

Fred Quimby, in charge of short sales, said 47 single-reelers would be produced next season, not 37, as originally announced through an error. Singles, he said, would be eight more than this season, with two-reelers reduced by two. He added names would continue to be stressed in shorts.

William Fraker Is Dead

HOLLYWOOD, May 10. — William Fraker, Columbia still department head, died today at Good Samaritan Hospital of double pneumonia. His mother, father, two brothers and a sister survive.

NVA Aims for $200,000 in Its Big Drive

(*Continued from page* 1)

circus with three stages in operation at once, and the committeemen insist it will be the biggest gathering of stage, screen and radio talent seen yet, with massed bands and sports contests thrown in for good measure.

George Jessel will be ringmaster, helped by Boris Morros, who will lead the massed bands, and Jack Dempsey, who will direct the sports events. In this section there will be boxing, wrestling, jiu jitsu, la savatte and kendo.

Other features of the program include an operatic satire on "The Barber of Seville," done in blackface by Al Jolson, Willie Howard and Jessel; Sophie Tucker will lead a collection of night club stars, with floor shows from a number of clubs.

Among those scheduled to appear will be Harry Richman, Joe Penner, Helen Morgan, Walter O'Keefe, Eddie Dowling, Ethel Merman, Bill Gaxton, Victor Moore, the Brittons, Phil Baker, Sally Ward, Guy Robertson, Jack Pearl, the Ritz Brothers, Block & Sully, Willie and Eugene Howard, Gus Edwards, Al Trahan, George Metaxa, Ray Bolger, George Givot, George Price, Jimmy Savo, Hal Sherman, James Bell and Bert Lahr.

The orchestras will include Vincent Lopez, George Olsen, Rudy Vallee, Fred Waring, Eddie Duchin, Xavier Cugat, Johnny Green, Emery Deutsch, Abe Lyman, Dave Rubinoff, Charles Davis and Richard Himber.

A special train will bring a large group down from New Haven and the New York Central also is expected to run a special.

Other benefits are to be run at Boston, Baltimore, Washington, Cleveland, Los Angeles and San Francisco.

Woolf Resignation Admitted in London

(*Continued from page* 1)

been confirmed officially and a statement will be issued, probably tomorrow.

Woolf's name has been mentioned frequently of late in connection with the recently organized Anglo-American Renters, Ltd., headed by Capt. A. C. N. Dixey, Parliament member.

It is regarded as certain that he will produce and distribute probably 20 features a year and that six by Max Schach's company, Capitol Prod., will be included. He will probably us the Bandd Studios and may distribute for Bandd.

Woolf's name is also linked with Union Cinemas, but no facts are obtainable to support this.

Lee Confirms Report

Arthur Lee, head of Gaumont British activities in America, yesterday confirmed persistent reports, first published in MOTION PICTURE DAILY on May 3, that C. M. Woolf had resigned as co-managing director of G. B., the parent company in London.

The probability is that Mark Ostrer, the other managing director, will handle the topline post himself without a running mate.

Independents Fight Filing Of Code Here

(*Continued from page 1*)

national codes without giving state officials an opportunity to use any discretion in the matter.

Protests have been received thus far from the following: Rachmil & Katz, Windsor; Anthony Paolillo, Paradise; Maurice Brown, Sheldon; Dr. Leon Greenfield, Boro Hall; Louis Nelson, Endicott; David Weinstock, Empire; Maurice Goodman, Goodman; Bernard Pear, Pear Bros. Theatre; Samuel Rhonheimer, Electra; A. H. Eisenstadt, Terminal, Brooklyn.

David Davis, Davis, Rockaway Park; Ben Weinstock, Rialto, and E. Hertzig, Broad, Newark, N. J.

Joseph Rosenblum, Ritz; E. Mantell, Star, Bronx.

Leo Brecher, Plaza; Bernard S. Barr, Barr; Leon Rosenblatt, Rosenblatt Theatres; Maurice Fleischman, Screen Theatre Corp.; Harry Brandt, Brandt Theatre; William Brandt, Times Square; William Salkin, Eagle; Joseph Rosenblum, New Star Exhibitors, Inc., and Art Amusement Corp.; Louis Meyers, Leff-Meyers Theatres, and Milton C. Weisman, attorney for the I.T.O.A., Manhattan.

Philadelphia Board to Begin Zoning

PHILADELPHIA, May 10.—The local clearance and zoning board today voted to begin work on drawing up a schedule for the entire area served by Philadelphia exchanges. The M.P.T.O. board of managers, President Lewen Pizor and Chairman of the Board Charles Segall requested the local board to vote on the plan.

In addition to the M.P.T.O. request for a new zoning setup, the board accepted petitions from Comerford-Publix and Atlantic Theatres.

The board asked the cooperation of both local independent groups and distributors in determining what theatres are competitive.

An I.E.P.A. petition for new zoning has been filed with Campi in New York. No local petition has been received from this source.

The board approved Louis Hegall's request that the entire exchange territory be set as the area in which a vote shall be taken on the banning of premiums.

Pizor has been elected permanent chairman of the grievance board. The chairman has rotated at each meeting thus far.

Campi at its meeting Thursday adopted a resolution advising all local boards which have not yet drafted clearance and zoning schedules to proceed to do so at once, but not submit plans before June 15.

Incendiary Bomb Is Found in the Astor

A crude incendiary bomb was found yesterday afternoon in a cardboard box on a window sill of the stairway leading from the orchestra to the mezzanine of the Astor. The bomb was doused with water and then the police were called. Members of the bomb squad declared the instrument was so crudely made that it probably wouldn't have discharged.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Oil for the Lamps of China"

(*Cosmopolitan-Warners*)

HOLLYWOOD, May 10.—In transcribing Alice Tisdale Hobart's well known story to the screen Cosmopolitan has trained its guns on corporation ethics of an American oil company in China.

Pat O'Brien, idealist, graduates from a company school. At a Chinese outpost on his wedding night his American fiancee jilts him, and to save his face he proposes to a stranger, Josephine Hutchinson, who accepts. Their love story is told in terms of company policy.

O'Brien's loyalty saves company property, but his new born son dies. The company dismisses his best friend and appropriates Pat's lamp, on which it makes millions, yet Pat sticks. His esteemed chief, Arthur Byron, when demoted commits suicide. Lyle Talbot, his buddy, fired for alleged incompetence, is reduced to the bread line, yet Pat keeps on plugging to bring light to China.

The picture's ending departs from the book's original.

Well conceived and impressive in all departments, the production contains a wealth of incident. Entertainment and heart appeal are present.

O'Brien turns in a splendid performance. Miss Hutchinson's well shaded and penetrating portrait presages a demand for her ability.

The balance of the cast, including Byron, Talbot, Jean Muir, Henry O'Neill, Donald Crisp and Christian Rub support well.

Keye Luke and Willie Fung, Chinese actors, give outstanding interpretations. Mervyn LeRoy's direction, while well rounded, is in Oriental tempo. As a study of big business in China, the production should interest and satisfy those who like realistic entertainment of an industrial nature.

Production Code Seal No. 767. Running time, 105 minutes. "G."

"Break of Hearts"

(*Radio*)

HOLLYWOOD, May 10.—Katharine Hepburn and Charles Boyer are the essential box-office assets presented in this romance of a famous conductor and an unknown composer. Dealing with the heart and counterpointed by related music, its main appeal should be to feminine patronage.

Boyer, adored by many women, meets, loves and marries Miss Hepburn, a struggling composer from a small town. Misunderstanding his dinner appointment with Jean Howard, she leaves him and goes to work in a music publishing house where John Beal, a rich playboy friend of Boyer, finds her. Boyer, in Europe, goes from success to success. On New Year's Eve in Manhattan he and Miss Hepburn meet. She tells him she has been around in his absence. Disillusioned, he takes to drink and is dismissed from the orchestra to become a besotted derelict. Miss Hepburn finds him in a cheap saloon and plays the song she composed to become reconciled with him as Beal bows out.

While Pandro S. Berman's production is all that can be desired, Phillip Moeller's direction clings to stage technique even though the screen play by Sarah Y. Mason and Victor Heerman is a craftsman's delight.

Both Miss Hepburn and Boyer give sensitive, heart-appealing performances delicately fashioned and warm. The supporting cast of Beal, Jean Hersholt, Inez Courtney and others are well selected. Max Steiner's musical direction harmonizes with romantic action. Robert de Grasse's photography of Miss Hepburn is a treat.

By focusing on Miss Hepburn, Boyer and its romantic title the film should give a satisfactory account of itself.

Production Code Seal No. 801. Running time, 80 minutes. "G."

Cartoons for Fairy Tales

Charles Giegerich, sales manager of Celebrity Prod., has closed a deal for the publication in book form of famous fairy tales, illuminated with colored illustrations taken from the Comi-Color Cartoon drawings.

"Break of Hearts" Set

"Break of Hearts," starring Katharine Hepburn, will have its world premiere at the Music Hall here on May 16.

Levine to Honolulu

HOLLYWOOD, May 10.—Nat Levine, head of Mascot, sails for Honolulu Saturday accompanied by his story editor, Wallace MacDonald, to work out his next year's program. He expects to be gone three weeks.

Morris Wax Heads IEPA

PHILADELPHIA, May 10.—Morris Wax has been elected president of the I.E.P.A. He succeeds B. M. Golder, who resigned a few days ago.

Exhibitors' Code Status Hanging Fire

(*Continued from page 1*)

brought over determination of what industries were in or affected interstate commerce.

With the Senate determined to keep the new recovery legislation confined to as few points as possible, NRA officials are looking to the House for amendments which will enable them to keep a broad measure of control over industry, particularly by clarification of the definition of those who are to be exempted from code requirements. In the House, also, will be sought an amendment continuing the law for two years.

Under the plans now being worked out by Richberg, violations of fair practice provisions of codes would be handled by the Federal Trade Commission and code authorities would be stripped of their punitive powers.

With the agreement reached in the Senate as to the extent of the legislation, NRA officials believe they have halted the drive to place all codes on a purely voluntary basis. The elimination of intrastate industries from code requirements will serve to ease the pressure for repeal of the mandatory provisions.

Hearings to consider revision of the various codes which will require revamping under the proposed new setup will begin almost immediately following the signing of the new measure by the President, it was indicated.

Columbia's Selling Forces Are Shifted

Several changes and promotions in the lineup of Columbia's sales force have been made this week by Abe Montague, general sales manager.

Phillip Fox, salesman in the Boston office, became branch manager of the Albany exchange to relieve Charles N. Johnson, who, at his own request, returned to the Buffalo office as salesman.

T. A. Donahue of Buffalo has been transferred to Boston to fill the vacancy made by Fox's leaving.

Wallace, Sharpe and Kaplan Show Gains

MACON, Mo., May 10.—Director Richard Wallace, Cameraman Henry Sharpe and Milton Kaplan, all members of the Paramount group injured early this week in the crash of the TWA Airliner here, are continuing to improve at the local Good Samaritan Hospital. Paul Wing is slightly better though still critical.

Kaplan is improving so rapidly that he is expected to leave shortly to take the body of Mrs. Kaplan, who died after the crash, back to Hollywood for burial.

Ten Shows Daily for Mae

Mae West is appearing 10 and 11 times a day on the Paramount screen in "Goin' to Town." Yesterday the picture was screened 10 times and today an additional showing will be put on. It's the first time the theatre has exceeded nine shows a day.

Pathe Support For First Div. Stays—Kolbe

(*Continued from page* 1)

until Pathe's current reorganization was consummated and new officers of the company elected. He expressed confidence in First Division's future and in Harry Thomas, president of the company, and in its management.

"Pathe believes," Kolbe said, "that First Division has a real place in the industry and it will be given our continued support in strengthening and maintaining that place. Its recent difficulties have been adjusted and we feel that under its present management it will continue to grow and realize its original objectives."

Directors, in addition to Kolbe, elected at the annual meeting of First Division stockholders, are Thomas, Jules K. Chapman, Stuart W. Webb, Charles L. Stillman, Theodore Streibert and Robert Atkins. Webb and Chapman are representatives of the Fiske-Curtis-Ludington interests; Stillman of "March of Time" and the remainder of Pathe.

"March of Time" May Stick

With "The March of Time" retaining its stock interest in First Division and representation on the company's board, it was indicated that the feature reel might continue its distribution arrangement with First Division, although it is at liberty to discontinue the releasing deal and officials of the "Time" reel, questioned yesterday, said that a renewal was highly improbable.

Samuel Spring, attorney, recently made a special representative of Pathe, said that the company would adhere to its policy of restricting its activities to laboratory work and production financing, with little likelihood of Pathe engaging in production itself, at least until its agreement with RKO expires early next year. Likewise, Spring said, Pathe will continue its working agreements with DuPont Film Mfg. Corp. Kolbe has also been elected to the DuPont board, replacing Webb, which, with Atkins and Paul Fuller, gives Pathe three representatives on the DuPont board.

A meeting of the board of First Division is scheduled for Monday at which the company's production activities during the new season will be decided and a treasurer and secretary elected. Indications now are that First Division will engage in very limited production, confining the bulk of its activities next season to distribution.

May Hear Appeal Mon.

KANSAS CITY, May 10.—Hearing on the appeal of Lee H. Hamlin to set aside the sale of Fox Midland and Fox Rocky Mountain to National Theatres has been tentatively set for Monday. Spyros Skouras is due here tomorrow night and will proceed to the coast with Elmer Rhoden for conferences which Rick Ricketson will also attend.

F.W.C. Meeting to Await Skouras

LOS ANGELES, May 10.—Al Hanson said today a meeting of all F.W.C. managers would be set upon the arrival of Spyros Skouras on the coast.

Harrison Misled, He Asserts, in Libel Suit

Stating that he had been misled by stories published in the *Toronto Star*, P. S. Harrison, publisher of *Harrison's Reports*, took the stand yesterday in his own defense of libel charges brought against him by Gabriel L. Hess, M.P.P.D.A. attorney.

Harrison testified that the misleading article mentioned Hess's name in association with persons who were indicted in a Canadian investigation of film trade practices, several years ago. Hess's action, being tried before Judge Phillip McCook and a jury in state supreme court here, is based on an article published in *Harrison's Reports* which linked Hess with those indicted. The publisher admitted that he had never printed the story of the acquittal of those who had been indicted because, he said, the acquittals were "information" whereas the indictments were "news." When asked the difference between the two Harrison replied that information was something that satisfied the curiosity and news was information.

Harrison testified that his publication had 3,200 subscribers, that it was not read by others and probably not by all of the subscribers. Under questioning by Louis Nizer, Hess's attorney, the publisher said he was unable to state what reliance readers placed on material published in his paper. Harrison testified that he considered Hess, Will H. Hays and C. C. Pettijohn, M.P.P.D.A. general counsel, to be men of the highest standing and reputation.

Judge McCook ruled out evidence tending to show prior libels against Hess by *Harrison's Reports*, restricting the evidence to the case at hand. However, the court permitted the introduction of evidence of the acquittal of the persons who had been indicted in the Canadian investigation. The trial will resume on Monday with Harrison again on the stand.

SMPE to Meet Here Before Coast Trip

A final spring meeting of the Atlantic Coast Section of the S.M.P.E. will be held at the Hotel Pennsylvania next Wednesday night. Frank K. Speidell of Audio Prod. will deliver a paper on industrial films under the title "The New Medium."

Plans have been completed for the coast convention. It will start May 20 at the Hotel Roosevelt, Hollywood, and continue through May 24.

In all, 11 paper sessions will be held.

On Monday, the opening day, the conventioneers will visit the Walt Disney studios, with visits to Warners and Fox scheduled for Tuesday and Wednesday. On Thursday they will go to the California Institute of Technology at Pasadena. On Tuesday night a conference will be held with the Technicians' Branch of the Academy.

Anna Sten Is Stricken

GRAND ISLAND, Neb., May 10.—Anna Sten was stricken with appendicitis today as she was about to leave town after a personal appearance at the Capitol. She was forced to cancel a date at the Omaha, Omaha, today. She will go to Des Moines from here.

Wall Street

Most Slightly Off on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1)	52	50¼	50¼	—1
Consolidated	4½	4⅛	4⅛	— 5/8
Cons. pfd (1v)	17½	15¾	16¼	—1⅜
Eastman	139½	138½	138½	— ¾
Eastman, pfd	152	152	152	—1
Fox Film "A"	12⅝	12¼	12¼	+ ¼
Loew's, Inc.	39⅜	38⅞	39	.....
Paramount Publix	3½	3⅜	3⅜	— ⅛
Pathe	5/8	5/8	5/8	.....
Pathe "A"	8½	8½	8½	— ⅛
RKO	1⅝	1⅝	1⅝	.....
Warner	3⅝	3½	3½	— ⅛
Warner, pfd	23½	23	23½	+1

Technicolor Rises ½ on Curb

	High	Low	Close	Net Change
Technicolor	19	18¼	19	+ ½
Trans-Lux (.10K)	2¼	2¼	2¼	.....

Warner Bonds Gain 1

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	12⅝	11⅝	11⅝	— ⅞
Keith B. F. 6s '46	77	76½	76½	—1⅛
Loew's 6s '41 ww deb rights	104½	104½	10½	.....
Paramount B'way 5½s '51	57	57	57	+1
Paramount F. L. 6s '47	88⅞	88	88	— ⅝
Paramount Publix 5½s '50	90	90	90	.....
Warner Bros. 6s '39 wd	65⅜	63½	64¼	+1

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 10)

Erpi Men Testify on Handling Equipment

WILMINGTON, May 10.—David G. Blatner of Mountain Lakes, N. J., and Allan McLean of Maplewood, N. J., Erpi electrical engineers, told of the fineness and delicacy of handling required in taking care of their company's sound equipment while on the stand today in Federal Court in the General Talking Pictures vs. Erpi, W.E. and A.T.&T., anti-trust suit.

Blatner, a member of the technical staff in the research department at the Bell Laboratories, employed in instrument design work, said that his testimony was for the purpose of showing the court the fineness of certain parts of the defendants' equipment. He worked on the development of a public address system in 1918 and in 1922 developed an amplifier for use in sound pictures, he said. Several groups were working on development of sound on film with much friendly rivalry, he stated.

McLean, technical assistant to the eastern division manager of Erpi, said his work consisted of handling engineering problems connected with transmission. He was with Vitaphone in 1926 and told of his part in constructing the assembly of the original apparatus to control volume in the Manhattan Opera House. He assembled and installed the equipment for the showing of "Don Juan."

At the close of the day's testimony adjournment was taken until Monday.

Flash Reviews

Our Little Girl— . . . appeal is complete for both adults and children. It can be chalked up as another box-office natural.

Men of the Hour— . . . offers a fair measure of entertainment. . . .

Convention Girl—As the minor half of dual bills this film might be acceptable.

These films will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Allied Picks Subjects for Atlanta Meet

(*Continued from page* 1)

Aaron Saperstein, Ben Golder, Moe Horwitz, Frank Hornig, Charles Olive, Edward Ansin, William Davis, Andrew Gutenberg, Morris Wax, William Smalley, A. E. Lichtman, J. B. Clinton, Charles Metzger and Guy Troyer.

Under public relations there will be talks on legislation, clean pictures, the code and the general relationship of independent exhibitors to all groups outside the industry as well as block booking, Ascap and state legislation. Leaders in this division will be Col. H. A. Cole, Nathan Yamins, Abe Stone, Fred Herrington and David A. Barrist.

Details of the discussion of regional and territorial organization will include financing methods, service to independents and business and public relations. These talks will be led by Walter Littlefield, H. M. Richey, Martin Smith, N. H. Waters, W. A. Steffes, Herman Blum, Henry Lazarus, Ray Branch, Arthur Price, Arthur Howard, John Piller, P. J. Wood, George Erdmann, Oscar Neufeld, Ray Tesch and Ike Katz.

Coast Payroll Levy Sought in New Bill

(*Continued from page* 1)

and the proposed Federal Security Act.

The bill is believed to have an outside chance of passage by both houses. Under its terms studios would contribute two per cent in 1937 and three per cent in 1938.

Employes would pay one per cent in 1938 and thereafter, with a possibility of drawing from $7 to $15 weekly if forced out of a job.

Hollywood Fetes Mayors

HOLLYWOOD, May 10.—Four hundred attended a party given by Louis B. Mayer tonight for Mayors Frank Hague of Jersey City and Edward Kelly of Chicago on an M-G-M sound stage. Jack Benny and Charles Irwin were masters of ceremonies. Jennie Legon, Cliff Edwards, Carl Randall, Frances Langford, Lorraine Bridges, Nick Long, Jr., and Dave Gould's dancers entertained. City officials and studio artists were there.

Earlier in the day both mayors were entertained by William Randolph Hearst at the Cosmopolitan bungalow on the Warner lot. Mayer, Hal Wallis, Marion Davies and Mervyn LeRoy were also present.

"Have It" Starts

United Artists found reason for excitement yesterday on two counts and supplied both of them:

(1)—"Let 'Em Have It" opened at the Orpheum, New Orleans, to the biggest gross of the year in that theatre with the exception of "Roberta," which ran during Mardi Gras week.

(2)—Same picture opened to the biggest business of any U. A. picture in the last 10 weeks at the U. A. theatre in San Francisco with "G-Men," same type of film, playing in the same city.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 112 NEW YORK, MONDAY, MAY 13, 1935 TEN CENTS

Loew Talking Partnerships For Chicago

Deals on with J, L & S; 22 Houses the Goal

CHICAGO, May 12.—Although the circuit is definitely set to build a 1,600-seat theatre in Oak Park, Loew's is considering a number of partnership arrangements with prospective builders.

Under a deal now being discussed with Aaron Jones of Jones, Linick & Schaefer, Loew's would be financially interested in three to four houses planned. The major circuit would also give Jones a long term M-G-M franchise. Other negotiations along the same line are in the throes, but final discussions rest with Nicholas M. Schenck in New York.

Robert Lynch and Ernest Schwartz of the M-G-M branch in Philadelphia are handling all the local deals and have talked over the partnership ar-

(Continued on page 15)

Allied Upset Over Loew Chicago Move

Allied is all hot and bothered over Loew's plan to build a 1,600-seat theatre in the Oak Park section of Chicago.

"If Loew goes ahead with the project, Allied at its Atlanta conven-

(Continued on page 2)

Gaumont Revamping; Ostrer Is Sole Head

By BRUCE ALLAN

LONDON, May 12.—Gaumont British internal organization is being revamped with Mark Ostrer as a sole

(Continued on page 2)

"Quickies" Disturb U. K.'s Exhibitors

London, May 12.—The C. E. A. has instructed its general purposes committee to take immediate steps to end alleged production of "quickies" by American companies. The committee is collecting facts designed to show a flagrant violation of the Quota Act.

Frequent charges have been made American companies have been violating the spirit of the act by encouraging cheap quota films.

RKO Seen Holding Again to 50; New Stars May Grace Its Roster

RKO Radio will not cut its production program next season, it was stated Saturday. The same number of features and shorts released on the current schedule—about 50—will be announced at the company's three-day Chicago sales convention starting June 17. Convention headquarters will be at the Drake. About 250 are expected to attend.

Several new stars are expected to grace the 1935-36 program, including Margot Grahame, who appears in "The Informer," current at the Music Hall. A number of new series of shorts is also expected to be announced, it was said.

All district and branch managers and salesmen will convene in the Windy City on June 16. Studio and foreign officials will also be on hand.

Majors Block Kansas City Dual Choices

KANSAS CITY, May 12.—Efforts of local exhibitors to obtain release of selected features for dual billing were effectively blocked by major distributors who have rejected a carefully worked out plan which contemplated the dualling of inferior product.

In rejecting the proposal, the majors refused to alter individual policies and each named a different reason. The possibility of running into legal snags seems to have played a large part in the distributors' decisions. This was hinted by Paramount, which referred to the potentialities of collusion inherent in the plan.

Among replies received by Jay Means, I. T. O. head, Radio stated, in effect, that it was the sole judge in determining the product that could be

(Continued on page 11)

Ascap Trial Date June 10 Now Possible

Trial of the government's suit against Ascap will be begun June 10 if Federal Judge John C. Knox grants the motion of the attorney general's office for a preference for the suit on the Federal court trial calendars, it was learned on Saturday.

The attorney general's motion, on which decision was reserved by Judge Knox following a hearing last week, seeks to force an early trial of the suit, rather than to permit the case to go over to the fall court term. A delay is favored by Ascap which, in opposing the government's motion for a prompt trial of the suit, offered last week to extend to the end of the year all contracts with exhibitors and its other licensees which expire during the summer. The indefinite status of these contracts was advanced by the gov-

(Continued on page 2)

Exhibitors in Ohio Worry Over Revival of 10% Tax

COLUMBUS, May 12.—Exhibitors are again worrying about a revival of the 10 per cent admission tax recently suspended when they began paying the three per cent sales tax.

The state wants $7,000,000 to finance old age pensions for the last half of 1935. A proposal for a temporary increase in the gasoline tax has been rejected by the House Taxation Committee, and Governor Davey is insisting upon raising the required money to be placed in a separate category.

This revival of the admission tax comes immediately following the signing of the bill increasing censorship fees from $1 to $3 per reel, another tax that goes into a special fund. This money is to be used by the Department of Education for "disseminating information relative to the history, scenic beauties, natural resources and industries of Ohio."

In the meantime, the Independent Theatre Owners of Ohio are lining up legal opinions for a prospective fight to save the law outlawing preferred playing dates when an attack on its

(Continued on page 6)

Say Hayden, Stone-Skouras Seek the Roxy

Report Fox Is Interested For Its Product

Hayden, Stone & Co. is reported working on a reorganization plan for Roxy Theatre Corp., which, according to the story, would provide that Spyros Skouras would assume operation of the 6,000-seat house.

Both Skouras and the investment firm deny the report, but reliable sources say the plan is in work. Skouras left Saturday by plane for the coast accompanied by Edward J. Peskay, buyer for Skouras Theatres Corp. Peskay is taking the trip to visit his mother. They will be gone about a week. E. L. Alperson, eastern buying head for National Theatres, is now on the coast conferring with Charles Skouras, J. J. Sullivan and Al Hanson on next season's product buys. He will return with Skouras and Peskay.

Verne L. Bean, a broker, is reported

(Continued on page 2)

"G-Men" at $60,138 A Smash at Strand

First week of "G Men" at the Strand corralled an unusual $60,138, indicating the Warner film will run from three to four weeks. "The

(Continued on page 2)

FWC Dissatisfied; New Clearance Row

LOS ANGELES, May 12.—Fox West Coast is definitely set to file a complaint with the local clearance and zoning board against the Balboa, Har-

(Continued on page 6)

Beaverbrook Seen Backing Schenck

London, May 12. — Lord Beaverbrook is reported backing Joseph M. Schenck in plans to acquire County Cinemas, Ltd., and Odeon Theatres, Ltd., with Will Evans, former managing director of Provincial Cinematograph Theatres, Ltd., entering the picture later.

C. J. Donada of County Cinemas and Oscar Deutsch of Odeon may oppose the Evans angle of the plan.

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Allied Upset Over Loew Chicago Move

(*Continued from page* 1)

tion will adopt a resolution for a national boycott on M-G-M," a member of the organization's board of directors states.

"M-G-M should stick to distribution and stay out of theatre operations," this Allied official maintains.

"There are seven other major distributors we deal with. If Loew's goes ahead with the Oak Park situation we can expect every one of the other companies to build where they cannot get together on terms with exhibitors."

Gaumont Revamping; Ostrer Is Sole Head

(*Continued from page* 1)

head as a result of the resignation of C. M. Woolf, joint managing director.

Jeffrey Bernerd will be general manager of home distribution. He is reorganizing the sales staff.

It is understood that Woolf got £120,000 in settlement of his contract and that John Woolf received £30,000.

C. F. Rose Joins Gaumont

C. F. Rose, formerly with Paramount, has joined the Gaumont British sales staff and has been assigned to the Salt Lake City office, according to George W. Weeks, general sales manager.

Saul Krugman of the home office staff, now doing field work temporarily, goes to Philadelphia next week.

Insiders' Outlook

By RED KANN

THE possibility of a new first run circuit in this, the richest territory in the country, from a selection of key neighborhood houses under Paramount product sponsorship is capturing lively imaginations. Judicial approval stamped on Joseph M. Schenck's plan for a reorganized Fox Met, plus the elimination of Paramount as a last minute cash bidder for that coveted circuit, clears the path for such a development. It has intriguing potentialities. Very. . . .

▼

Scan the essential facts. Virtually certain, or as certain as matters such as this can be, is adoption of the Schenck plan by Fox Met creditors in the next thirty days. It is submitted to them with the approval of the Federal court and the recommendation of the circuit's bondholders' committee which, through its eighty-six per cent representation of the $12,500,000 notes outoutstanding, seemingly would seal the acceptance of the winning bid by the two-thirds creditor vote required under the law. . . .

▼

Two contributing factors of weight are K-A-O's 10 per cent interest in the reorganization under the Schenck formula and the former's notice to Paramount that it will cancel its latter's film franchise effective July 1. Whether K-A-O is serious or maneuvering is an open question with plenty of adherents on both sides of the moot question. The point is, however, that as matters stand now the K-A-O or RKO half of the Paramount product—Loew gets the other split—has no place to go. Reasonable is the conclusion, therefore, for Paramount to contemplate now what to do about homeless rentals aggregating hundreds of thousands of dollars. Thus, the trail naturally leads to consideration, or talk anyway, about a third outlying circuit of first runs created to fill the threatening void. . . .

▼

It was no less a factor than George J. Schaefer, Paramount's general manager, who tipped off the idea. The occasion was one of the lengthy hearings on Fox Met and the place was the witness box in the dignified stratosphere of the United States court. There, Schaefer declared definite consideration had been concentrated on the third circuit idea in the event Paramount itself failed to acquire Fox Met or the Si Fabian plan, in which Paramount would have a product arrangement, did not as well. Whether the original stand has been shifted or scrapped was an undetermined factor on a pleasant Saturday, for Schaefer could not be reached for comment. . . .

▼

Speculation on what might transpire if Schaefer's expressed intention bears fruit opens a lot of avenues, all interesting. One has to do with Springer and Cocalis and the Century chain which are quite apt to play a featured part in the development. More than 70 houses are associated with the two operations and from them a sufficient number could be developed into first runs to cover substantial segments of the metropolitan territory without conflicting with Loew's operations to an extent which would hamper the essential product supply for the new circuit. . . .

▼

On numerous occasions, this outpost has pointed out the zealous jealousy with which both Loew and RKO guard their metropolitan empire. How the entrance of a third chain will lodge with the factors that count in both of those directions is something not particularly difficult to work out. Yet, one major's hands wash the other's in this business as constituted today. That suggests deals within deals and avoidance, it is to be hoped, of internecine warfare. The cost of rampant battles in this industry is already terrific. . . .

▼ ▼

What other distributors have been squawking about, RKO took action about late last week when it set aside roughly $10,000 to advertise on its own and, according to its own ideas of newspaper display, the engagement of "The Informer" at the Music Hall. The complaint that the Van Schmus theory of white space, lightly Ben-Dayed illustration and conservatism in type selectivity has resulted in punch-less copy is an old one; any distributor with a Music Hall booking will throw it at you violently, if you don't watch out, on the slightest of provocations. So RKO went black, noisy and bold in the accepted theatre advertising manner, even using four of those *Daily News* stars which are supposed to represent alien territory. . . .

Duffy Gets Theatre

NEW ORLEANS, May 12.—J. D. ("Jack") Duffy is new house manager of the St. Charles, while Harry McLeod continues as vice-president and film buyer and prepares to engage in outside activities. Duffy formerly was a salesman with Fox and joined the theatre as treasurer.

Say Hayden, Stone-Skouras Seek the Roxy

(*Continued from page* 1)

to have submitted to the Roxy bondholders' committee a $1,100,000 bid for the theatre's bonds and reinstatement of S. L. (Roxy) Rothafel at the helm.

Various angles are reputed behind the Hayden, Stone plan. One is that Skouras himself is for it. Another is that Skouras, who is the operating head of all Fox theatres, is being sponsored by Fox, which is said to be angling for a better break on Broadway for its output next season. During the current season, the Music Hall bought 21 Fox pictures, several of which were rejected and later sold to the Roxy. The Roxy has played only five of the current Fox releases this season. The Mayfair, Astor and Rialto have also been showing Fox product.

"G-Men" at $60,138 A Smash at Strand

(*Continued from page* 1)

Scoundrel" at the Music Hall chalked up a $77,400 gross, only fair for this house. "The Informer," which bowed in Thursday and which got swell newspaper notices, will probably hit around $90,000.

"Mark of the Vampire" at the Rialto tallied approximately $13,000. "Werewolf of London" opened big and will most likely wind up in the neighborhood of its predecessor. Arthur Mayer is closing the house Wednesday when demolition will be started to make way for the new 600-seat Rialto.

At the Roxy last week, "Laddie" grossed approximately $26,000. "Bride of Frankenstein" got off to a good start. It is expected the first week will tally $45,000. The "U" film is in for two weeks. The Paramount fared badly with "The Devil Is a Woman," taking in about $18,200 for the week with the Thursday preview a real aid. Mae West in "Going to Town" opened to a handsome take with indications that the first week will end with around $60,000. The Paramount special is due for a three to four week run. "Life Begins at 40" at the Palace was fair at $9,000.

The opening week of "Go Into Your Dance" and Abe Lyman and his band on the stage were good for about $39,500.

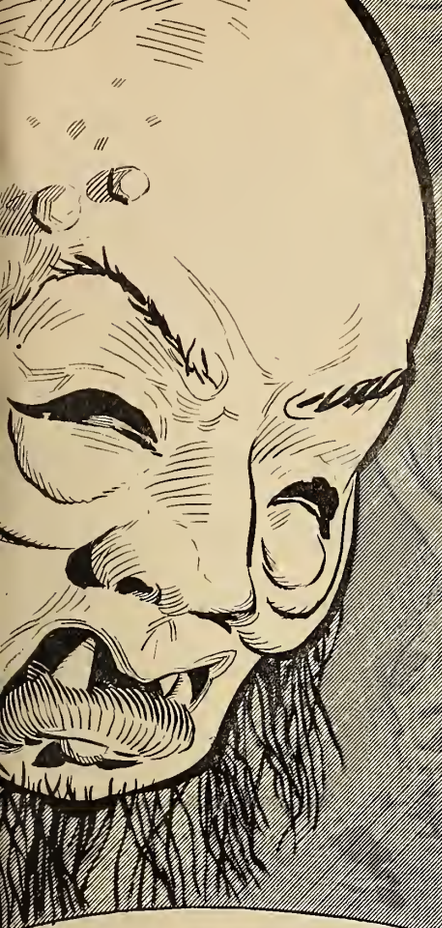
With approximately $6,000 in the till for Friday, the Roxy anticipated a $28,000 week-end with "Bride of Frankenstein."

Ascap Trial June 10 Is Now Possibility

(*Continued from page* 1)

ernment as a reason for prompt trial of its suit. The government now asks that if its motion is granted the case be placed on the Federal court calendar for trial on June 10.

The attorney general's suit charges Ascap is a monopoly and seeks, principally, to invalidate the price fixing methods now employed by the music licensing society.



THEY'RE YOURS!

A House Jammed Full of Laughing Thrilled Patrons

Nat Levine presents

ONE FRIGHTENED NIGHT

with this distinguished cast

CHARLEY GRAPEWIN
MARY CARLISLE
ARTHUR HOHL — REGIS TOOMEY
EVALYN KNAPP — FRED KELSEY
WALLACE FORD — CLARENCE WILSON
HEDDA HOPPER — ADRIAN MORRIS
LUCIEN LITTLEFIELD — RAFAELA OTTIANO



1776 BROADWAY
CABLE "LEVPIC"

A PRODUCTION OF
MASCOT PICTURES CORPORATION
NAT LEVINE, Pres.

NEW YORK CITY
NEW YORK

WORKEY

The Editorial

Today

Pass the Patman Bill.

"G Men" Discourage Crime.

My Wife Does Know How.

The Love King George.

—BY ARTHUR BRISBANE—

(Copyright, 1935, by King Features Syndicate, Inc. International copyright and all other rights reserved.)

Warner Brothers are showing in New York a picture called "G MEN," encouraging citizens, hitherto hopeless, concerning the national crime wave.

"G MEN" shows what is actually happening to criminals, not what is *expected.*

The good work is done by government agents.

Criminals engaged in gambling see one of their associates arrested by a "G man" two blocks from the room in which they sit. The head criminal, seizing a "reacher," a long-range rifle, kills the government agent as he puts the handcuffs on the criminal.

A young lawyer, boyhood friend of the dead agent, decides to avenge him, joins the "G men," does the avenging most efficiently.

An exciting, interesting story is told, and the moral is "crime does not pay."

If you enjoy seeing virtue triumphant, vice and crime riddled by machine gun fire, the bad girl who has decided to go straight and help justice murdered in a telephone booth, and the good girl kidnaped but rescued to live happily ever after, by all means see "G MEN." Warner Brothers have rendered public service in that picture. It will make the professional racketeer and killer realize that his profession now involves danger.

—Chicago Herald Examiner

A Crime Movie, New Style

Worth Seeing

Well worth your while is the film "G-Men," now on view in New York.

It is about crime. But, unlike many crime pictures, it is true to fact, not fancy.

The "G-Men," as you know, are operatives of the Department of Justice.

They are the ones who got Dillinger and a score of other public enemies, who smashed kidnaping as a major American industry, who have done more to make crime less profitable and less popular than any other law enforcement agency.

The film—tense, dramatic, packed with thrills—shows you how the G-Men get results.

It is a picture that every law-abiding adult and every child should see. It paints crime in its true colors, not in those which have been used to glorify it in the past.

It is a picture that every CONGRESSMAN should see. It will convince him that every cent appropriated for the Department of Justice agents is money well spent, and that more money should be made available to the department to increase its force.

And, finally, it is a picture that every criminal should see. Warden Lawes might find it as useful at Sing Sing as his brass band, his football team or his other noble experiments in rehabilitating those who think that crime can be made to pay.

—N. Y. Journa

"G" Men

When you read in this column good words about a movie, rest assured that we, right or wrong, think it is one about which you should be told.

Remember the gangster pictures?

Phooey!

The movies have done an about-face. Men from the department of justice are now the heroes. And they are not inflated, either. "G" men are portrayed in action in a picture of the same name at the Metropolitan Theatre. We saw it. We are glad we didn't miss it.

Suspicious were we in advance that the picture might preach a doctrine of shooting first and asking questions afterward. This newspaper does not trail along with hysterical persons who would allow any dumb policeman to kill any and every criminal.

There is a nice line. "G" men have been taught when to shoot—and, more important, when not to shoot. The picture makes the point. Had it not, no boost would it get here.

See it.

—Boston Travele

"Whee!"

Topping the unparalleled flood of praise and records that have established "G-Men" as the most decisive success in recent picture history, five* great metropolitan dailies add the crowning tribute of flaming editorials proclaiming this Warner Bros. box-office sensation as an instrument of public welfare!... Has *your* editor seen it?

**And the list is growing daily!*

"G Men"

"G Men," a moving picture that will render public service all over this country, produced by Warner Brothers, is showing now at the Strand Theatre, Broadway and 47th St., New York. It will discourage criminals, give hope to those that dread the crime wave that has been rising higher and higher throughout the country.

The Mirror, beginning today, in a series of pictures, will print "G Men," and its story.

While racketeers are gambling, a counterfeiter comes to borrow a few "centuries," meaning hundreds of dollars, gets them, goes out on the street, is arrested by a "G Man" from the office of the National Attorney General.

One of the gamblers shouts to an assistant, "Give me a reacher." That means a rifle of long range with which a man can be killed at a distance.

The "reacher" aimed from the gamblers' window, kills the "G Man." He dies in discharge of his duty, as many others have done.

Brick Davis, a part played by James Cagney, is a young lawyer, close friend of the murdered man. He gives up his profession, joins the "G Men," vowing revenge for his friend. The complete story which will be told in pictures, shows how criminals in that group of gamblers meet with death at the hands of "G Men." It is a pleasure to see Brick Davis (Cagney) reverse the picture and "bump off" the professional murderers.

Crime doesn't pay, it can't win in the end. Now that the United States Government has made suppression of crime a part of its business, the criminal invites death and will meet it.

N. Y. Mirror

Support the 'G Men'!

EVERY member of Congress ought to witness at least one exhibition of "G Men," the new motion picture.

This spectacular film drama represents and ably portrays a great and significant change that has come into American life.

Its tense action will remind the lawmakers, as already it has reminded the screen critics, of an older motion picture called "Public Enemy," which set a vogue for gangster films a few years ago.

And yet—what a difference!

The former gangster films seemed to glorify the "gorilla" and the gunman.

And there was a lot of truth in that characterization of the public mind, for gangsters, be it recalled to our shame, were glorified a good deal in those crime-ridden days.

* * *

THE late and entirely unlamented Dillinger was an outstanding example.

In one widely published photograph Dillinger—a recaptured slayer at the time—was shown with a County Prosecutor's arm flung almost fondly across his shoulders.

Shortly after the photograph was made Dillinger was allowed to break out of jail again, resuming his marauding and murderous career until THE FEDERAL MEN went on his trail in earnest and brought him down.

And when Dillinger died, as one of a series of Federal exploits, the period of "glorification" of gangsters was all through.

Respect for law and order was born again in America. That, briefly recounted, is the film story that "G Men" has to tell.

For "G men" in the criminal argot stands for armed Department of Justice men, who have shown how gangsters and kidnapers may and must be dealt with.

* * *

IT IS very important for members of Congress to see this film for a particular reason.

The stern but laudable business of law enforcement by Federal men has been carried on vigorously since Homer Cummings became the Attorney-General of the United States.

The "G men" themselves belong to the Division of Investigation, under J. Edgar Hoover, in his department.

Against enormous odds of too few operatives, too little money and inadequate equipment, they have undertaken to clear the country of public enemies.

What they have begun they can finish IF ONLY CONGRESS WILL ENABLE THEM TO DO SO—and the best way in which Congress can assist in the vindication of criminal justice is by granting the Department of Justice ENOUGH MEN and ENOUGH MONEY.

This Federal department has proved itself to be THE ONE EFFECTIVE FORCE in suppressing crime, and Congress has been utterly negligent of its duty in cutting down the appropriations that Mr. Hoover demands.

* * *

THAT is why it is desirable for members of Congress to see the "G Men" motion picture play.

Of course, they may find that "G Men" is realistic in its scenes of crime suppression.

But so have our violent and hideous crimes been realistic.

Let us have more of the realism of efficient law enforcement and less of the disgraceful realism of unpunished racketeers and criminals!

—N. Y. American

Purely Personal

MAE GIETZ, of the Monogram office, was one of the winners of the handwriting contest in *Silver Screen*. MARGARET HENNEBERRY, of the same company, is home nursing a nose infection.

•

MAURICE OSTRER, whose activities with G. B. in London are centered around production, is the father of a son. That makes two heirs in his family now.

•

CHARLES REED JONES has just completed the press book for "The Drunkard," which will be released by Stage and Screen Prod., Inc.

•

S. N. BEHRMAN, scenarist and author of "Rain from Heaven," stage play among others, is in town from Hollywood.

•

GEORGE W. WEEKS, G. B. sales manager, now touring the south, is expected back for the sales convention the latter part of this month.

•

WALTER CONNOLLY did some ecclesiastical misbehaving yesterday in a radio version on "The Bishop Misbehaves."

•

LEON SCHLESINGER, producer of "Merry Melodies" and "Looney Tunes" shorts for Warners, has left for the coast after several weeks here.

•

EDWARD A. GOLDEN was a recent guest of honor at the luncheon of the American Fiction Guild.

•

HUGH DAVIS is in town after a tour of coast exchanges. He's Republic's traveling auditor.

•

GILBERT MILLER is returning on the *Ile*. That's the vessel PHIL REISMAN is aboard.

•

JOSEPH M. SCHENCK has called off that European jaunt. The Fox Met deal is the reason.

•

PHILLIPS LORD (Seth Parker to radio fans), a flyer just arrived from the west.

•

JOHN P. WHITE, JR., has joined the staff of Signer and Bryne, representatives of Screen Broadcasts here.

•

HENRY RANDEL of Paramount returns today from a two-week visit to the coast.

•

ARCHIE MAYO finally got away for Hollywood last night. It was a job, but he made his train.

•

JESSE J. GOLDBURG in from Californi-a-a-y.

•

W. RAY JOHNSTON has delayed his departure from the coast.

•

J. J. PARKER of Portland plans to return home any day now.

•

WILLIAM E. RAYNOR is now sales manager of "Lucky."

•

HERBERT J. YATES will return to the coast in two weeks.

FWC Dissatisfied; New Clearance Row

(*Continued from page* 1)

ry Arthur's house. The issue is expected to come up on Wednesday, the day the schedule goes into effect.

Warners has not yet decided what to do about the Uptown-Forum decision which was reversed by Campi. Insiders, however, believe the circuit will file a protest within a few days.

John C. Flinn is expected from New York to see that the schedule is put into effect without a hitch.

A meeting is slated for tomorrow to clear up some of the situations omitted from the schedule and other issues in dispute. Downtown matinee and evening prices will also be clarified in the schedule.

K. C. Nights Hang on Case

KANSAS CITY, May 12.—Whether bank night spreads in Kansas City depends largely on Campi's determination of the Prospect and Belmont cases, which the local board dismissed because Mrs. A. Baier, the complainant, failed to establish competition with her theatre, the Lindbergh.

The decision will be of utmost importance to Kansas City. The local board heretofore has banned all bank night operations coming before it, and in dismissing the Baier actions a departure from the usual rulings was established.

Sets Date for Objections

ALBANY, May 12.—Acting under the Joseph Law signed by Gov. Herbert Lehman last month, Secretary of State Flynn has designated a period to May 24 to receive objections to all codes heretofore filed in the office of the Department of State under the NRA.

Jersey Lease, An Issue

Leon Rosenblatt of the Rosenblatt-Welt circuit has filed a grievance complaint against M. G. Felder for interfering with the lease of the Maplewood, Maplewood. Rosenblatt has operated the house for a number of years, but on June 1 must step out as a result of Felder signing a lease with the landlord.

Louise Nizer will represent Felder. In addition to the Maplewood, Felder has closed deals for two other houses he will take over in September.

Throop Services Held

Funeral services were held for Ben Throop yesterday afternoon at the Protestant Episcopal Church of the Transfiguration (Little Church Around the Corner). Following the services his body was placed in a receiving vault at Woodlawn and funeral arrangements will be made later.

Throop, who was 46, died early Friday morning following a major operation performed the week before.

Rites for Mrs. Kaplan

HOLLYWOOD, May 12.—Funeral services will be held here Monday for Mrs. William Kaplan, who died following the TWA plane crash at Macon, Mo., at the Blasband-Groman Chapel. William Kaplan, her husband, arrived here today with the body.

Kandel Gets Hagen Film

M. J. Kandel, president of Olympic Pictures, has acquired the American rights to the Julius Hagen production, "It Happened in Paris," which stars Wendy Barrie.

Wall Street

Most Gain on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1).	50¼	50¼	50¼	.....
Consolidated	4⅜	4⅛	4⅜	+ ¼
Cons. pfd. (1v)....	16	15½	16	— ¼
Eastman 140¾	138¾	140¾	+2¼	
Eastman, pfd.....152	152	152	.....	
Fox "A".....	12½	12½	12½	+ ¼
Loew's	39½	39¼	39¼	+ ¼
Paramount	3½	3⅜	3⅜	.....
Pathe "A".....	9	8½	9	+ ½
RKO	1⅝	1⅝	1⅝	.....
Warner	3½	3⅜	3⅜	— ⅛
Warner, pfd.....	23¾	23¾	23¾	+ ¼

Technicolor Up on Curb

	High	Low	Close	Net Change
Technicolor	20¾	19	20¾	+1¾

Paramount B'way Bonds Gain ½

	High	Low	Close	Net Change
Keith B. F. 6s '46	76¼	76¼	76¼	— ¼
Loew's 6s '41 ww deb rights.....104⅝	104⅝	104⅝	+ ⅛	
Paramount Broadway 5½s '51....	57½	57½	57½	+ ½
Warner Bros. 6s '39 wd.....	64½	64½	64½	+ ¼

(*c*) *Plus stock extras.* (*v*) *Paid this year.*

(Quotations as at close of May 11)

Ohioans Worry Over Revival of 10% Tax

(*Continued from page* 1)

constitutionality develops. P. J. Wood has obtained an opinion from a well known jurist upholding the law.

Aim Tax at Circuits

LINCOLN, Neb., May 12. — An amendment was tacked onto the chain store bill here yesterday which puts circuit theatres into the proposed $3 per unit tax, graduating up to $175 per unit for 20 or more.

Representative Obbink, Lincoln, said in offering the amendment that theatres were a luxury and should not be missed in a tax of this kind.

Beat Alabama 10% Tax

BIRMINGHAM, May 12. — Alabama theatre operators have won their fight to have the 10 per cent amusement tax stricken from the general revenue bill now pending before the Legislature.

F.W.C. Managers Shifted

LOS ANGELES, May 12.—F. W. C. managers met here over the week-end and Hank Peters, manager of the Paramount, Hollywood, was transferred to the United Artists, Inglewood, and Dave Fred, manager of the Inglewood house, was shifted to the Golden Gate, Belvedere Gardens. Roy Evans, manager of the latter house, was in turn transferred to the Paramount in Hollywood.

Change N. H. Policies

NEW HAVEN, May 12.—Returning to a policy in effect prior to last October, Loew's College will again operate as a first run, beginning Thursday, while the Bijou will revert to its former second run status. Ben Cohen, manager of the College, will be transferred to the Bijou, and Bill Henson of the Bijou will take the College.

M-G-M Men Quit K.C. As Convention Ends

KANSAS CITY, May 12.—With the windup of the three-day regional convention, all M-G-M home office executives and sales personnel not attached to the local exchange have departed.

Felix F. Feist, general sales manager, and Fred C. Quimby, short subject sales head, left by train, while Si Seadler, assistant to Howard Dietz, hopped on a plane for New York. Dietz, William R. Ferguson, Eddie Carrier and J. S. MacLeod flew to the coast with Howard Strickling, studio publicity head.

Dietz will remain on the coast for a few days conferring on a number of features for which advertising campaigns will be worked out in advance.

Divisional and district managers held a meeting after the convention with Alan F. Cummings on sales policies for their territories.

At the convention, Seadler lauded Feist, stating the general sales manager throughout his 10 years with the company has gained the admiration and respect of his fellow workers. Dietz announced product campaigns in 50 national magazines and extensive outdoor billing plans for which the budget will be increased to an unprecedented scale.

Roach Back in Hollywood

HOLLYWOOD, May 12.—Hal Roach has returned from Kansas City.

Says 690 Features Are Filmed Abroad

Foreign countries produce approximately 690 features annually, Paul Graetz, head of the Paris Export Film Co., states. He handles distribution of First Division and Toeplitz features on the continent.

Germany, he says, leads all countries with France and England running second, each with 150. Vienna turns out 30, Sweden, 30; Holland, 15; Poland, 20; Italy, 50; Spain, 15; Hungary, 20.

In the smaller countries production is limited both in number and appeal. Some countries do not make more than five films a year, usually in the native language and valueless abroad.

The combined total of 10 countries is less than the number of films turned out by major and independent producers in Hollywood.

Wafilms to Produce 11 for New Season

Wafilms will produce 11 pictures for release through state rights distributors for the new season, Walter A. Futter, Wafilms head, said Saturday.

The schedule will consist of two series, one comprising six action stories budgeted at about $25,000 each, the other a series of five westerns featuring Tom Keene. The first of the action series, "Hongkong Nights," has been completed. It will be followed by "Two Years Before the Mast," "Army Guy," "The Salt King," "Jade" and "The Voodoo Murder Mystery."

Barrows Dinner Guest

BOSTON, May 12.—Thad Barrows, head projectionist at the Metropolitan and president of Operators' Local 182, was guest of honor tonight at a farewell party at the Cocoanut Grove. He is going to the coast to attend the S. M. P. E. convention.

THIS IS WORSHIP

FOUR STARS
New York News

★ ★ ★ ★

FOUR STARS
Liberty Magazine

★★★★...“THE MOST POWERFUL PICTURE THAT HAS BEEN RELEASED IN NEW YORK THIS YEAR AND ONE OF THE MOST HEART-RENDING SCREEN PLAYS EVER MADE.”

Kate Cameron, *N. Y. Daily News*

★ ★ ★ ★

“A FILM OF MAJOR GREATNESS. Liam O’Flaherty’s bitterly arresting novel has been made into a screen tragedy that is at once memorable and provocative . . . an honest, compelling and magnificently produced photoplay . . . An adroit scenario, sensitive and knowing di-

rection and inspired acting have conspired to make the remolding of 'The Informer' a signal success."

Howard Barnes, *N. Y. Herald-Tribune*

★ ★ ★ ★

"A POWERFUL AND DARING MELODRAMA . . . *Superior entertainment . . .* John Ford's inspired direction, RKO-Radio's courageous production, Dudley Nichols' brilliant adaptation of the Liam O'Flaherty novel, the acting of a flawlessly chosen cast, *lift it toweringly above Hollywood's banal program pictures* . . . . It is as exciting and stirring as it is distinguished."

Bland Johaneson, *N. Y. Daily Mirror*

★ ★ ★ ★

"'THE INFORMER' IS ONE OF THE FEW FILMS WHICH MUST BE SEEN . . . A ruthless drama possessed of power and stamina has come to the Music Hall screen to flout the film conventions of the picture Pollyannas . . . It is a gripping canvas that clutches the beholder in vise-like thrall through phrases redolent with perfidy, sorrow, suffering and bloodshed. It holds the mirror up to nature and catches, camera clear, the reflection of human courage and cowardice, vice and virtue, hope and despair."

Regina Crewe, *N. Y. American*

★ ★ ★ ★

ONE OF THE FINEST DRAMAS OF THE YEAR! "John Ford has made

an astonishing screen drama out of Liam O'Flaherty's novel, 'The Informer' . . . He recites the realistic drama with bold and smashing skill."

Andre Sennwald, *N. Y. Times*

★ ★ ★ ★

"A POWERFUL AND HEART-BREAKING TRAGEDY . . . 'The Informer', one of the year's most distinguished productions, certainly its most emotionally effective, marks another of those many milestones along the history of motion pictures as the first human tragedy photographed with dignity, power and realism! Eileen Creelman, *N. Y. Sun*

★ ★ ★ ★

"ONE OF HOLLYWOOD'S FINER SCREEN ACHIEVEMENTS in its dramatic simplicity, its excellence of characterization and its brilliant photography . . . Exceptionally well done, 'The Informer' provides tensely impressive drama at the Music Hall this week . . . A powerful picturization of Liam O'Flaherty's stirring novel."

Rose Pelswick, *N. Y. Evening Journal*

★ ★ ★ ★

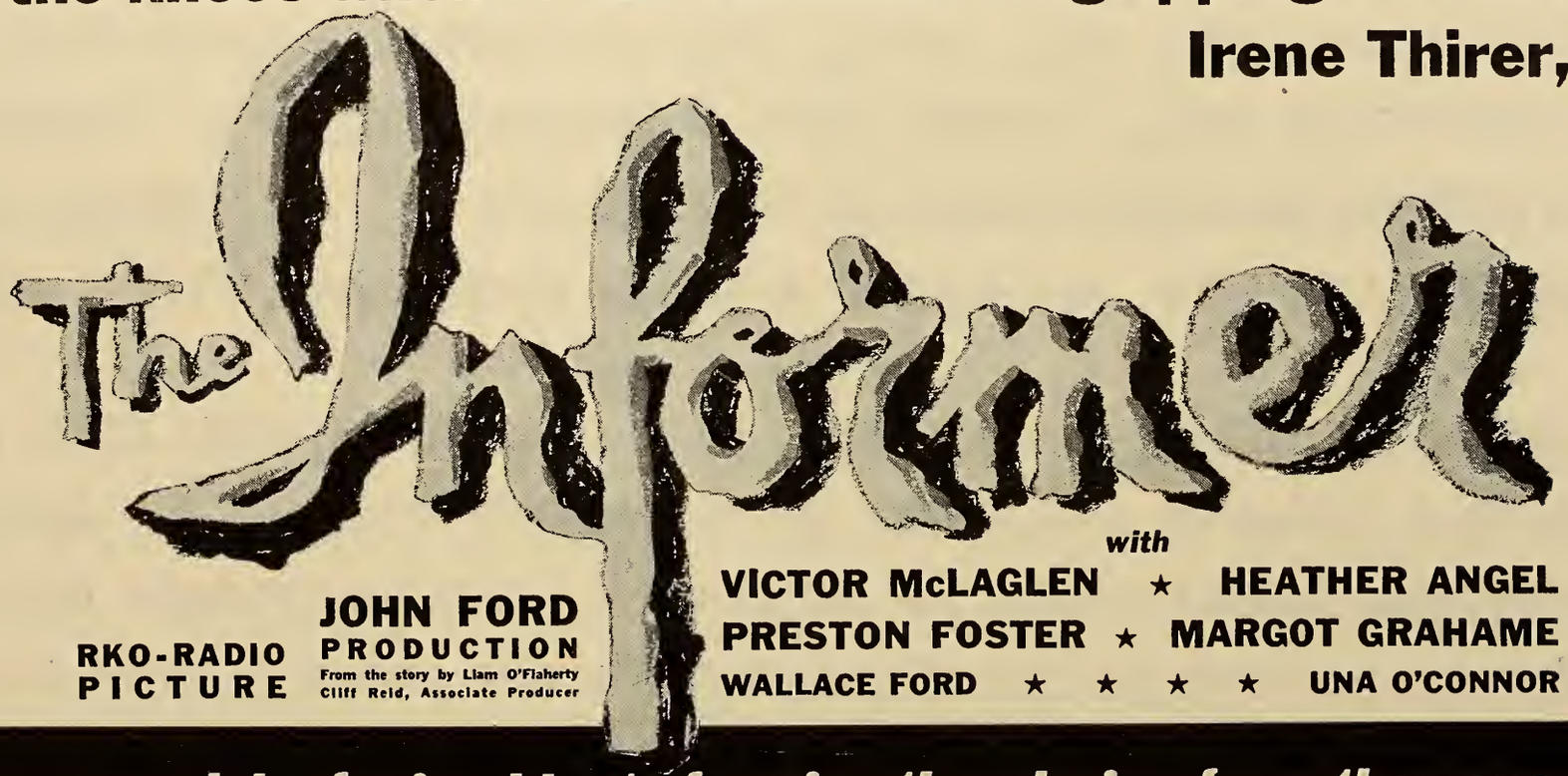
"A TRULY MAGNIFICENT FILM, one of the finest and most distinguished ever to come out of a studio anywhere . . . It will afford you a rare and exhilarating experience in the cinema."

William Boehnel, *N. Y. World-Telegram*

★ ★ ★ ★

"A VITAL, POWERFUL PICTURE, one which easily falls into the 'excellent' category. 'The Informer' packs such a terrific wallop in story and histrionics that movie audiences hardly realize the rare artistry with which Liam O'Flaherty's stark drama has been brought to the screen . . . You will find it so absorbing as to leave you a little weak at the knees when it has reached its gripping conclusion."

Irene Thirer, *N. Y. Post*



RKO-RADIO PICTURE

JOHN FORD PRODUCTION
From the story by Liam O'Flaherty
Cliff Reid, Associate Producer

with

VICTOR McLAGLEN ★ HEATHER ANGEL
PRESTON FOSTER ★ MARGOT GRAHAME
WALLACE FORD ★ ★ ★ ★ UNA O'CONNOR

***This is the second deafening blast of praise thundering from the pens and throats of America's critics and enthusiastic audiences . . first Washington, now New York! . . soon Boston, San Francisco, Chicago, Baltimore and scores of other key cities . . confirming RKO Radio's prediction that* EVERY CRITIC IN AMERICA WOULD INCLUDE "THE INFORMER" ON HIS LIST OF THE TEN BEST PICTURES FOR 1935.**

Emery Secures Five More for English Group

By BRUCE ALLAN

LONDON, April 25.—J. F. Emery, principal of a 13-theatre circuit, has added five more important theatres to the chain by a deal involving properties valued at $1,500,000.

The theatres involved are the Capitol, Didsbury; Pyramid, Sale; Lido, Burnage; Broadway, Eccles, and Riviera, Cheetham Hill.

The Lido seats 1,536; the Pyramid, 2,000, and the Broadway over 2,000.

All the theatres are in the Manchester district.

* * *

St. George's Pictures, Ltd., is the latest British production unit. Ian Sutherland, associated with Allied Prod., Ltd., until last July, is managing director and Lupino Lane will be in charge of production. All the films starring Lane, a big British comedy bet, will be released here by Columbia, it is understood.

* * *

Branches of the Cinematograph Exhibitors' Ass'n. are urging the council to make representations about the character of the film criticism sent out over the air. The British Broadcasting Corp.'s critic, it is asserted, sometimes tells listeners not to visit certain films.

Radio criticism has always been a sore point with theatre men, each critic in turn coming under fire on the grounds of "highbrowism" and worse.

* * *

Basil Dean, director of the A. T. P. "Lorna Doone," made at the Ealing studio, is annoyed at the Hollywood report that Sam Goldwyn, planning a new version of the Blackmore book, has stated that he can "top any British effort."

Dean, stating that the A. T. P. "Doone" will shortly be seen in America, adds: "I take it as a great compliment to my choice that Mr. Goldwyn deems it worth while to make another film of the same subject. I can only wish him a similar box-office success."

* * *

Plans of the Home Office to issue new regulations governing the exhibition of films on non-flam base have received a serious check.

Magistrates in Jarrow recently refused to convict the proprietors of a miners' hall for an unlicensed exhibition, holding that the use of the non-flam took the show out of the act.

The official attitude is that non-flam is strictly inflammable in the meaning of the Cinematograph Act, but this contention is upset by the Jarrow decision.

The police have now decided not to appeal the case and it seems that new legislation will be necessary before the non-flam Soviet and other "subversive" films aimed at by the Government can be controlled.

The new schedule is divided into only eight "brackets." The previous tax scale, which brought a revenue to the province in 1934 of close to $1,000,000, was divided into no less than 16 "denominations" with all tickets up to 25 cents being exempt.

The new five-cent tax on tickets from 19 to 45 cents inclusive is considered a direct smash at the neighborhood theatres. The new assessment amounts to more than 26 per cent on the 19-cent admission ticket, while it works out to 20 per cent on the 25-cent ticket which formerly escaped any government charge.

Throttle Pushing

By H.E.N.

SOUTH CAROLINA — When a man bites a dog, it is still considered real news. But when a theatre, situated in a town with a population of 2,300, pulls plenty of customers from two cities, each with a population of 28,000 and 14 miles on both sides, that is something else again. This small town theatre, the Grand, at Greer, S. C., operated by Kramer and Bill Drace, has this distinction. The exploitation campaigns and beautiful fronts to merchandise their pictures would put many a metropolitan house to shame. Think of a theatre, seating 375 and obtaining a great bulk of its business from cities like Spartanburg and Greenville, S. C. These patrons do not drive 14 miles just because they like the Drace Bros. The secret of their success lies in the perfect appointment of their tiny theatre with its wonderful acoustical properties and the very latest in projection and sound. A mailing list of 1,000 is used on all pictures, together with large ads in both the local and surrounding town papers. In fact, we saw a copy of a Spartanburg paper with the Grand at Greer carrying the largest space. We forgot to tell you there is another theatre in Greer, the Rialto, operated by C. A. Hurlong.

GREENVILLE, S. C.—The Carroll is closed for three days a week while undergoing extensive alterations. Ed Carroll is busy and we suspicion that this is the first time he has ever been caught doing manual labor. They are enlarging the stage, putting in a washed air system, carpets and lighting fixtures. This house will use unit shows. Capt. W. E. Field, one of the real pioneers of the business down here, has leased the Branwood at W. Greenville.

INMAN, S. C.—We met, at this point, J. R. Wofford, local Ford dealer and operator of the Amuzu, who sits in the center of some 500,000 peach trees, as this is the home of the famous Piedmont peach. The outlook for a bumper crop is so good that J. R. will entirely remodel his theatre this summer.

GAFFNEY, S. C.—This town boasts of a real modern theatre, the Hamrick, owned by Lyman Hamrick, General Superintendent of the Hamrick chain cotton mills. Bryan M. Humphries is the local manager and told us that if he could only have a few more pictures like "Devil Dogs of the Air," "Bright Eyes," "County Chairman," "Little Minister," "Imitation of Life," the lot of an exhibitor would be a happy one. Why not?

SENECA, S. C.—A trip into the Piedmont hills would not be complete without calling on that charming couple, the Richardsons. Kenneth and the missus took us through their new theatre, the culmination of a dream that has been some 13 years in the making. Their new house will open May 1 and has been entirely built by local labor and contractors. This theatre will be known as the Richardson and will seat 500.

LIBERTY, S. C.—The Woodside Mills have curtailed operation here so the Liberty is not running its usual morning show. Harold H. Johnson, manager and owner, plans to remodel this house some time during the summer.

Mexicans Cooperate On Folklore Films

By JAMES LOCKHART

MEXICO CITY, May 12.—Two folklore sound pictures, featuring regional costumes, music, singing and dancing, and intended to stimulate tourist interest, are being made by this country's first cooperative production society, Producciones Mexicanas Argos. It is made up of actors and actresses, technicians, newspaper men and others.

One picture is titled "Puebla, the Colonial Shrine of America," and the other, "Patzcuaro, the Lake of Dreams." The Puebla picture is being made in Puebla City, a historic town near here, and the other is being produced at Lake Patzcuaro, a picturesque waterway of Michoacan state.

Some Mexican scenics are being exported to Palestine and other Near Eastern countries. The government is sending only those pictures it deems top productions of the kind. Good response is reported.

Ohio Banks Showing Big Gains for Year

COLUMBUS, May 12.—Despite lamentations of state executives as to the depleted condition of the official exchequer, Ohio generally appears to be in good financial shape.

Report of Samuel H. Squires, state superintendent of banks, just released, shows an increase of $11,318,303 in resources and an increase of $8,595,153 in deposits in 483 licensed state-supervised banks for the first two months of this year.

Total resources increased $97,285,929 from March 31, 1934, while the increase in deposits for the same period amounted to $89,930,242.

Film men in the major keys throughout the state report business good at first run houses, although many of the subsequents complain that it is not keeping pace with last season.

Fulton Charges Denied

KANSAS CITY, May 12.—Charges of Mrs. Juliette E. Fulton, who petitioned the circuit court to appoint a receiver for five suburban theatres operated by her husband, William D. Fulton, are declared untrue and "totally without foundation" in an answer filed by Fulton.

Majors Block Kansas City Dual Choices

(*Continued from page* 1)

dualled. United Artists' position was that since it sells each feature individually, the playing arrangement is a matter for individual determination between the exhibitor and the company. Means wrote to the sales heads himself when they delayed their replies to local exchange managers, who had submitted the plan to their home offices at the exhibitors' request.

Prior to submission to the distributors, the plan was agreed upon as a compromise between independents and Fox Midwest. The I. T. O. originally demanded the privilege to double all product without limitation, but with a clearance setback of 28 days. This was rejected by Fox Midwest, which countered with a proposal for a release committee to select dual bills. The independents agreed and a five-man committee was formed representative of independents and Fox Midwest, with distributor membership hinging on acceptance by the companies. The idea was the committee would meet periodically with individual exchange heads and pick the features for twin bills, product so chosen to be played 28 days after singles' spot. The independents agreed that none of the big pictures were to be dualled.

While the distributors were pondering the plan, W. D. Fulton, operating five suburban theatres, served them a written notice attacking the proposal as collusion and stating he intended to defend his theatres' rights under their contracts and "the laws of our government."

Though some independent subsequents may encounter a dearth of double bill product as a result of the distributors' action, it is said that some 250 features are available from local exchanges, including independents, for the purpose. Columbia and Universal place no restrictions and Warners permit dualling of features played with a stage show at first runs. With these exceptions, all major product that receives a first run must be played singly at the subsequents. Several companies allow doubling of last year's product, but some exclude 10-cent theatres.

Kansas House Uses Radio

KANSAS CITY, May 12.—The radio amateur hour vogue has been adopted by the Granada, Lawrence, Kan., which is staging the programs broadcast by WREN in that city Saturday nights at 9 o'clock. This is the first radio program to be broadcast regularly from a theatre stage in this territory. The Granada is a Commonwealth circuit house.

Barham to Hamilton

HAMILTON, O., May 12.—Tracy Barham, general manager Southio Theatres, Inc., has appointed Nat Turberg as manager of the local Paramount. He succeeds George Fetick, who has been made booker for the circuit, which controls the Paramount, Palace and Rialto here, the Paramount and Strand, Middletown, O., and the Palace and Marion, at Marion, O.

"10 Raise" Good Capital Draw $4,200

WASHINGTON, May 12.—Loew's Columbia, B all-picture house, again sat on the top of the Capital's gross list last week as "$10 Raise" attracted a neat $4,200, which is $1,100 over par.

Of the A houses, and at the top in the big money, the Earle, with "Private Worlds" and a stage show, took in $19,700 against a par $17,600.

"Death Flies East," third first run to go over the top, got $4,500 at the Metropolitan, some $400 over average.

Loew's Fox slipped about 10 per cent when "One New York Night," plus a stage show, drew $18,500, against an average of $20,500. "Thunder in the East" at RKO-Keith's lasted five days, getting only $4,800, where the normal seven-day take is $11,400. "The Bride of Frankenstein" replaced.

The second week of "The Iron Duke" brought a sweet $2,300 to the Belasco. The Little Theatre joined the first run ranks May 1, opening with Eureka's "War Is a Racket."

Total first run business was $63,500. Average is $72,700.

Estimated takings:

Five Days Ending April 30:

"THUNDER IN THE EAST" (Radio)

RKO-KEITH'S—(1,836), 25c-55c, 5 days. **Gross:** $4,800. (Average, 7 days, $11,400)

Week Ending May 2:

"PRIVATE WORLDS" (Para.)

EARLE—(2,218), 25c-77c, 7 days. Stage: Johnny Perkins, Eleanor Whitney, Ruth Petty, Stan Kavanaugh, Herb Cook & Three Little Words, 32 Roxyettes. **Gross:** $19,700. (Average, $17,600)

"$10 RAISE" (Fox)

LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days. **Gross:** $4,200. (Average, $3,100)

"ONE NEW YORK NIGHT" (M-G-M)

LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Gertrude Niessen, Cookie Bowers; Bryant, Rains & Young; Three Fonzells, 24 Capitol Theatre Girls. **Gross:** $18,500. (Average, $20,500)

"RECKLESS" (M-G-M)

LOEW'S PALACE — (2,370), 35c-77c, 7 days, 2nd week. **Gross:** $9,500. (Average, first week, $14,500)

"DEATH FLIES EAST" (Col.)

METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,100)

Week Ending May 3:

"THE IRON DUKE" (G-B)

BELASCO—(1,052), 25c-65c, 7 days, 2nd week. **Gross:** $2,300. (Average, first week, $1,500)

Boston Friars Elect

BOSTON, May 12. — Two circuit owners and an exchange manager have been elected to important posts of the Boston Friars' Club. Maurice N. Wolf is president; Joseph M. Levenson, vice president and Louis M. Boas, treasurer. Alex C. Kilpatrick was voted secretary. Trustees to serve one year are: Edward Ansin, William Erbb, Thomas B. Spry and Morris Sharaf. Trustees for two years are Herman Rifken, Julius Joelson, M. Murray Weiss and Philip Marget. Those named to three-year terms are: Al Somerby, Philip Smith, Steve Brodie and Jack Magann.

New Company Is Formed

ALBANY, May 12.—A certificate of corporation has been filed here in the office of the secretary of the state by the Festa-Di Piedigrotta Napolitano, Inc., New York City, to exhibit films, plays, etc. Albert Servillo, Louis Giarra and Mary Barba are the incorporators.

"Bride" Holds Up in Second Chicago Week

CHICAGO, May 12. — Arctic rains knocked all the enthusiasm out of film fans last week and grosses suffered all along the line. "Bride of Frankenstein" demonstrated the best drawing powers by getting $6,400 at the Apollo for its second week. This was $1,600 under a first week normal.

Other spots were away off, with the exception of the Oriental, which reached $16,500 at the Oriental, with George Jessel heading a stage show. "Naughty Marietta" had a par $11,000 at the Roosevelt in its second week.

Total first run business was $104,900. Average is $127,600.

Estimated takings:

Week Ending May 2:

"GO INTO YOUR DANCE" (Warners)

CHICAGO—(4,000), 25c-50c-68c, 7 days. Stage: B & K stage production with Jack Powell, Venita Gould & others. **Gross:** $29,000. (Average, $34,600)

"UNWELCOME STRANGER" (Col.)

ORIENTAL—(3,940), 25c-40c, 7 days. Stage: George Jessel, Eddie Jackson, Joe Besser. **Gross:** $16,500. (Average, $15,000)

"PRINCESS O'HARA" (Univ.)

PALACE—(2,509), 25c-35c-50c, 7 days. Stage: Ben Bernie & Lads, Joe & Jane McKenna. **Gross:** $17,000. (Average, $22,000)

"ONE NEW YORK NIGHT" (M-G-M)

GARRICK—(900), 25c-35c-40c, 7 days. **Gross:** $3,000. (Average, $5,000)

Week Ending May 3:

"THE WEDDING NIGHT" (U. A.)

UNITED ARTISTS—(1,700), 30c40c-60c, 2nd week, 7 days. **Gross:** $10,000. (Average, $17,000)

"NAUGHTY MARIETTA" (M-G-M)

ROOSEVELT—(1,591), 25c-35c-50c, 2nd week, 7 days. **Gross:** $11,000. (Average, $11,000)

"BRIDE OF FRANKENSTEIN" (Univ.)

APOLLO—(1,400), 25c-35c-50c, 2nd Loop week, 7 days. **Gross:** $6,400. (Average, $8,000)

"ONE MORE SPRING" (Fox)

STATE-LAKE — (2,776), 20c-25c-35c, 7 days. Stage: Lulu Belle, Ezra Buzzington band, Frank Melino & Co. **Gross:** $12,000. (Average, $15,000)

Install Aids to Deaf

KANSAS CITY, May 12.—Aids for the hard of hearing have been installed at two theatres in this territory. A section of the balcony at the Fox Rockhill has 36 seats which have been provided with attachments for deaf persons. The attachments are of two types, one depending on vibrations on the ear drum and the other on vibrations on the bone structure.

Similar earphones have been installed in a portion of the balcony at the Hickory Theatre, St. Joseph, Mo.

N. O. Tries Revivals

NEW ORLEANS, May 12.—Midnight revivals are being tried hereabouts. Harry S. McLeod brought "It Happened One Night" back to the St. Charles, using only ordinary newspaper lineage for the announcement and did excellent business.

The Folly, a neighborhood house in the Fifteenth Ward, Algiers, across the river, tried the same thing with "Emperor Jones" and did phenomenal business, it is reported.

Omaha Variety in Hotel

OMAHA, May 12.—Harry J. Shumow, chief barker for Variety Club, says the club will have a permanent address at the Paxton Hotel.

Seek 8-Star Bills

Providence, May 12. — The Fine Arts is determined on a policy of double-feature "four star" bookings following the success of doubling "One Night of Love" and "It Happened One Night" which now are in their fourth week at 35 cents top. The success and not the age of the film will be considered.

"G-Men" Sets Frisco Pace; Gets $26,000

SAN FRANCISCO, May 12.—"G-Men" was a sensation at the Warfield. While practically all the other first runs, with the exception of the United Artists, were wondering where the customers were the Warner special piled up $26,000, over normal by $6,000.

"Cardinal Richelieu" took a par $8,000 at the United Artists, but elsewhere business was flat.

Total first run business was $70,500. Average without the Clay is $79,000.

Estimated takings:

Week Ending April 30:

"STAR OF MIDNIGHT" (Radio)

GOLDEN GATE—(2,800), 25c-35c-40c, 7 days, 3rd week: Stage, band. **Gross:** $8,500. (Average, $13,000)

Week Ending May 1:

"SPRING TONIC" (Fox)

"ONE NEW YORK NIGHT" (M-G-M)

FOX—(4,600), 15c-30c-40c, 7 days. **Gross:** $8,000. (Average, $10,000)

Week Ending May 2:

"BRIDE OF FRANKENSTEIN" (Univ.)

ORPHEUM — (3,000), 15c-30c-35c-40, 7 days, 2nd week. **Gross:** $7,500. (Average, $9,000)

"RUGGLES OF RED GAP" (Para.)

ST. FRANCIS—(1,400), 15c-35c-55c, 7 days, 5th week. **Gross:** $2,500. (Average, $8,000)

"CARDINAL RICHELIEU" (U. A.)

UNITED ARTISTS—(1,200), 15c-35c-40c, 7 days, 2nd week. **Gross:** $8,000. (Average, $8,000)

"NAUGHTY MARIETTA" (Para.)

PARAMOUNT—(2,670), 25c-35c-40c, 7 days, 2nd week. **Gross:** $9,000. (Average, $11,000)

"G-MEN" (Warners)

WARFIELD—(2,700), 25c-35c-40c-55c, 7 days. Stage, band. **Gross:** $26,000. (Average, $20,000)

Week Ending May 3:

"SONG OF HAPPINESS" (Foreign)

CLAY—(400), 25c-50c, 7 days. **Gross:** $1,000.

McNabb-Klock Row Ends

KANSAS CITY, May 12.—A bitter competitive fight in Neodesha, Kan., has come to an end through the assignment of the lease on the Gem, operated by A. B. McNabb, to Glen E. Klock of the Klock for a five-year period. Klock recently was ordered by Campi to release 27 surplus features to McNabb, and the two have been at odds before the local grievance board over other matters.

Organize Cooling Firm

KANSAS CITY, May 12.—The Barrett Mfg. Co. has been organized here to manufacture cooling and air conditioning systems for theatres. Installations have already been completed at several Kansas City houses. S. W. Barrett is head of the firm.

"Fury" Pulls $19,000, Top In Pittsburgh

PITTSBURGH, May 12.—After an excellent Easter holiday business, there wasn't a lot left here last week and takings were under expectations. Even "Black Fury," which had a lot of local interest and came in on the heels of an outstanding publicity campaign, didn't develop, winding up at the Stanley with $19,000.

While it got off to a slow start, "Naughty Marietta" at the Penn kept on building as the week progressed and finished with $18,500.

Everywhere else they were singing the blues. At the Alvin, "All the King's Horses" hit a new low, getting about $3,700. The house intended to yank it after four days, bringing in "The Bride of Frankenstein" two days ahead of schedule and had already advertised to that effect when it was learned a print couldn't be had in time. Although it received great notices, "Thunder in the East" never got started at the Fulton and got only $2,500, while "Mary Jane's Pa" and "Hold 'Em Yale" at the Warner did around $4,250.

Total first run grosses were $47,950. Average is $56,500.

Estimated takings for the week ending May 2:

"ALL THE KING'S HORSES" (Para.)

ALVIN—(2,000), 25c-40c, 6 days. Stage: Hal Sherman, Norman Frescott, Radio Ramblers, Serge Flash, Streamline Alvinettes, Jerry Mayhall's orchestra. **Gross:** $3,750. (Average, $10,000)

"THUNDER IN THE EAST" (U. A.)

FULTON—(1,750), 15c-40c, 6 days. **Gross:** $2,500. (Average, $4,500)

"NAUGHTY MARIETTA" (M-G-M)

PENN—(3,300), 25c-40c, 6 days. Stage: Count Berni-Vici's "Spices of 1935" unit with Bob Carney, Garner, Wolf and Karkins, Isbale Dwan and "Girl in the Goldfish Bowl." **Gross:** $18,500. (Average, $19,000)

"BLACK FURY" (Warners)

STANLEY—(3,600), 25c-40c, 6 days. Stage: Barney Rapp's band, Selma Marlowe, Ruby Wright, Gracie Barrie, Nina Olivette, Nick Lucas. **Gross:** $19.000. (Average, $18.000)

"MARY JANE'S PA" (Warners)

"HOLD 'EM YALE" (Para.)

WARNER—(2,000), 25c-40c, 6 days. **Gross:** $4,250. (Average, $5,000)

Charter Two Companies

ALBANY, May 12.—Harold R. Peat, Inc., has been chartered to exhibit films and vaudeville. Incorporators are Harold R. Peat, H. M. McFadden and Bruce Quisenberry.

Reed-Emmons, Inc., has been formed by Luther Reed, E. Blyth Emmons, Thomas B. Corcoran, Irene Golden and Charles P. G. Fuller.

Ed Kuykendall to Speak

ST. LOUIS, May 12.—Ed Kuykendall will discuss family films at the anniversary meeting of the Better Films Council May 17. Fred Wehrenberg also will talk.

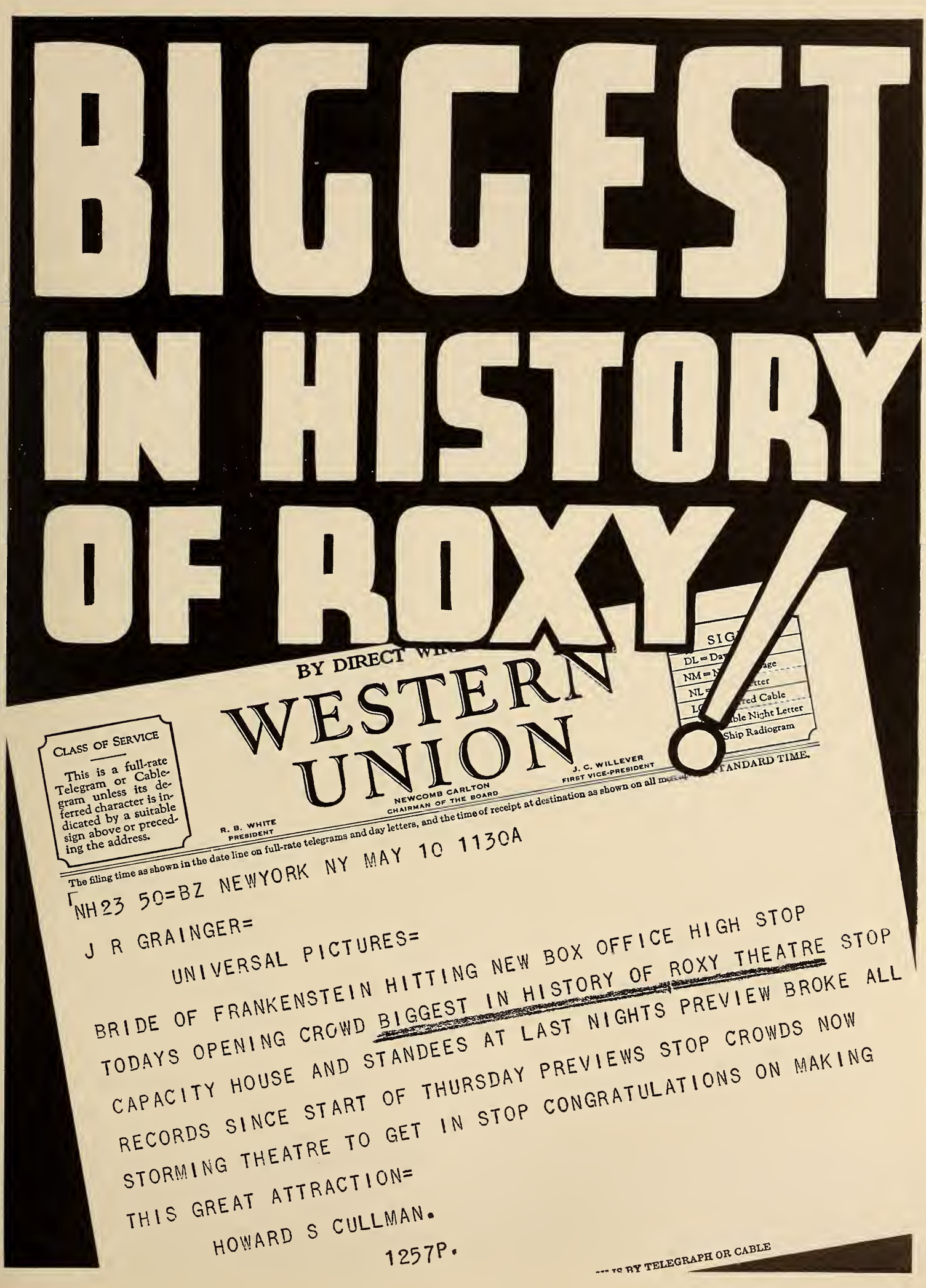
Form Oriental Film Prod.

DOVER, Del., May 12.—Oriental Film Prod., Inc., has been formed here. It lists capital of $1,000,000. The incorporators are C. O. Layton and H. Kennedy of Wilmington.

Film Treatizor Dissolved

ALBANY, May 12. — A certificate has been filed in the office of the Secretary of State dissolving the corporate existence of Film Treatizor Corp.

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Variety Club

Cincinnati

CINCINNATI, May 12.—EDWARD T. DIXON is on the program as one of the principal speakers at the third degree exemplification of the Knights of Columbus to be held here soon.

H. V. FETIG is entertaining a large party of intimate friends at one of the prominent country clubs this week. It's an annual get-together affair.

PAUL KREIGER is the latest one along Film Row to purchase a new automobile. It is a present to his son.

Milwaukee

MILWAUKEE, May 12. — The local Variety club is planning to supply milk to all crippled and sickly children in local nursery schools. It is estimated 335 will be supplied as a starter. All such children in all schools in the county may be supplied later.

To start the ball rolling, the club will stage a children's show on Saturday morning, June 8, at all theatres in the county for a five-cent admission charge. Theatres, stagehands, projectionists and other employees will donate their services.

Milwaukee brewers invited Variety club as their guests on May 6 when the local nine played Louisville.

Philadelphia

PHILADELPHIA, May 12.—With WILLIAM CLARK and JOHN GREENBERG as kings for the day, the weekly luncheon drew 110, second highest this season. Guests included "POP" WARNER, Tampa University football coach; BOAKE CARTER, radio commentator; ALLEN SCHWARTZ, radio announcer; JACK PEPPER, EDDIE WHITE, L. HOWELL DAVIS, chairman, Pennsylvania State Board of Censors, CHARLES ERNY and others.

Present also was "Doc" SCHAD, old time film man.

As a novelty, three small tots contributed dancing.

Next luncheon, May 15, will be handled by kings for the day JACK BERISON and WALTER WOODWARD. Pre-luncheon announcements had the boys lining up HOWARD DIETZ, HAL HORNE, JOHN FLINN, CHARLES O'REILLY, HAROLD RODNER and others, but plans were indefinite.

A general meeting of all members will be held at the club May 13.

JAY EMANUEL has resigned from the house committee, because of pressure of other duties. He still remains as treasurer.

Further details on the fall Atlantic City Variety Club Jubilee are being worked out by Chief Barker EARLE SWEIGERT.

Form Forest Pictures

ALBANY, May 12.—Forest Pictures Corp., theatre unit, has been chartered by Anne Kahn, Howard M. Rosenthal and Travis S. Levy.

Oppose Darien Theatre

DARIEN, Conn., May 12.—Cleveland interests negotiating for the rental of the Battenhausen property here to establish an open air theatre are being opposed by residents of that exclusive section. Residents are now petitioning for a town meeting to pass an ordinance forbidding the theatre as a public nuisance.

Key City Takes Skyrocket, But Take Quick Drop Later

Immediately following Easter key city grosses skyrocketed beyond the highs reached last September and came within a few hundred thousand dollars of the peak attained New Year's week. Since then they have fallen back to the pre-Lenten level.

For the week ending April 25-26, 142 theatres in 22 key cities grossed $1,421,800. The following week, ending May 2-3, 140 houses reported $1,250,132. The decline was uniform except in seven spots—Denver, Los Angeles, Minneapolis, Pittsburgh, Portland, Providence and Washington—where slight increases were registered.

Comparative grosses for the latest available periods:

	Week Ending May 2-3		Week Ending April 25-26	
	No. Theatres	Gross	No. Theatres	Gross
Boston	6	$83,500	6	$99,500
Buffalo	5	35,900	5	54,700
Chicago	8	104,900	8	112,000
Cleveland	6	52,850	6	59,750
Denver	6	31,200	6	25,200
Detroit	7	83,200	7	85,200
Indianapolis	5	22,100	5	25,250
Kansas City	4	36,900	5	41,800
Los Angeles	10	82,650	10	81,800
Minneapolis	8	29,400	8	29,000
Montreal	5	38,000	5	49,000
New York	10	228,632	10	309,750
Oklahoma City	4	13,800	4	14,800
Omaha	4	24,700	4	26,100
Philadelphia	9	74,400	9	79,600
Pittsburgh	5	47,950	5	30,950
Portland	6	32,300	6	31,200
Providence	6	46,050	6	39,750
San Francisco	8	70,500	8	83,000
St. Paul	5	18,000	5	19,000
Seattle	6	29,700	7	43,050
Washington	7	63,500	7	81,400
	140	$1,250,132	142	$1,421,800

Comparative grosses for the latest available periods:

Week Ending	Theatres	Grosses
Sept. 27-28	132	$1,419,815
Oct. 4- 5	132	1,412,844
Oct. 11-12	132	1,344,137
Oct. 18-19	131	1,385,533
Oct. 25-26	133	1,386,935
Nov. 1- 2	135	1,288,992
Nov. 8- 9	134	1,386,736
Nov. 15-16	133	1,389,743
Nov. 22-23	136	1,305,450
Nov. 29-30	137	1,369,576
Dec. 6- 7	136	1,401,989
Dec. 13-14	135	1,244,610
Dec. 20-21	135	1,070,800
Dec. 27-28	139	1,408,788
Jan. 3- 4	141	1,719,887
Jan. 10-11	138	1,361,450
Jan. 17-18	138	1,251,130
Jan. 24-25	138	1,251,130
Jan. 31-Feb. 1	137	1,354,350
Feb. 7- 8	135	1,332,415
Feb. 14-15	136	1,381,960
Feb. 21-22	137	1,318,630
Feb. 18-29	140	1,405,417
March 7- 8	139	1,295,650
March 14-15	137	1,358,384
March 21-22	135	1,325,360
March 28-29	137	1,334,375
April 4- 5	139	1,242,487
April 11-12	140	1,205,456
April 18-19	139	1,115,386
April 25-26	142	1,421,800
May 2-3	140	1,250,132

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Will Aid Hall of Fame

HOLLYWOOD, May 12.—Cooperation with the Screen Actors' Guild has been voted by the Producers' Ass'n. for the purpose of establishing a film hall of fame at the industry's exhibit at the San Diego International Exhibition.

Favor Pettengill Bill

BOSTON, May 12.—Following instigation by Allied leaders, the Motion Picture Council of the Boston Federation of Women's Club has gone on record in favor of the Pettengill bill and is so advising congressmen.

Short Subjects

"Okay Toots"

(Roach-M-G-M)

This is by far the funniest comedy turned out by Charley Chase in some time. It has everything; a good story, grand comedy and is packed with humorous sequences. The yarn has Chase discontented with the way his wife runs their home when he finds himself suddenly living her part of their life and she his. The complications that arise are hilarious, particularly when the characters' voices speak for Chase has his wife. Recommended. Production Code Seal, No. 726. Running time, 20 mins. "G."

"Old Sawbones"

(Columbia)

This short has the always reliably funny Andy Clyde going through his paces as a small town doctor. The situations are amusing. Clyde is out for the position of county physician and the town board, unable to agree on an appointment, decide that the doctor with the most patients in a week gets the post. An epidemic of measles in a school helps him and he wins by attending the rival's wife when she gives birth to quintuplets. Recommended. No production code seal. Running time, 17 mins. "G."

"Laughing with Medbury In the Old Days"

(Columbia)

John P. Medbury again delivers his dependable gags in this latest effort. These shorts are always an amusing part of any program, although the gags are not always so keen. From Washington of 25 years ago and the old styles rampant at the time he gags his way through to an early Pickford picture. Recommended. No production code seal. Running time, 10 mins. "G."

"Little New York"

(Van Beuren-Radio)

New York City, as it is today, with the camera searching out odd spots that may still be found in and about its highways and byways is here presented. The reel opens with a typical shot of the skyline and then travels to all sections of the town. The Ghetto, Harlem, Sutton Place, Wall Street and Park Ave., are also covered thoroughly.

As the town appears on the screen in pictorial review a very amusing and explanatory dialogue is carried on by the Easy Aces who are presumably sitting in the theatre.

Recommended. No production code seal. Running time, 11 mins. "G."

"Peace Conference"

(Columbia)

This cartoon contains little that is humorous or novel. Krazy Kat appears as a sort of peace angel when he attempts to pacify a stormy conference. Not succeeding very well, he brings a special musical gun into action and shoots some cheer into the gathering. Mars then comes down to stir up things. He is foiled by Krazy Kat and done away with by the same gun. Production Code Seal No. 160. Running time, 7 mins. "G."

Loew Talking Partnerships For Chicago

(Continued from page 1)

rangement with Jones. Loew's is also considering taking over a number of houses competitive to Essaness and Schoenstadt. Several deals are in work, but far from the consummation point.

While the Loew plan is to blanket all subsequent run situations, it is variously reported that the circuit will have 22 theatres. Officially, circuit heads declare there is no definite number of theatres to be built and acquired agreed upon.

Unconfirmed reports have it that eight exhibitor holdouts are on the verge of accepting M-G-M's new flexible policy. The distributor's sales policy, according to insiders, will have from four to 12 pictures on percentage and to be divided into three different groups for exhibitors to choose. One of the groups, it is said, will call for four specials at 35 per cent with the playing time to be worked out between the exchange manager and exhibitor. The second plan presumably would call for eight features on percentage to be divided into two groups of four, one group at 35 per cent and the second at 30 per cent with playing arrangements to be worked out. The third plan is reported to call for 12 percentage pictures to be divided into two groups of six, with 35 per cent for the first half dozen and 30 per cent for the last six, playing time to be negotiated.

For the 1934-35 season, Essaness could not buy from M-G-M unless the circuit agreed to 14 pictures on percentage. This, Edwin Levinson, president of Essaness, refused to accept. Whether Essaness will get together on 1935-36 is questionable because of the circuit's refusal to do business with Felix Feist during the current season. When Levinson was in New York recently, he talked to Feist, but got nowhere on a deal.

Plan a Nationwide School Film Study

Nationwide use of current pictures in teaching history, English, social science and other subjects in high schools is contemplated by the Department of Secondary Education of the National Education Ass'n., according to Ernest D. Lewis, head of this department.

Planned study guides of selected films have been made and are being sent to heads of 18,000 high schools and to private and parochial schools.

Guides have been issued for two years by the N. E. A., and the success of these has led to the extension of the movement. Previewing and advisory committees appointed by Lewis are expanding these. The first of the new guides covers "Les Miserables." "Call of the Wild," "Midsummer Night's Dreams," and "The Crusades" is to be included soon.

Lewis has expressed his appreciation to Will H. Hays for his cooperation.

The previewing and advisory committee includes Mary Allan Abbott, Walter Barnes, William F. Bauer, Philip W. L. Cox, Ellis Haworth, Max J. Berzberg, Rita Hochheimer, Frederick H. Law, Ernest D. Lewis, Paul B. Mann, Chester Mathewson, J. H. Morgart, Grace Fisher Ramsey, Marion C. Sheridan, James G. Sigman, Trentwell Mason White, George C. Wood and William Lewin.

Looking 'Em Over

"Our Little Girl"

(*Fox*)

PHILADELPHIA, May 12.—Shirley Temple's amazing talents seem to develop with each new picture. She is something more than cute in this one; she has scenes that some emotional actresses of mature years could envy. Whether she is a freak or a genius makes no difference; she has undoubtedly given another performance that means money to exhibitors.

The story concerns the wedded life of a young doctor whose interest in his medical experiments cause him to neglect a sensitive wife. Joel McCrea is the doctor and Rose Mary Ames is the wife. McCrea encourages her to develop recreation of her own and she takes up riding with Lyle Talbot. McCrea's nurse (Erin O'Brien-Moore) is in love with him, but he fails to reciprocate, although there is a tinge of jealousy in his wife's behavior.

They drift apart until the time arrives when she announces she is going away to get a divorce. McCrea is hurt. Shirley senses the break, but doesn't understand it. The emotional angles reach an acute stage when she tries to run away and is eventually found at a picnic spot where her father and mother had been in the habit of taking her. McCrea and Miss Ames are reunited when they find her there.

It's a commonplace story, but it works out so logically, with the child so dominating the scenes that it becomes gripping. The appeal is complete for both adults and children. It can be chalked up as another box-office natural.

Production Code Seal No. 834. Running time, 65 minutes. "G."

"Convention Girl"

(*First Division*)

Filmed against the background of Atlantic City and hinting at the naughty doings of conventioneers in that seaside resort, this picture goes wide of the entertainment mark at the hands of Director Luther Reed and misses with plenty to spare.

Rose Hobart, Herbert Rawlinson and Weldon Heyburn are convincing in their parts but more than their efforts were needed to make the film click. The photography by Nicholas Rogalli is only fair.

The yarn, adapted from a novel by George Boyle, has Miss Hobart the chief "supplier" of girls for conventionites. Heyburn is in love with her, but she resents his being a gambler. Rawlinson enters the picture when he enlists Miss Hobart's aid in reclaiming his sales manager, who is drinking himself under because of her lack of affection. Rawlinson then gives Miss Hobart a check to pay his manager's bills but it falls into the hands of her weak nephew, Toni Reed, who tries to blackmail Rawlinson. The complications thus arising are numerous but all ends well when Rawlinson gives Heyburn a job and thus paving the way for his wedding to Miss Hobart.

Others in the cast are the Ned Wayburn Dancing Girls, Isham Jones and his orchestra, Sally O'Neill, Shemp Howard and Nancy Kelly.

As the minor half of dual bills this film might be acceptable.

Production Code Seal No. 098. Running time, 60 minutes. "G."

GFTA Meets May 20-21

ATLANTA, May 12.—Ike Katz, president of GFTA Independent Theaters' Ass'n, which is an affiliate of Allied States, states the spring convention of his group will be held here May 20-21, with headquarters at the Robert Fulton Hotel.

Allied will be holding its national convention at the Piedmont at the same time.

Detroiters to Motor

DETROIT, May 12.—A motor caravan of 25 cars, carrying about 75 members of Allied of Michigan to the Allied convention, opening in Atlanta May 20, is planned by H. M. Richey, general manager of the local unit. Already nearly this number has been signed up for the trip. They will leave here Sunday, stopping the first night at Louisville and arriving in Atlanta the next evening.

Ohioans to Allied Meet

COLUMBUS, May 12.—The I. T. O. of Ohio is making plans to send a delegation to the annual meeting of Allied in Atlanta May 20-23. An appeal for a large representation has been made by P. J. Wood, secretary of the Ohio group.

Time Shift Irks Jackson

JACKSON, Miss., May 12.—Petitions asking a return to standard time for Jackson, which shoved its clocks ahead an hour on April 28, are being circulated through the business district.

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Anglo-Amer. Pacts Nearly Ready—Dixey

Details Set in Europe, Says Company Head

Establishment of production and distribution agreements between American organizations and Anglo-American Renters, Ltd., for exchange of product and interchange of players are being negotiated by the new international producing and distributing organization and may be consummated this week, Capt. A. C. N. Dixey, acting chairman of Anglo-American, who is here from London for the negotiations, said yesterday.

Anglo-American already has established its producing and distributing organizations in England and on the continent, Capt. Dixey said. From its Continental affiliates, French, German, Austrian and Italian, it will take the more successful productions to be remade in England for distribution there

(*Continued on page 6*)

Allied Predicting 800 at Convention

ATLANTA, May 13.—From advance registration those in charge of arrangements for the Allied convention at the Piedmont here May 20-23 predict an attendance of 800. Preparations are being made at the Fulton and other hotels to take care of the overflow. The GFTA Independent The-

(*Continued on page 6*)

Fox Convention Set; 260 Will Be Present

About 260 division, branch and foreign executives and salesmen will attend the three-day Fox convention at the Congress, Chicago, starting May 30. Home office executives and eastern sales forces will leave New York on May 29 and return June 2.

There will be 54 features announced, four of which will be George O'Brien westerns. Educational has not completed details of its shorts lineup, but will have it ready for announcement at the Windy City sessions.

Hess Wins $5,200; Harrison to Appeal

Gabriel L. Hess, M.P.P.D.A. attorney was awarded a verdict of $5,200 against P. S. Harrison, publisher of

(*Continued on page 6*)

Skourases Total Salaries $156,000 Under New Pact

Under the provisions of the 10-year joint operating contract to be signed with National Theatres Corp., Spyros and Charles Skouras will receive an annual combined salary of $156,000, equivalent to $1,500 a week for each of the brothers. The contract, retroactive to Jan. 1, 1935, is 65 pages long and is expected to be signed on the coast. Spyros is now in Los Angeles conferring with his brother on the new setup of the parent theatre company. Besides their salaries the brothers will get a graduated percentage of the profits of National after a $2 dividend is paid.

Accompanying Skouras to the coast was Edward Peskay, buyer for Skouras Theatres. En route west, Spyros picked up Elmer C. Rhoden, Fox Midwest operating head, in Kan-

(*Continued on page 6*)

Kalmus Busy On European Color Deals

Dr. Herbert T. Kalmus, head of Technicolor, plans to sail May 29 from New York on the *Bremen* to establish laboratories in London and Paris for use in film production, he revealed on arrival in New York yesterday from the coast. Present plans make no provisions for European plants outside those two centers.

Refusing to divulge the identity of the French interests obtaining rights to the Technicolor patents, he indicated Sir Adrian Baillie, Bombay producer representing British capital, has

(*Continued on page 2*)

Production Gains; 39 Features Going

HOLLYWOOD, May 13.—Production took a big leap back towards normal last week, particularly in the feature category, with the seven-day checkup showing 39 features and four shorts before the cameras as compared to 34 features and five shorts for the week preceding.

M-G-M took the lead in feature production with 10 shooting, two preparing and nine in the cutting room. Fox

(*Continued on page 2*)

Receiver Named for Three Reade Houses

Astor, Bijou & Morosco Corp., which owns the three theatres of the same names, has been put in receivership by Walter Reade, president, and Frank Storrs, vice-president. The first of the trio, which has been operated by Reade, has closed indefinitely.

William B. Drew and John J. Dietz have been named receivers. Shuberts continue to operate the Morosco and

(*Continued on page 2*)

Admission Tax Seems Doomed In Ohio Rush

COLUMBUS, May 13.—The Senate, which reconvenes for a brief period tomorrow after its extended "five minute recess," appears determined to stand pat on its previous edict of "no new taxes" during the current session, which officially ends with a sine die adjournment May 23.

The Ward income tax bill was referred to the Senate Taxation Committee while the upper branch was in skeleton session late last week. Members of that committee immediately reported that time would not permit

(*Continued on page 6*)

Milwaukee Dual Ban Move Goes on Rocks

MILWAUKEE, May 13.—The Independent Theatres Protective Ass'n. plan to eliminate dual bills in Milwaukee county hit a snag when H. J. Fitzgerald, general manager of Wisconsin Amusement Enterprises, Inc., refused to participate.

As a result, exhibitors plan another meeting for May 17 at the Hotel Plankinton here to review a substitute plan. The present plan called for an

(*Continued on page 2*)

Dietrich's Next Two Set to Go at Para.

HOLLYWOOD, May 13. — Marlene Dietrich has two more to make under her current Paramount contract. The first will be "The Pearl Necklace" with Gary Cooper as her running mate and with Frank Borzage directing. Work starts July 29.

The second will be "Imitation Happiness" with Lewis Milestone as director. This is slated to go into pro-

(*Continued on page 2*)

Circuits Get Call to Talk On Giveaways

Screeno, Bank Night and Other Violations Up

All major and independent circuits in Greater New York will be represented today at a hearing before the local grievance board to clean up Screeno, Bank Nights, two-for-ones and various other forms of reduced admissions.

The local board decided to call the meeting last week when Loew's brought up the Majestic and Bridge on charges of holding Lucky and bank night. Both defendants retaliated by declaring "Loew's hands were not clean" and that the major circuit should stop giving away pies and inviting children free into its theatres after joining a "David Copperfield" parade.

Chairman George F. Thompson also wants to attempt to eliminate amateur talent night. It was felt that although Loew's was involved in the complaint at hand, all circuits should be called in and warned about continuing code violations.

Republic to Handle Some Outside Film

KANSAS CITY, May 13.—Republic's plans for next season have broadened out, it was learned here yesterday from W. Ray Johnston, president, who said Republic distributors will not be permitted to handle competitive product but that they would be allowed to distribute non-competitive films such as shorts, which Republic will not

(*Continued on page 6*)

Dent's Trip Causes London Speculation

LONDON, May 13.—Arthur Dent's impending trip to New York where he is due to arrive Tuesday is creating speculation here along Wardour St. on account of the viewpoint, existing in several quarters, that several of the pictures he has taken with him are not qualified for American distribution.

Selznick Not Set On Future Dealings

David O. Selznick declared last night he would make no decision about his activities beyond August when his

(*Continued on page 2*)

MOTION PICTURE DAILY
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Editor
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Advertising Manager

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Production Gains; 39 Features Going

(*Continued from page* 1)

had seven, four and three; Warners, six, two and 10; Paramount, five, two and three; Universal, three, zero and zero; Radio, three, four and five; Columbia, one, two and four; Roach, one, zero and zero, with the independents registering three, eight and nine.

Short subject production remained about the same at all the studios. M-G-M had one shooting, three preparing and three in the cutting room. Roach had one, two and two; Radio, one, one and three; Universal, zero, one and one; Columbia, zero, zero and three. The independents registered one, five and four.

Receiver Named for Three Reade Houses

(*Continued from page* 1)

the Bijou is going along with its cartoon policy. Irving Saypol is attorney for the receivers. Although it was reported yesterday Reade may reopen the Astor, Saypol's office denied it.

Included in the property involved in the receivership is the Astor theatre building. Heavy taxes and poor business are given as reasons for the court move. In the last few weeks, Reade has been running revivals at the Astor. He was forced to pull "Little Miss Marker" after three days with a $600 gross. "Gay Divorcee" finished a nine-day run at $6,000.

Purely Personal

RUTH CHATTERTON, GILBERT MILLER, producer; PHIL REISMAN, foreign head for RKO; ROBERT SCHLESS, European manager for Warners; CARLO BAVETTA, Paris director for FOX, are on the *Ile de France* which arrives today.

•

BOB GILLHAM and ALEC MOSS have turned to the old billboard practice of merchandising MAE WEST in "Goin' to Town" at its current New York showing by plastering the town with 250 24-sheets and 5,000 one-sheets.

•

BRUCE GALLUP is trying to line up GRACE MOORE for the Ampa meeting on Thursday at the Edison. It he is successful the special meet for the distaff side of the membership is off. MISS MOORE gets in this morning.

•

JOSEPH M. SCHENCK forgetting the intricate details of the Fox Met situation by playing host to a group at the Jamaica racetrack Saturday afternoon.

•

BENN W. LEVY, English playwright and husband of CONSTANCE CUMMINGS, arrives on the *Ile* late this afternoon.

•

JAMES DUNN is on his way here from Hollywood, but Indianapolis is his first stop with the big race there the attraction.

•

MYRNA LOY sailed for Europe and the other phase of that vacation Saturday on the *Paris.* She'll be gone several weeks.

•

AL FRIEDLANDER was in Albany yesterday. NICHOLAS M. LUDINGTON is due in from the coast within the next few days.

•

CONGRESSMAN P. L. GASSAWAY will be one of the guests at the Variety Club, Philadelphia, tent meeting tomorrow.

•

HASKEL M. BLOCK of the Lyric and Station, Newark, N. J., is set on going to the Allied convention in Atlanta this week end.

•

RUDOLPH BERGER, M-G-M branch manager in Washington, was in town conferring with BILL SCULLY yesterday.

•

DAVID DAWSON, C.C.N.Y. student, latest winner in the FRED ALLEN radio contests, is at the Roxy this week.

•

KATHARINE HEPBURN and LELAND HEYWARD at Roosevelt Field Sunday flying around in the latter's new ship.

•

HARRY A. POST, vice-president of Celebrity Pictures, returned from the coast yesterday.

•

REG WILSON, not GEORGE W. WEEKS, is on tour of G. B.'s southern offices.

•

ARTHUR BRILANT is back from Baltimore, leaving DAVE RUBINOFF and his violin there.

Wall Street

Pathe "A" Gains On Big Board

	High	Low	Close	Net Change
Columbia vtc (c1)	51	49½	50¼	.....
Consolidated	4¼	4¼	4¼	— ⅛
Cons., pfd (1v)	16⅛	15⅞	15⅞	— ⅛
Eastman	143¼	140¼	142½	+1¾
Eastman, pfd	154	152	152	.....
Fox "A"	12⅜	12	12	— ½
Loew's	39¼	38⅞	39	— ¼
Paramount	3⅜	3¼	3¼	— ⅛
Pathe "A"	10¼	9⅝	10	+1
RKO	1⅝	1½	1⅝	.....
Warner	3⅝	3⅜	3½	+ ⅛
Warner, pfd	24¼	23¾	24¼	+ ½

Technicolor Slightly Off On Curb

	High	Low	Close	Net Change
Technicolor	21	19½	19½	—2¼
Trans-Lux (.10K)	2⅜	2¼	2¼	.....

General Theatre Bonds Up ½ Pt.

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11¾	11¼	11¾	+ ½
Keith B. F. 6s '46	76½	76½	76½	+ ¼
Loew's 6s '41 ww deb rights	104½	104½	104½	.....
Paramount B'way 5½s '51	57½	57¼	57¼	— ¼
Paramount F. L. 6s '47	87¼	87¼	87¼	— ¾
Paramount Publix 5½s '50	88⅝	88⅝	88⅝	—1⅜
Warner Bros. 6s '39 wd	63¾	62½	62½	—1

(*c*) *Plus stock extras.* (*K and v*) *Paid this year.*

(Quotations as at close of May 13)

Selznick Not Set On Future Dealings

(*Continued from page* 1)

M-G-M contract runs out on his current visit to New York. His uncompleted commitment with Metro calls for three more pictures.

Together with his brother, Myron, who has been here for about four weeks, David returns to Hollywood on Saturday or Sunday. And by train.

Coast Sees No Shift

HOLLYWOOD, May 13.—Impression afloat at the M-G-M studio is that David O. Selznick will continue with the company. An option on a seven-year contract was due to be exercised April 1, but the new ticket was delayed pending Selznick's final decision as to his future association.

Milwaukee Dual Ban Move Goes on Rocks

(*Continued from page* 1)

agreement to withdraw all double features by 90 per cent of the theatres in the county by June 2.

Under a plan adopted by the Milwaukee county members of the association, policy records of all houses will be filed with the association office and copies will be sent to exchanges who agree to discontinue pre-releases and alleged chiseling on release dates. Under this setup, which is hoped to include houses in the county not affiliated with the association, it is believed that exchanges will be able to arrive at proper availability.

F.D. Board Defers Action

A meeting of the board of First Division adjourned yesterday until Thursday to complete a discussion of new season plans and to elect officers to fill vacancies, neither subject having been completed at yesterday's session. The posts to be filled are those of treasurer and secretary.

Kalmus Busy On European Color Deals

(*Continued from page* 1)

connections with major British producers which will assure wide use of Technicolor facilities in England. Sir Adrian, with whom Kalmus conferred in Hollywood, is on board ship nearing England with details of the arrangement.

Technicolor will retain control of the foreign resources, Kalmus said, "to the extent of assuring world wide consistency of all factors considered fundamental, such as patents, quality and prices." His departure for Europe may be delayed beyond May 29.

English film companies have been desirous of making use of natural color, Kalmus continued, and are now ready for the Technicolor process after experimenting with other methods which, he said, were found not up to the standard set by perfected Technicolor. He asserted that while some progress in color films has been made in England, France and Germany, none of the processes developed abroad measure up to the proven process as exemplified in a number of films produced in America with Technicolor in the last year.

Kalmus anticipates that in the forthcoming season tints will extensively supplant black-and-white, following the trail blazing of Pioneer's "Becky Sharp," to be released through Radio.

"All studios are waiting to see that picture, the first feature-length film to be made with the three-compound color process," said Kalmus. "The process is now perfected, and the producers can go ahead with color with the assurance they are obtaining the best yet developed. Heretofore they have been averse to color because they have not been quite sure of its practicability in features.

"When a producer sinks a half million dollars into a film," he continued, "he wants to be sure first that he will get a print worth the investment.

"Everyone in Hollywood is seeking new production values, and color is an answer to their problem."

Dietrich's Next Two Set to Go at Para.

(*Continued from page* 1)

duction in October. Miss Dietrich, who has a controlling clause on vehicles in her contract, has accepted both stories and directors.

The above dispatch answers rumors current in New York yesterday, that the Dietrich-Paramount agreement had been canceled.

Wurtzel to Honolulu

HOLLYWOOD, May 13.—Sol Wurtzel is en route to Honolulu where the "Beauty's Daughter" company will shoot exteriors. In his party are Mrs. Wurtzel, his daughter, Lillian, Claire Trevor, and Allan Dwan, the director.

Spigelgass Quits "U"

HOLLYWOOD, May 13.—Leonard Spigelgass has resigned his Universal post and plans a New York trip before announcing a new affiliation.





We will stake our reputation as the producers of "Black Fury," "G-Men," and "Go Into Your Dance," on

BETTE DAVIS

IN

"THE GIRL FROM 10TH AVENUE"

Successfully yours,

WARNER BROS.







with Ian Hunter, Colin Clive, Alison Skipworth. Directed by Alfred E. Green. A First National Picture

EVERY CITY AWED

THE PRESS OF BOSTON, CHICAGO, AND WASHINGTON IN THUNDERCLAPS

FOUR ★★

NEW YORK DAILY NEWS . . . LIBERTY

"The most powerful picture released in New York this year, and one of the most heartrending screen plays ever made." —Kate Cameron, *N. Y. Daily News*

"A film of major greatness . . . honest, compelling, magnificently produced." —Howard Barnes, *N. Y. World-Telegram*

"One of the finest dramas of the year." —Andre Sennewald, *N. Y. Times*

"A powerful and daring melodrama . . . superior entertainment." —Bland Johaneson, *N. Y. Daily Mirror*

"One of the few films which must be seen." —Regina Crewe, *N. Y. American*

"A powerful and heart-breaking tragedy." —Eileen Creelman, *N. Y. Sun*

"One of Hollywood's finer screen achievements." —Rose Pelswick, *N. Y. Evening Journal*

"A truly magnificent film." —William Boehnel, *N. Y. World-Telegram*

"A vital, powerful picture." —Irene Thirer, *N. Y. Post*

"A courageous, stimulating, provocative, exhilarating, exciting, tragic, mystical, haunting, pulsating flight into the sublime." —E. de S. Melcher, *Washington Evening Star*

"Nothing can keep it from my ten best list." —Andrew R. Kelley, *Washington Times*

"An honest celluloid sensation . . . You must not miss it." —Mabelle Jennings, *Washington Herald*

"I certainly shall see it many times." —Nelson B. Bell, *Washington Post*

"Sweeps you along as before a raging torrent." —Dick Tenelly, *Washington Daily News*

(★★★★ FOUR STARS) . . . "One of the few genuine epics to come from Hollywood . . . a genuinely distinguished picture." —Doris Arden, *Chicago Daily Times*

"An excellent film . . . beautifully and artistically done . . . tense drama seldom found in a picture." —Carol Frink, *Chicago Herald and Examiner*

"It will plumb the depths of your heart." —Rob Reel, *Chicago American*

"Powerful . . . McLaglen will astonish you . . . acting splendid." —Mae Tinee, *Chicago Tribune*

"A great picture — greatly achieved and greatly executed. . . . It towers above the average movie like Gibraltar above the sea." —Ralph Holmes, *Detroit Evening Times*

"'The Informer' carries a punch . . . thrilling story." —Len G. Shaw, *Detroit Free Press*

BY ITS GREATNESS!

BALTIMORE JOINS WITH NEW YORK OF APPLAUSE FOR "THE INFORMER"

★ ★ STARS

MAGAZINE . . . CHICAGO DAILY TIMES

"It is one of the great films of this or any other season." — Helen Eager, *Boston Traveler*

"Here is the probable choice for the No. 1 picture of the year." — George Holland, *Boston Evening American*

"A history-making film . . . one is left spent and worn by the sheer beauty and perfection." — *Boston Globe*

"If there is any justice at all, 'The Informer' will be the best picture, not only of this but of many seasons." — E. L. H., *Boston Herald*

"The best dramatic offering of the season . . . bound to be near the top of 1935's best films." — *Boston Post*

"When the motion picture roll of honor for 1935 is written out, 'The Informer' will rank high on the list." — Gordon Hillman, *Boston Daily Record*

"I would place it among the five best pictures produced since the coming of sound." — Donald Kirkley, *Baltimore Sun*

"Awarded the blue ribbon with palms . . . should be among the strong contenders for the Motion Picture Academy's award this year." — Gilbert Kanour, *Baltimore Evening Sun*

The Informer

with

VICTOR McLAGLEN ★ HEATHER ANGEL
PRESTON FOSTER ★ MARGOT GRAHAME
WALLACE FORD ★ ★ ★ ★ UNA O'CONNOR

JOHN FORD PRODUCTION
From the story by Liam O'Flaherty
Cliff Reid, Associate Producer

RKO-RADIO PICTURE

Anglo-Amer. Pacts Nearly Ready—Dixey

(Continued from page 1)

and in America. In addition, the company will have the output of Reunion Films, Ltd., a British producing organization headed by Victor Creer, who becomes managing director of Anglo-American. For American release on the new season's schedule Anglo-American plans to deliver 12 pictures from its producing sources, the first to be a successful French comedy which will be remade in England in about two weeks under an American director, it was said.

The productions will be budgeted at from $150,000 to $250,000 each, Dixey said. A principal aim in pictures sent here and in those selected for distribution by Anglo-American abroad will be their propaganda value in increasing international good will, particularly between America and Britain, Dixie, who has been a member of Parliament for the past 15 years, said. He stated, however, that there was no governmental financing of Anglo-American which, he said, had ample capital mostly from business and banking sources outside the film industry. He added that the company would have identified with it prominent British business men. Dixey was one of the joint founders, with Alexander Korda, of London Films. He said that the company would avoid circuit expansion and would have only one show window, to be located in the West End of London.

Dixey denied that C. M. Woolf, who recently resigned as joint managing director of Gaumont British, would be associated with the new company, although he added that their relations with Woolf were "of the friendliest."

With him on the current trip are Peter Witt, foreign manager of the new company, and Gulio Nicholas, financial associate and acting chairman of Independent Producing Studios, Ltd., an associated company which finances independent producers in England. The latter company, Nicholas said, stands ready to finance independent American producers who are willing to produce in England.

Nelson Goodrow Buried

NEW ORLEANS, May 13.—Nelson Goodrow, 82, father of R. E. and F. F. Nelson of First Division and Goodrow Attractions, respectively, who died recently, was buried today.

Mrs. Acker Is Dead

HOLLYWOOD, May 13.—Mrs. Margaret Acker, mother of Jean Acker, died today of a heart attack. She was 64 years old.

Rites for Mrs. Somerby

BOSTON, May 13.—Mrs. Julia R. Somerby, 78, was buried here today. She was the mother of Al Somerby, president of Lothrop Theatre Co.

William Fraker Buried

HOLLYWOOD, May 13.—Funeral services for William Fraker, Columbia still department head, were held today at Wee Kirk of Heather.

Skourases Total Salaries $156,000 Under New Pact

Allied Predicting 800 at Convention

(Continued from page 1)

atres' Ass'n, an Allied unit, will meet jointly with the national organization.

Reservations are reported pouring in from all over the country. Exhibitors are heading here by every means of transportation, with motorized caravans particularly in evidence.

Business sessions are being whipped into shape by Sidney Samuelson, president of Allied, and Abram F. Myers, general counsel.

Already 20 concessionaires have shipped their machines and materials here for the merchandising exhibit to be held in the lobby of the Piedmont.

As a feature of the convention Bobby Jones will appear on the links of the East Lake Country Club on the morning of May 21 and will autograph low-score balls for the conventioneers.

Hess Wins $5,200; Harrison to Appeal

(Continued from page 1)

Harrison's Reports, by a jury on the conclusion of trial yesterday of the former's libel suit against the publisher. An appeal will be taken today, according to Jacob Schechter, counsel for Harrison.

The jury was instructed by state Supreme Court Judge Phillip McCook. The verdict represented $5,000 punitive damages and $200 financial damages, although no financial damages had been asked by the plaintiff.

In summing up for the jury, Louis Nizer, counsel for Hess, asked for punitive damages as a jury expression of its attitude toward what Nizer described as "irresponsible journalism." He contended that Harrison's erroneous publication of Hess's name as one of those indicted in a Canadian investigation of film trade practices, the basis of the libel action, was "malicious because 124 names were mentioned in the indictment and Harrison selected for publication the names of Hess, Will H. Hays, C. C. Pettijohn and Adolph Zukor, although they were not indicted. Harrison, Nizer recounted, then testified that all four were regarded by the publisher, personally, as "men of the highest standing and reputation."

Schechter told the jury that Harrison had committed an "innocent mistake" after having been misled by a story printed in a Canadian newspaper, and added that a complete retraction had been published by Harrison when the mistake was brought to his attention.

Judge McCook gave Harrison 24 hours in which to post bond and file an appeal. This will be done today, Schechter said, adding that he regarded the verdict as "too severe."

Mills Off for Coast

Irving Mills, president of Mills Artists, Inc., leaves for the coast today, but will return in time to keep a scheduled sailing for Europe on June 1.

(Continued from page 1)

sas City. Product talks are on tap at the coast meetings, which are expected to last three weeks. Rick Ricketson, Denver operating head, and other divisional executives, are attending the Los Angeles session.

George Skouras receives $1,000 a week under his 10-year arrangement with Fox Metropolitan, which shortly switches to Joseph M. Schenck. Sam Rinzler and Louis Frisch get a combined annual salary of $39,000 for operating Fox Met houses not supervised by Skouras under a similar term pact.

Spyros Skouras is executive vice-president of National and Charles is president of Fox West Coast Theatre Corp. While Charles will confine his activities to F.W.C., Spyros' supervision of National's subsidiaries includes Evergreen States Amusement Corp., Wisconsin Amusement Enterprises, Fox Columbia Corp., Associated Theatres, Fox Midcontinent and Fox Philadelphia Building Corp.

Carrier, Ferguson Are Beauty Judges

KANSAS CITY, May 13.—Eddie Carrier, in charge of M-G-M's traveling studio, and William R. Ferguson, exploitation head, added beauty judging to their accomplishments when they picked the "queen of the campus" at the University of Kansas at Lawrence. The "queen" and other beauties selected by Leo's representative will be so designated in the school annual, and the judges will receive proper credits. Stanley A. Schwahn, local Commonwealth circuit manager, and Claud Morris, M-G-M publicity man, were instrumental in obtaining appointment of the arbiters.

HOLLYWOOD, May 13.—William R. Ferguson, here to discuss M-G-M exploitation, leaves for New York tomorrow, with J. F. McLeod, M-G-M service supervisor, leaving later in the week.

Krieger Succeeding Miller as WB Booker

PHILADELPHIA, May 13. — Lester Krieger succeeds David Miller, head booker for the Stanley-Warner houses who resigned the other day.

Krieger was with the Warner theatre department in New York where he booked the western theatres then under supervision of Moe Silver and recently succeeded Harold J. Mirisch as Milwaukee zone manager when the latter resigned to enter business on his own as Standard Theatres.

Krieger is due here Thursday.

Variety Convention Set for Pittsburgh

PITTSBURGH, May 13.—The national convention of Variety Clubs will be held here Friday, Saturday and Sunday when at least 25 delegates from almost a score of cities are expected to put in an appearance. John H. Harris, one of the founders of the Variety Club, is the national president and will serve as host for the out-of-towners.

Admission Tax Seems Doomed In Ohio Rush

(Continued from page 1)

hearings on the measure before final recess Thursday. This means that the bill will die in committee.

A similar fate is said to await the House resolution adopted last week to restore the 10 per cent admission tax.

The bill for taxing billboards is due for consideration by the Senate tomorrow. It already has passed the House.

Republic to Handle Some Outside Film

(Continued from page 1)

make. This policy is contrary to the company's original announcement that all its exchanges would handle Republic pictures exclusively.

The entire country has now been closed for Republic distribution, Johnston also said, with the signing of Midwest Film Distributors for the local, Omaha and Des Moines territories. Johnston conferred all day with C. A. Schultz and Robert F. Withers of Midwest, Monogram franchise holders for the above territories, and closed the deal last night.

Johnston flew in yesterday morning from the coast where he has been lining up next season's pictures with Trem Carr, vice-president in charge of production, and is scheduled to arrive in New York Tuesday morning where he will decide, along with Edward Golden, general sales manager, on the dates of the three regional conventions to be held shortly in Salt Lake City, Cincinnati and New York.

U. S. to Use Screen In War on Criminals

The Department of Justice will use the screens of the nation's theatres in the drive on crime, it was learned yesterday. Film bearing photographs and descriptions of wanted men will be supplied to exhibitors. The idea is that some of the faces may be recognized by those in the audience.

Want "G" as 2nd Run

LOS ANGELES, May 13.—Local exhibitors are demanding "G-Men" be considered a second run due to Warners' price slash when the picture opened at Warners' Downtown after it had played the Hillstreet and Warners' Hollywood at 55 cents. The Warner exchange said it would be decided tomorrow what action to take.

Court Won't Review Sale

KANSAS CITY, May 13.—Federal Judge Albert L. Reeves today refused to review the sale of Fox Midland and Fox Rocky Mountain to National Theatres on petition of Lee H. Hamlin, creditor and General Theatres Equipment bondholder.

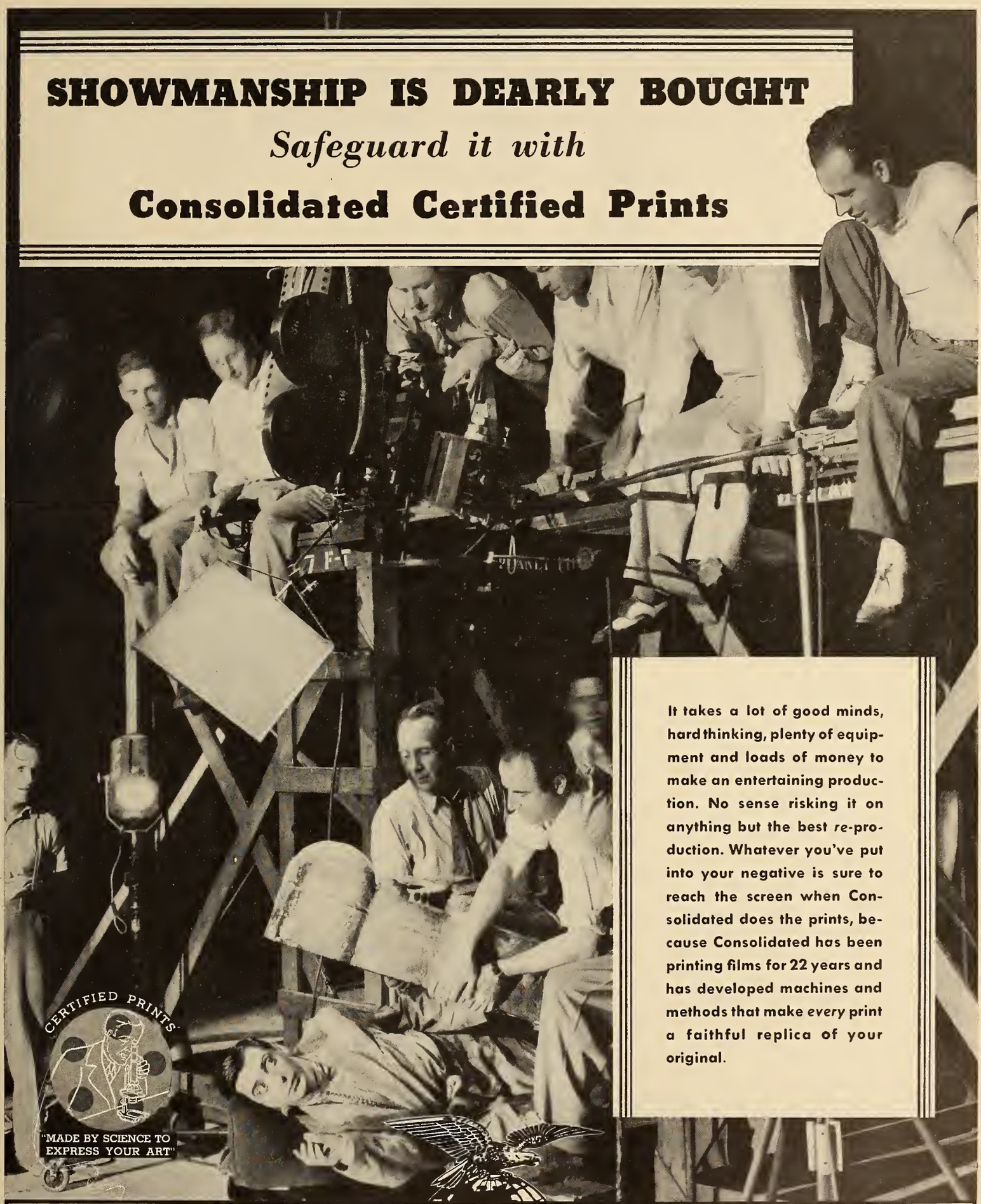
Garbo in "Camille"

HOLLYWOOD, May 13.—Greto Garbo's second for M-G-M next season probably will be "Camille." Her first is "Anna Karenina."

SHOWMANSHIP IS DEARLY BOUGHT

Safeguard it with

Consolidated Certified Prints



It takes a lot of good minds, hard thinking, plenty of equipment and loads of money to make an entertaining production. No sense risking it on anything but the best *re*-production. Whatever you've put into your negative is sure to reach the screen when Consolidated does the prints, because Consolidated has been printing films for 22 years and has developed machines and methods that make *every* print a faithful replica of your original.

CONSOLIDATED FILM INDUSTRIES, INC.

NEW YORK HOLLYWOOD

Fox Going to Bat in Campi-Leonia Action

Fox Film intends to fight injunction proceedings instituted by Peter and Adam Adams of the Park Lane, Palisades Park, N. J., against the company for servicing Leonia, Leonia, in accordance with a recent Campi clearance decision. Papers signed by Vice Chancellor Campbell of Paterson are returnable May 20.

The Fox legal department intends to engage a New Jersey attorney to represent the company. Julius Charnow has already engaged David T. Wilentz to represent the Leonia.

Last Monday, H. A. Toner, representing the Adams Brothers, withdrew his clearance and zoning complaint against the Leonia. At the time he indicated he would take court action because the local board could not give him relief within 48 hours. The Campi decision gave the Leonia the right to play seven days after Englewood and seven days ahead of Palisades Park, which previously had a week's protection over Charnow.

Some distributors hold that they will not abide by the code order and serve Park Lane according to contracted clearance. However, Fox, which is the first company to serve Charnow, maintains that the code supersedes contracts and that the Leonia is entitled to the company's pictures a week after Englewood.

Incidentally, Fox was threatened with a suit if it did not serve the Leonia in accordance with the code decision, so no matter which way the company decided to turn it had a suit on its hands.

Erpi Head Testifies In Anti-Trust Suit

WILMINGTON, May 13.—John E. Otterson, Erpi head, testified today in the trust suit brought by General Talking Pictures and Duovac Radio against his company, Western Electric and A. T. & T. Telling of the resistance of exhibitors in switching to sound for fear their business might be harmed, he said he completed negotiations on behalf of Western Electric with Walter J. Rich and Warners to develop the talkers.

Otterson said Harry Warner talked with Adolph Zukor regarding the purchase of Vitaphone by Paramount in an effort to develop talking films and get the whole industry behind the new development.

Another witness was George C. Cullinan, vice-president of the Graybar Electric Co., who said he was the first to interest the industry in Western Electric equipment for the commercial production of films. He was general sales manager of Western Electric in 1921-26.

Ince, Ross Join to Produce Series of 6

HOLLYWOOD, May 13.—Thomas H. Ince, Jr., and Nat Ross have formed a producing combine to make a series of six pictures, getting their story material from the library of the estate of the former's father. One star will be signed to appear in all six. No release will be negotiated until the first is finished. Ince will handle production, while Ross will supervise. The venture will not conflict with Ross's new contract with Universal. The company will have private financing.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Public Hero Number One"

(*M-G-M*)

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With unerring suspense it follows Chester Morris in a jail break, paralleling San Quentin's spectacular release, and thus gaining the confidence of Joseph Calleia, Purple Gang chief. Dillinger's face lifting, and his last stand in a Chicago theatre alley are tightly woven into the film, which sweeps along with sinister and melodramatic bounce.

Lionel Barrymore, outcast doctor of the gang; Paul Kelly, Federal chief; Jean Arthur, Calleia's sister, for whom Morris falls in tracking down her brother; Lewis Stone, prison warden and Morris carry the brunt of the story skillfully and convincingly. Calleia's first screen role as the merciless killer shines. Miss Arthur, in a romantic vise, gives warmth to a human performance. Both should be in demand.

J. Walter Ruben's direction has virility with a fine balance of action, comedy, plot and romance. Wells Root's screen play from Ruben's and his own story stresses entertainment. Lucien Hubbard produced distinctively.

As a highly effective gang yarn with dramatic twists, M-G-M's contribution to the "G Men" cycle looks like a clean hit.

Reviewed without production code seal. Running time, 80 minutes. "G."

Referee Gets Bank Action Against Fox

Hearing of testimony in the Chicago Title & Trust Co. action against William Fox over alleged defaults in guaranteed redemption of Roxy Theatre stock amounting to $1,000,000 was assigned to Sol M. Stroock, as referee, when the case was called for trial in N. Y. Supreme Court here yesterday. Testimony will be begun before the referee on Thursday.

Two-Thirds Finished

HOLLYWOOD, May 13.—Chesterfield has finished "The Girl Who Came Back" with Sydney Blackmer, Shirley Grey and Noel Madison. This week Invincible starts "Dinner Party" from Karen De Wolf's original. These two pictures mark completion of two-thirds of each company's current schedule.

To Enlarge in Brooklyn

Enlargements are to be made to the Williamsburg Playhouse on Broadway. The interior will be remodeled at the same time and a cooling system installed. The house is operated by the South 5th St. Amusement Corp.

Rialto Closes Tomorrow

The Rialto closes its doors tomorrow night to make way for the new theatre to be built on the 7th Ave. and Broadway site. Arthur L. Mayer will act as host to drink out the old theatre and toast in the new one.

Buy G. R. Machines

SAN FRANCISCO, May 13.—The T. and D., Jr. circuit will completely re-equip its theatres with ticket machines and has placed an order for 25 with General Register Corp.

Mary Pickford to Open

PORTLAND, May 13.—Mary Pickford's "Coquette" company will open at the Metropolitan for eight performances starting May 20.

Derr Desires Pathe; Company Rejects Bid

HOLLYWOOD, May 13.—"I certainly do want to buy Pathe," E. B. Derr, former production head of the company, said today in answer to a report that he had submitted a bid to Frank F. Kolbe, new president of Pathe.

"Assuming that Pathe would liquidate," Derr said, "I submitted my proposal to Kolbe, who refused it, asserting that Pathe was not liquidating."

Derr added that he believes Pathe has the background to enable it to be built into one of the biggest producing companies in the business.

Officials of Pathe here declined to comment yesterday on the E. B. Derr offer for the company other than to say the bid was being given no consideration.

No "Miserables" Boost

PITTSBURGH, May 13.—Although 20th Century is insisting upon higher scales for "Les Miserables" everywhere, the Penn is playing the picture at regular prices. They range from 25 cents at opening to 40 cents at night.

The producers acceded to the Penn's plea when the management insisted it would be bad business to raise the tariff just a week after a managerial agreement had been reached ending the four-months price war here.

N. O. Palace Damaged

NEW ORLEANS, May 13.—The Palace, vacant for years, was damaged early this morning by what is believed to have been an incendiary fire. Newspapers, unwound film and music scores were found strewn about the balcony. The damage is estimated at about $1,500.

John Dervin Married

BOSTON, May 13.—It was a secret. John Dervin, branch manager of United Artists, married Marjorie Sullivan on April 29.

Oregon Golfers Out In Force at Tourney

PORTLAND, May 13.—Nearly everybody of any account in distribution and exhibition as well as the accessory business turned out for the annual film golf tournament on the Portland Country Club links. The weather was perfect.

Prizes were plentiful—low scores, special events, putting, and other things. Stars as well as business men put up trophies.

In the special events division R. O. Wilson of Universal won the National Screen trophy for a drive of 263 yards. He won in this division last year, too. Jack Kloepper, United Artists, with 158, took the Vete Stewart low gross cup. He will have to win it twice to become permanent owner. Cleo Morelock took an RCA radio with low net, 138. In the nine-hole putting contest Jack Rosenberg, with 16, grabbed the J. J. Parker trophy. Mel Kellar of Warners dropped to within 15 inches of the pin and received the National Theatre Supply sweater.

In the various flights the winners were:

First flight—Jack Kloepper, Evergreen Theatre trophy; Jimmy O'Connell, runner up, Republic Pictures trophy.

Second flight—Jack Noble, Joe E. Brown trophy; runner up, R. O. Wilson, golf bag.

Third flight—Frank L. Newman, Sr., Francis Lederer trophy; runner up, B. A. Stoever, John Hamrick trophy.

Fourth flight—Jack Rosenberg, Richard Dix trophy; runner up, Hugh McCredie, a half dozen golf balls.

Fifth flight—Ted Gamble, Bing Crosby trophy; runner up, Frank L. Newman, Jr., a sweater.

Sixth flight—Ralph Amacher, Erpi trophy; runner up, Wesley Johnson, a sweater.

Seventh flight—Ed Newmann, Ginger Rogers trophy; runner up, Carl Porter and "Dude" Smith. The former won with the toss of a coin.

Eighth flight—Sam McFadden, Claudette Colbert trophy; runner up, Sam Whiteside.

Ninth flight—Neal Walton, a bunch of golf balls.

Tenth flight—Mel Kellar, Fred Astaire trophy; runner up, M. Mattacheck.

Eleventh flight—Foster Blake, Bert Wheeler trophy.

Best dub—Ike Geller.

Ted Gamble was master of ceremonies and L. Jackson McGinley made a hit with a speech on "How I Broke Into the Film Business."

Open NVA Ticket Office

A special ticket office has been opened at the northwest corner of 7th Ave. and 43rd St. for the sale of reserved seat tickets and boxes to the Actors' Charity Jubilee to be staged jointly by the N. V. A. and the Masonic Clubs of New York State at Madison Square Garden Saturday. Al Jolson, Jack Dempsey, Sophie Tucker, and George Jessel sell tickets today. Other stars will volunteer during the rest of the week.

Flash Reviews

Nitwits—Where they're not too particular and Wheeler-Woolsey wangle them in, this should wow 'em. . . .

Paradise Canyon—Where westerns are liked this film should do particularly well. . . .

These films will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Colbert in Col. Picture

HOLLYWOOD, May 13.—Claudette Colbert will appear in "She Married Her Boss" for Columbia at the direction of Gregory La Cava. Production starts in June.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 114 NEW YORK, WEDNESDAY, MAY 15, 1935 TEN CENTS

Reade Urges Rental Shift To End Gifts

Says Indies Need Plan Used for Circuits

Advocating a national allocation of film rentals for independents along the same lines major circuits buy, Walter Reade, local operator, yesterday told the New York grievance board that the only way exhibitors could make money without resorting to giveaways was by the adoption of such a sales policy by distributors.

Reade's suggestion was that independents pay a certain percentage of the gross, plus overages after a certain figure is reached, which would enable them to make a profit after paying expenses of the theatres. He added that exhibitors today are oversold because of their contractual obligations and cannot survive unless the

(*Continued on page 12*)

Dent Here with 12 For American Sale

Armed with a dozen British International Pictures he intends to market here, Arthur Dent, vice-president and general manager of the company, arrived on the *Ile de France* for a month's visit. During his stay he will decide on the company's policy in America, he said.

Among the films he brought over are "Abdul the Damned," with Nils Asther; "Mimi," with Gertrude Lawrence and Douglas Fairbanks, Jr.;

(*Continued on page 4*)

Warner British List To Get World Sales

LONDON, May 14.—Warner's British productions will be made with world distribution in view, declared Jack L. Warner today. He added he regarded the Teddington studio which his company is using as an extension of the parent company's plant at Burbank.

Local 306 Autonomy Demand Is Reported

Demands for a return of local autonomy for Local 306, I.A.T.S.E., which has been headed by Harland Holmden, a vice-president of the International, since the Harry Sherman regime as head of the local were reported to have been made yesterday

(*Continued on page 24*)

Pennsylvania Has New Open Sunday Plan

Compromise Bill Acted On in the House

HARRISBURG, May 14.—Springing a surprise at 1 o'clock this morning, just before adjournment for the day, the House Law and Order Committee reported out a Sunday opening bill. It is a compromise on various measures introduced earlier. A battle is predicted.

The new measure is sponsored by Assemblymen Louis Schwartz and Charles Melchoirre of Philadelphia and Thomas W. Barber of Erie. It contains a local option provision requiring a vote by cities, boroughs and townships at the November election, on whether or not openings shall be permitted after 2 o'clock. Wherever

(*Continued on page 21*)

Graetz May Not Go To Coast on Deals

Paul Graetz, personal representative for Toeplitz, may not go to the coast to consummate negotiations for a reciprocal producing-distributing deal. He is holding conferences here with Universal home office executives on a deal whereby Toeplitz will make two pictures on the coast and two in London with American writers and players.

If a deal is closed here, he will return to England without going west.

Restraint Aimed at Order in Des Moines

DES MOINES, May 14. — Another Federal court move to halt a film stoppage order issued by a grievance board has been started here. Don Thornburg has secured a temporary stay from Judge Charles A. Dewey.

The case grew out of a bank night complaint. Thornburg refused to comply with a stop order aimed at his house at Marshalltown, Ia. The stay applies to Midwest Film Distributors. A hearing has been set for May 17.

Southern California Bank Nights Spread

LOS ANGELES, May 14.—Bank nights are spreading rapidly in this territory pending a Federal court decision on whether the grievance board can enforce its rulings against them by film stoppage orders.

Local exhibitors are signing bank night contracts at the rate of one a

(*Continued on page 12*)

Another Amateur

It gets 'em, this amateur business—even the district managers.

Up New Haven way they're telling that C. G. Barrett, Warner district manager, watched an amateur show in one of his houses and decided the talent was terrible. He made a bet he could do better. In an old suit, his hair parted in the middle and his hat over one eye he tried to sing "Isle of Capri."

The manager didn't know Barrett, and when the booing got too loud, the story goes, asked him to quit.

Seals Given 85 Features In 2 Months

HOLLYWOOD, May 14.—The Hollywood office of the Production Code Administration issued certificates of approval on 85 features and 46 shorts during the two-month period dating from Mar. 8 to May 8. The total of pictures approved since the establishment of the certificate system now numbers 427 features and 359 shorts. The code went into effect July 15.

The titles and releasing companies

(*Continued on page 9*)

Report Viscount Lee Will Leave Gaumont

LONDON, May 14.—Viscount Lee of Fareham, vice-president of Gaumont British, is reported about to resign his post.

The rumor, a strong one, follows closely on the resignation last week of C. M. Woolf, joint managing director, to enter business on his own.

Midland Settles in Full with Hamlin

KANSAS CITY, May 14.—The sale of Fox Midland and Fox Rocky Mountain to National Theatres was confirmed in Federal court here today after the purchasers made a record

(*Continued on page 9*)

Senate O. K.'s Move To Hold NRA a Year

WASHINGTON, May 14.—Without a record vote the Senate today approved the Clark resolution continuing the Industrial Recovery Act until April

(*Continued on page 24*)

Move Anew to Settle Booth Costs in N. Y.

Farnsworth Has a Plan For Hearing June 4

By CLARENCE LINZ

WASHINGTON, May 14.—Efforts to solve the problem of wages for New York operators were resumed today with the calling by Deputy Administrator William P. Farnsworth of another hearing to be held at the Washington Hotel, June 4.

At that meeting a new plan, based on capacity, run and admission, will be presented, embodying, it was said, some of the best features of the three plans discussed at the hearing Jan. 18, known, respectively, as the Brandt, O'Reilly and Local 306 proposals.

The new proposal divides runs into two groups, with the houses having first, second, third or fourth borough runs being known as Class A, with

(*Continued on page 12*)

Many Expected for Ascap Case June 10

Numerous exhibitors are expected to figure as witnesses for the government in the trial of the Federal action against the American Society of Composers, Authors & Publishers, which will start in Federal court here on June 10.

In granting the government's motion giving the suit a preference on the court calendar, thus making possible

(*Continued on page 4*)

K-A-O Officers All Stay; Peace Reigns

All officers of Keith-Albee-Orpheum Corp. were reelected yesterday at a regular meeting of the board of the company, further confirming the era of tranquility begun last September with the election of Herbert Bayard Swope to the chairmanship of the board.

The reelected officers are: Leslie E. Thompson, president; I. E. Lambert,

(*Continued on page 4*)

Laemmle Reelected As Universal Head

Officers of Universal Pictures Co., Inc., headed by Carl Laemmle, were re-elected at a meeting of stockholders yesterday with three changes.

R. H. Cochrane was again named

(*Continued on page 24*)

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Comerford Still Gaining

WASHINGTON, May 14.—M. E. Comerford continues to show improvement, according to Dr. Walter A. Bloedorn, attending physician.

Although still at Emergency Hospital, Comerford daily gains in strength for his strolls through the solarium. Progress is such that the doctor states that he may be discharged "shortly."

Monty Semon Passes

PORTSMOUTH, O., May 14.—Monty Semon, manager of Warners' theatre here, died Sunday at a hospital. He is survived by his widow and two sons, Jake Wells and Monty, Jr., and a daughter, Virginia.

Semon managed the Forsyth at Atlanta for 12 years.

Clarence Gelldert Dead

HOLLYWOOD, May 14.—Clarence Gelldert, veteran actor, died here yesterday following a heart attack. Gelldert, who was 57, formerly acted and directed silent films and recently has been devoting most of his time to writing.

May Drop Orchestra

The Paramount has served tentative notice of dismissal on its orchestra. The theatre is believed heading toward an all-sound policy.

Quigley Sails Today

LONDON, May 14.—Martin and Mrs. Quigley sail for New York Wednesday on the *Majestic.*

Insiders' Outlook

By RED KANN

MERRILY does the wrangle go forward. RKO's decision, based on its disapproval of the type of advertising which, by this time, has become identified with the Music Hall, to plug "The Informer" along lines which cling more closely to the accepted type of theatre copy, has launched dissertations and some argument in wholesale lots around the town. Did the $8,000 (approximate) spent help or hurt the picture? Would adherence to the Music Hall idea of white space, type and illustration refinements, have turned the trick? . . .

▼

The answer, to this manner of thinking, is supplied by another query which, for lack of anything better might just as well be "Who knows?" A fact in the situation, not disputable, is that "The Informer" will finish tonight with an unsatisfactory gross on its seven-day run. Any effort, however, to fasten the lack of results on RKO's bold, black and noisy ad campaign seem to us to be stretching it a bit far. Milling around on the inside is the report the theatre did not want to play the picture, holding it ran afoul of the family type attraction which the Music Hall has been running on its screen; that RKO, reasons unknown, was in a position to force acceptance and playdate as well. . . .

▼

The career of the film over at Rockefeller Center is strangely disappointing. Heralded by unanimous reviews such as too few pictures are accorded, the public response, which is another way of talking about the dollars-and-cents response has fallen considerably below that which the attraction, on its own merits, rates. For, while there may be those who agree or not with the mood and tempo of the advertising behind it, there can be no disagreement on the inherent values in the picture itself. . . .

▼

"The Informer," dealing with an episode in the Black and Tan Rebellion in harassed Ireland back in '22, is one of the most powerful dramas ever to emerge from the Hollywood picture factories. It tells the story of a slow-witted, lumbering Irishman who turns Judas and by informing the authorities of the whereabouts of his friend collects £20 as a reward. His distintegration in the twelve hours that elapse between his fight with his conscience and his death at the hands of a member of the revolutionary party is a magnificent piece of acting and directing. . . .

▼

Victor McLaglen plays the part of the informer. John Ford, the man who made the memorable "Lost Patrol" in which McLaglen sank a memorable claim stake in the art of histrionics, directed. All the orchids collectible by Winchell are his for the job he turned in. There are other performances of high merit, restraint, and humor by Una O'Connor, Heather Angel, Wallace Ford, J. M. Kerrigan and Donald Meek to furnish their bit in making of the whole a picture of which Radio and the industry may well be proud. . . .

Britishers to Aid Show

English stage performers headed by Ray Noble will represent the Variety Artists' Federation of Great Britain at the benefit in Madison Square Garden Saturday night under the auspices of the N. V. A. and the Masonic Clubs of New York state. An impromptu revival of "A Night in an English Music Hall" will be their contribution to the program.

Charter Three Firms

ALBANY, May 14.—Three new firms chartered here are: Island Amusement Corp., Bronx, by Carl F. Michelfelder, Abraham M. Sapir and David Samuelsohn; Gloria-Patricia Amusement Corp., Brooklyn, by Simon Gurton, Emil Klein and Harry P. Albert; Coney Island M. P. Corp. by Sidney Kotkin, Louis Goldberg and Jacob Weisman.

Essaness Buys Machines

CHICAGO, May 14.—The Essaness Theatres Corp. has just placed an order for 21 ticket machines with General Register Corp.

Rowland Plans Musical

William Rowland will start production in the east on July 8 on a new musical, "Romance Unlimited," by Herbert Fields, author of "Fifty Million Frenchmen." The musical score is by Edward Heyman and Dana Suese. The cast will include Sidney Fox, Abe Lyman and his Californians, Jack Dempsey, James Wallington. NBC announcer; Bob Hope, featured comedian in "Roberta"; Helen Lynd, Joey Ray, Alexander Gray, and Mary Small, radio singer.

Release arrangements are now being made.

"G-Men" Gets a Third

"G-Men" will start a third week at the Strand today, with a fourth a possibility, according to Warners. "Oil for the Lamps of China" will follow it in.

Warners Hold William

HOLLYWOOD, May 14.—Warren William has been signed to a new long term contract by Warners as a result of his work in "Not On Your Life."

Consolidated Keeps Manager Bonus Plan

Following success of the system during a six-week drive, Laurence Bolognino, head of Consolidated Amusements, has permanently adopted a bonus plan for managers of 17 theatres in the circuit.

According to the plan, now in effect, managers get a percentage of their salaries against increased grosses. The normal gross of each house is established by figuring overhead, interest on profits and other charges. The percentage in the bonus plan is approximately two.

As a result of the plan, managers drawing $50 a week in a theatre whose normal income is $3,000 a week get $8 if the house hits $3,400.

In addition to the routine advertising budget, a floating budget is allowed to the extent of $50, which managers can spend as they see fit after campaigns are submitted and passed upon by the home office. Immediate decisions are given. A monthly $10 prize is also awarded for the manager who spends the advertising allowance to the best advantage, and at the same time shows a saving in the budget.

Normal grosses are revised with the seasons. A summer gross schedule is now being set up. In addition to the bonus plan, a point drive for savings in operation during the warm months is being put into effect. For each $1 saved, the manager is given a point at the end of the week. For each point he gets a percentage of the savings.

Strictly Business, Gallup's Ampa Aim

Bruce Gallup intends to set himself up as a "czar" of the Ampa, devoting his time to the development of talent within the organization and industry.

Gallup is not interested in open meetings for the purpose of putting on a show. He wants the members to get down to business and do something constructive both for the men in the association and the industry in general.

The Columbia advertising head doesn't want cliques, "soft soapers" and "yes men" around him. He wants hard workers who will put the Ampa over on a constructive basis next year. Ballyhooing stars for the benefit of outsiders and providing members with entertainment is out. It's to be a business organization and Gallup will hand out the orders, he says.

Van Beuren to Hold Four of Its Series

Van Beuren Corp. is definitely set to include "Dumb Bell Letters," "Vagabond Adventures," "Ace High Pictures" and the "Rainbow Parade Color Cartoon" series in the 1935-36 program. Other series are under consideration.

Johnston in from Coast

W. Ray Johnston, president of Republic Pictures, has returned from the coast and Kansas City and it is expected he will shortly announce the dates of the three regional sales conventions scheduled for Salt Lake City, Cincinnati and here. At present he is clearing up routine office matters and will confer with Edward Golden in a day or so on the times of the sales meets.

WITH LOVE AND KISSES!



MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Public Hero Number One"

(*M-G-M*)

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Lionel Barrymore, outcast doctor of the gang; Paul Kelly, Federal chief; Jean Arthur, Calleia's sister, for whom Morris falls in tracking down her brother; Lewis Stone, prison warden and Morris carry the brunt of the story skillfully and convincingly. Calleia's first screen role as the merciless killer shines. Miss Arthur, in a romantic vise, gives warmth to a human performance. Both should be in demand.

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As a highly effective gang yarn with dramatic twists, M-G-M's contribution to the "G Men" cycle looks like a clean hit.

Enlarge it for your lobby and let the folks know the good news!

Dent Here with 12 For American Sale

(*Continued from page* 1)

"The Conqueror," with Mathewson Lang; "April Blossoms," with Richard Tauber; "Red Wagon," with Charles Bickford, Greta Nissen and Raquel Torres; "Dance Band," with Buddy Rogers.

Dent plans to rent a Broadway house for invitation showings of the pictures. He will take a theatre on a week's lease and exhibit a different picture every night of the week. The company's sales policy will be decided by the reception the pictures are given, he asserted.

B.I.P. will make 25 films a year, 15 of which should be suitable for the American market, Dent stated. As a result of the recent merger between B.I.P. and Associated British Cinemas, the company now has 240 theatres. Ten of the houses were acquired three months ago. Influenced by this big circuit, one of the largest in England, Dent said the company has decided to drop $100,000 productions for films which will cost from $250,000 to $400,000. On March 31 last, he said, the company paid a four per cent interim dividend. This dividend is a first dividend before the annual six per cent is paid.

John Maxwell, chairman of the board, plans to leave for New York in 10 days. Dent would not explain the purpose of Maxwell's trip other than that the top line executive wanted to visit this country.

Reisman Reports Improvement

Phil Reisman, foreign sales head for RKO Radio, declared business in England, France, Belgium, Italy and Spain was very good. He said he made no changes while abroad and that the two-month tour was "routine." He expects to have from six to eight foreign representatives attend the company's annual sales meeting in Chicago June 17-19. Reisman added there were no plans for RKO production abroad.

Robert Schless, continental general manager for Warners, arrived on his first trip in seven and a half years. He brought his family along for a vacation before he goes to the coast to attend the company's sales conclave on the coast June 9-13. He did not care to discuss conditions abroad, holding that he was on a vacation and wanted to forget business for a while.

Benn W. Levy, playwright and author, was a passenger on the same boat. He is en route to the Paramount studios to work on an adaptation for Ernst Lubitsch. Levy said he closed the one-picture deal by cable and did not know the title of the film. He is working on a play, untitled and unfinished, which he plans to complete on his return to England after he finishes his Paramount contract. He leaves for the coast in a few days.

Ruht Chatterton said she will make "Feather in Her Hat" and "Modern Lady" for Columbia on a two-picture deal. She said there is no option in the pact and her plans after the duo are uncertain.

W. C. Fields Directing

HOLLYWOOD, May 14.—Because of the illness of Sam Hardy, W. C. Fields has taken over the direction of his next for Paramount, "Everything Happens At Once."

Purely Personal

WILLARD McKAY, RALPH ROLAN, MEYER SCHINE, "BEE" LILLIE, HEBERT J. YATES, AL LICHTMAN, HAL HORNE, PAUL BURGER and CHARLIE (Hecht) MACARTHUR among those at "21" yesterday Ballantyne-ing and Mt. Vernon-ing.

•

ARNOLD VAN LEER has a prize letter of acknowledgment from CONGRESSMAN GASSAWAY as a result of the latter's appearance at the last M. P. Club Forum.

•

TULLIO CARMINATI gets into town from the coast tomorrow. He came by way of New Orleans after finishing work in Paramount's "Paris in Spring."

Quip of the Day

Columbus, O.—Robert Brown, local exhibitor just back from a trip to the west coast, was asked by a friend:

"How did you find the weather in California?"

"Merely walked out of the hotel, and there it was," Brown snapped back.

HY GOLDSTEIN it is who does a radio chatter program over Station WNEW each Friday night. This space recently reported the outlet was WMCA.

•

LEON SIRITZKY, who owns a flock of theatres in Paris, arrived on the *Ile de France* yesterday. BORIS MORROS met him at the pier.

•

GENE RAYMOND, now in New York, has been offered a role in "Manhattan Madness" by M-G-M and may leave for the coast any day now.

•

JACQUES KOERPEL, president of Edco Overseas Corp., will leave in about two weeks for a trip that will take him around the world.

•

HERB BERG interrupted his vacation sufficiently yesterday to give the "Mickey Mouse Magazine" its bow in the trade.

•

RUDDY VALLEE and his band will be at the Roxy for a week starting Friday.

•

MARIA GAMBARELLI and NINO MARTINI have left for the coast to report to Fox.

•

The ROBERT EDMOND JONESES were hosts at a cocktail party for newspaper folks yesterday.

•

JULIUS JOELSON, Connecticut exhibitor, was in town yesterday on a code appeal.

•

CHARLES AHEARN and His Millionaires have been signed for a Vitaphone two-reeler.

•

ED HATRICK says he's going to stick around for several months before trekking to the coast again.

•

HAL HORNE goes to the coast again shortly to look over new product.

•

HOWARD DIETZ gets in today from the coast by plane, weather permitting.

BEN LYONS, BEBE DANIELS and SKEETS GALLAGHER arrive back here shortly from Chicago where their show has been playing. They'll head back coastward after a short rest here at the Lombardy.

•

HOWARD, FINE AND HOWARD, otherwise known as The Three Stooges, have left the coast by motor for a vacation here. They're stopping off at Chicago and Detroit on the way for personal appearances, however.

•

HOBART CAVANAUGH has been loaned by Warners to HERMAN SHUMLIN for "Sweet Mystery of Life," which the latter will produce on Broadway this fall.

•

JACK STONE, well known in the theatre supply field, has been named special representative for Amiglaze Corp.

•

O. W. JACKSON, president of O. W. Jackson & Co., rubber mat specialists, is opening a showroom and new headquarters at 235 5th Ave.

•

JOHN S. COHEN, former picture critic of the *Sun*, is mourning the loss of his father, Major JOHN S. COHEN, editor of the *Atlanta Journal*.

•

JIM FINNEY, formerly in the RKO theatre department with FRED MEYERS, is now an assistant to JULES LEVY, general sales head of RKO Radio.

•

JOE VERGESSLICH is back from Miami. He left his wife in the south to recuperate from a recent illness.

•

HENRY RANDEL was grounded at Amarillo, Tex., on his return trip from the coast.

•

Jimmy Savo and "Parade," latest Guild show, open at the Guild Theatre Monday.

•

A. C. BLUMENTHAL and FAY WRAY in adjacent seats at "Accent On Youth."

•

MIRIAM HOPKINS among the early morning players on the Sutton Place tennis courts daily.

•

PAT DIXON, writing from London, reports things are fairly active and prosperity on the way in.

•

HERMAN FOWLER, independent producer, is in town from Hollywood.

•

JOE WEINBERG has taken over the Cameo, Yonkers.

•

OWEN DAVIS, JR., is on the *Manhattan* which is due Thursday.

•

JOAN BENNETT has gone back to the coast after a short vacation here.

•

. . . *Pittsburgh*

ART LEVY, Columbia manager, was honored with a dinner by a few friends on his 40th birthday. One of the inevitable gifts was Prof. Pitkin's book.

GEORGE JAFFE and his brother, MILTON, are backing the run of "Sailor, Beware" at the Pitt.

Many Expected for Ascap Case June 10

(*Continued from page* 1)

the early trial, Federal Judge John C. Knox declared that "whatever the degree of importance of the action, the fact is that the issues involved concern hundreds, if not thousands, of theatres, restaurants, hotels, broadcasting stations and others. Hence, from this standpoint the government's view of the importance of the suit is not without merit."

Judge Knox denied Ascap's motion for leave to take the depositions of defense witnesses in various parts of the country, holding that if Ascap is unable to procure witnesses who can appear at the trial it has other recourses under the law.

The government's suit attacks Ascap as a monopoly and seeks to have its rate fixing methods declared illegal.

K-A-O Officers All Stay; Peace Reigns

(*Continued from page* 1)

vice-president and general counsel; Leon Goldberg, vice-president and treasurer; A. E. Reoch, vice-president in charge of real estate; Nate Blumberg, vice-president in charge of theatre operations, and O. R. MacMahon, comptroller.

Yesterday's K-A-O board meeting also gave its endorsement to the tentative agreement by which K-A-O will have a 10 per cent participation in the Joseph M. Schenck plan of reorganization for Fox Metropolitan Playhouses. Formal ratification of this agreement will be asked of the board on the consummation of the Schenck plan within the next month.

Pittsburgh Expects 32 at Variety Meet

PITTSBURGH, May 14.—At least 32 delegates are expected to attend the national convention of Variety Clubs this week-end. So far acceptances have been received from Arthur Cole and R. R. Biechele, Kansas City; Sam D. Schwartz and Herbert Elliott, Philadelphia; Jack Flynn and Ed Kirchner, Detroit; George Fisher and Charles Trampe, Milwaukee; F. D. Drew and M. D. Horwitz, Cleveland; M. R. Clark and Max Stern, Columbus; Louis J. Rowe, Washington, and Ted O'Shea, Buffalo.

Definite replies have not been received from the other tents, although each of the 16 is expected to send along at least one and in most cases two representatives.

A program arranged for their entertainment will include a stage banquet and a box party for the Saturday afternoon baseball game at Forbes Field between the Pittsburgh Pirates and the Brooklyn Dodgers.

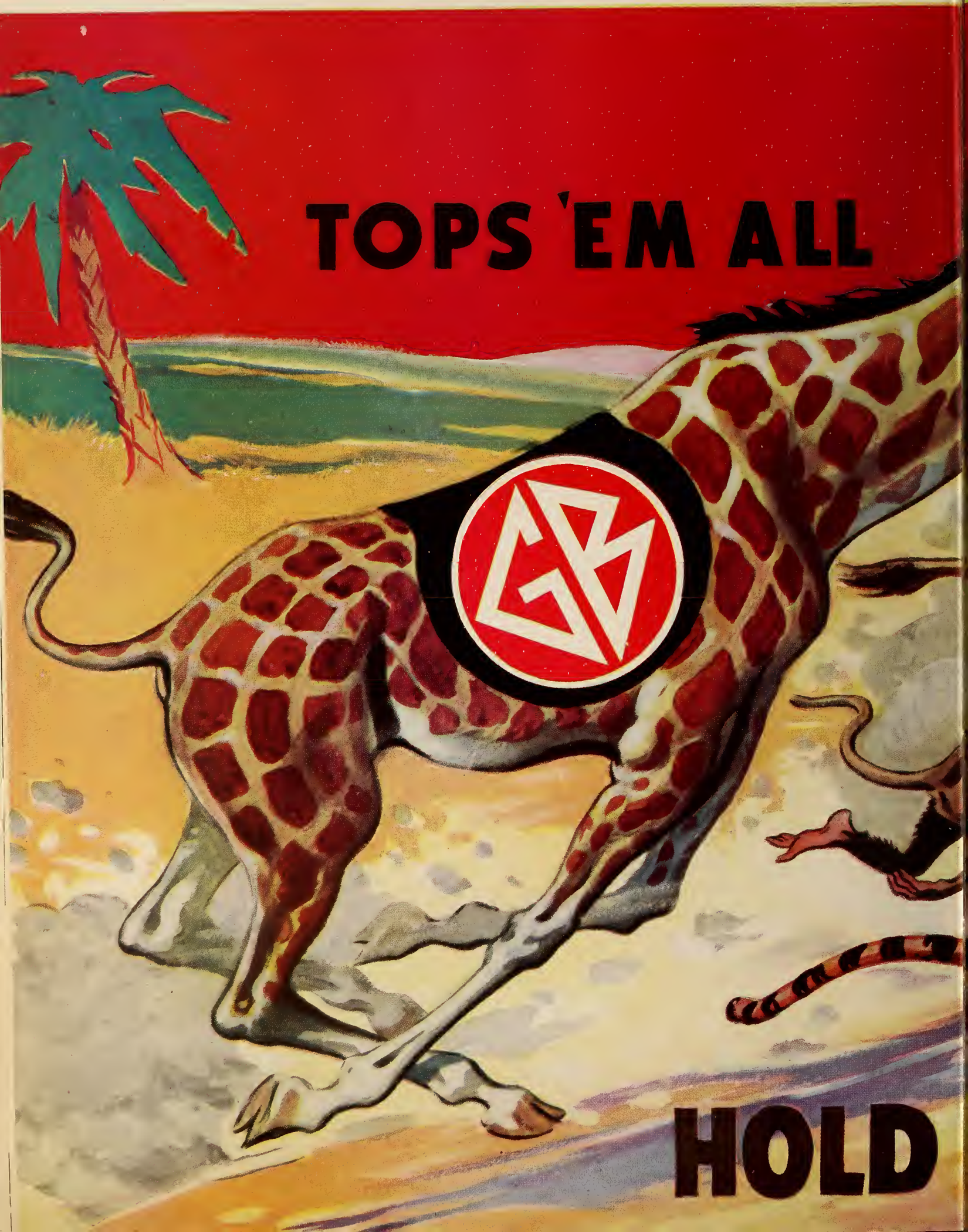
Varied Talent for Phila. Lunch

PHILADELPHIA, May 14.—Jack Beresin and Walt Woodward claim a record talent lineup for the weekly Variety Club luncheon at the Bellevue-Stratford today.

If it all works out as planned, the guests will be: Jack Dempsey, Hal Horne, Charles O'Reilly, Congressman Percy L. Gassaway, Compliance Director Sol Rosenblatt, Tommy Loughran, John Flinn and two surprises.



HOLD YOUR HORSES *for*


TOPS 'EM ALL
HOLD



YOUR BOOKINGS *for*


HOLD
YOUR DATES
Our convention opens in two weeks. Our set-up is all set. The swellest in the industry. 16 Star Spangled Specials. 16 Box-office Sweethearts. Hand picked from 52. What a sweet 16.
Titles. Stars. Stories. Casts. All definitely set. No rainbows. No blue skies. No golden promises. Solid, substantial, dependable facts.
Hold your bookings. Our salesmen will call soon. With the definite news. Of our 16 Star Spangled Specials.
GB
TOPS 'EM ALL
PHYSICAL DISTRIBUTION · FOX EXCHANGES
CANADA, REGAL FILMS, LTD.

Seals Given 85 Features In 2 Months

(Continued from page 1)

of the films passed during the last two months are:

Ajax
(Features)
"The Roaring Road."

Celebrity
(Shorts)
"Old Mother Hubbard," "Mary's Little Lamb."

Columbia
(Features)
"Hot News," "Eight Bells," "Swell Head," "Cruz Diablo" (Spanish), "Party Wire," "Fighting Shadows," "Justice on the Range," "Air Hawks," "The Awakening of Jim Burke."

(Shorts)
Screen Snapshots No. 8 and No. 9, "Laughing with John P. Medbury in the Old Days," "Old Sawbones," "Uncivil Warriors," "Scrappy's Ghost Story," "Puppet Murder Case," "Little Rover."

First Division
(Features)
"Rainbow's End."

Fox
(Features)
"$10 Raise," "George White's 1935 Scandals," "Dante's Inferno," "It's a Small World," "Spring Tonic," "Man Proposes," "Ladies Love Danger," "The Cowboy Millionaire," "Doubting Thomas."

(Shorts)
"It Never Rains," "Tars and Stripes."

Invincible
(Features)
"Death from a Distance."

Liberty
(Features)
"The Old Homestead."

Majestic
(Features)
"Motive for Revenge."

Mascot
(Features)
"Behind the Green Lights," "One Frightened Night."

M-G-M
(Features)
"West Point of the Air," "One City Night," "Vagabond Lady," "Mark of the Vampire," "Reckless," "Baby Face Harrington."

(Shorts)
"Little People," "Gypsy Night," "Beginner's Luck," "The Calico Dragon," "Okay Toots," "Colorful Guatemala," "Teacher's Beau," "Sporting Nuts," "Poker at Eight," "Memories and Melodies," "Sprucin' Up," "Fighting Fish," "Good Little Monkeys."

Monogram
(Features)
"The Hoosier Schoolmaster."

Paramount
(Features)
"Avec L' Assurance." "Criez le sur les Toits" (French), "El Dia que Me Quieras" (Spanish), "Stolen Harmony," "Four Hours to Kill," "People Will Talk," "Goin' to Town," "The Scoundrel."

Puritan
(Features)
"Kentucky Blue Streak."

United Artists
(Features)
"Cardinal Richelieu," "Les Miserables," "Call of the Wild," "Let 'Em Have It."

(Shorts)
"Robber Kitten," "Mickey's Kangaroo," "Water Babies." (All Disney)

Universal
(Features)
"The Show Down," "Princess O'Hara," "Mr. Dynamite," "Werewolf of London," "Border Brigands," "The Raven," "Chinatown Squad," "Bride of Frankenstein."

(Shorts)
Following are episodes of "Call of the Savage": "Stampeding Death," "Terrors of the Jungle," "The Plunge of Peril," "Thundering Waters," "The Hidden Monster," "Jungle Treachery," "Avenging Fire God," "Descending Doom." Also "Candyland," "Elmer the Great Dane," "Would You Be Willing," "Springtime Serenade."

Warners
(Features)
"Go Into Your Dance," "Traveling Saleslady," "Wanderlust," "Case of the Curious Bride," "Goose and the Gander," "G-Men," "Midsummer Night's Dream," "Dinky," "Oil for the Lamps of China," "In Caliente," "Girl from Tenth Avenue."

(Shorts)
"Along Flirtation Walk," "Buddy in Africa," "My Green Fedora," "Get Rich Quick," "Springtime in Holland," "Thoroughbred."

Reviewed Sans Code Seals, But Now They Carry Them

Following is a tabulation of pictures, principally caught at Hollywood previews, which were reviewed in Motion Picture Daily but before seals had been issued by the Production Code Administration. The period covered is from Jan. 1, 1935 to date since which these films have been stamped with codes of approval:

Picture	Reviewed	Seal
After Office Hours	Jan. 31	593
Baby-Face Harrington	March 22	713
Behind the Green Lights	March 9	678
Black Sheep	May 6	835
Bride of Frankenstein	April 9	768
Captain Hurricane	Feb. 8	590
Chasing Yesterday	March 22	703
Cowboy Millionaire	April 19	807
Dog of Flanders	Feb. 19	621
Folies Bergere	Feb. 18	600
George White's Scandals of 1935	March 13	674
Ghost Walks	Jan. 24	417
Kentucky Blue Streak	April 30	822
Laddie	Feb. 27	633
Man Lock	Jan. 9	526
Mark of the Vampire	March 25	725
Motive for Revenge	March 21	693
Murder on a Honeymoon	Jan. 22	563
Mutiny Ahead	Feb. 5	598
Naughty Marietta	Feb. 19	622
Only 8 Hours	Jan. 4	519
Party Wire	April 12	743
Reckless	April 2	736
Shadow of Doubt	Jan. 30	586
Star at Midnight	March 26	727
Strangers All	March 21	690
Sunset Range	March 4	660
Sweepstakes Annie	Jan. 4	535
Times Square Lady	Feb. 20	638
Vagabond Lady	March 20	702
Wedding Night	Feb. 16	640
West Point of the Air	Feb. 23	673
When a Man's a Man	Jan. 26	577
Whole Town's Talking	Jan. 18	568
Winning Ticket	Jan. 10	560

Utah Taxes Gain Rapidly

SALT LAKE CITY, May 14.—Utah sales tax collections during April totaled $209,460.74 compare with $162,739.55 in the corresponding month last year. The revenue to date in the fiscal year is more than that received for the entire 1934 period.

Set 156 Racing Days

BOSTON, May 14.—Theatres are in for some tough competition from racing. An interlocking schedule calling for 156 days of racing has been framed between the Suffolk Downs, Rockingham, N. H., and Narragansett tracks.

Charter Monopack Film

DOVER, Del., May 14.—Monopack Film Industries, Inc., has been incorporated here to deal in recording devices, listing a capital of $735,000. The incorporators are Emma N. Stewart, Arley B. Magee and Ellendar P. Jones, of Dover.

Mexico Labor Backs Move on Orchestras

By JAMES LOCKHART

MEXICO CITY, May 14.—Theatrical workers and musicians are being supported by the National Confederation of Workers and Peasants in their petition to President Cardenas asking that he compel all theatres to install orchestras and vaudeville to increase employment.

Practically all Mexican houses have depended on disc music for some time and vaudeville hasn't been presented in years.

Midland Settles in Full with Hamlin

(Continued from page 1)

of a settlement with Lee H. Hamlin, an objecting creditor, for the full-face value of his two claims plus interest, totaling approximately $1,700.

This action followed the dismissal by the court yesterday of a petition by Hamlin asking for a review of the sale. Today's development is the final step in the reorganization of Fox West Coast, and practically all that remains is the formal discharge from bankruptcy, which is expected by June 1.

Hamlin and others objecting to the sale have been allowed 10 days to file an amended petition in their suit seeking to impress a lien on the theatre companies' assets on behalf of General Theatres Equipment bondholders.

The trustees' final report will be filed in about two weeks.

B. F. Shipment, attorney representing reorganization interests, returned to New York tonight after several weeks here.

Fox Midwest Goes Amateur In a Big Way

KANSAS CITY, May 14.—As one of a series of business promotions, Fox Midwest is going in for amateur nights on a large scale. Would-be radio artists will vie at 35 Fox theatres in this immediate territory, and beginning May 18 the finalists will perform over Radio Station WDAF from the stage of the first run Uptown. The contest will last six weeks.

Winners of the six final broadcasts are to be awarded an expense-paid trip to New York and a possible chance for an audition at one of the large chain stations in the east. Broadcasts from the Uptown will be from 11:30 to 12 midnight on Saturday night, in the nature of a special show. All tryouts will be before an audience.

The Katz Drug Co., dominant retail drug chain in this area, is tied into the stunt and will devote large space in its regular newspaper ads. Entry blanks are distributed through the stores.

Otterson in Denial Of Trust Violation

WILMINGTON, May 14.—Denial of the charges made by General Talking Pictures and Duovac Radio in their anti-trust suit against Erpi, Western Electric and A. T. & T. was voiced from the stand today in U. S. District Court here by John E. Otterson, Erpi head. Sidney R. Kent, Fox Film president, was another witness of the day.

Otterson denied he ever told Max A. Schlesinger, head of General Talking Pictures, he would have to take the equipment of the defendants exclusively before the product of any of Erpi's recording licensees could be obtained. He said he never asked Schlesinger to desist from making deals for DeForest equipment, denying he caused William Fox to drop negotiations with DeForest after $100,000 had been deposited. Otterson said he had not been behind a plot to force DeForest out of business.

Otterson said he failed to recall a single instance where the defendants tried to prevent the distribution of film to houses not equipped with Erpi sound. He denied the defendants were parties to any agreements regarding the distribution of the product of Erpi licensees. It was admitted by him that he refused to install Erpi equipment in South African theatres for Schlesinger because the order in his estimation was not big enough to send men that far.

The Erpi head asserted he had had talks with officials of a number of producing companies in an effort to interest them in talking pictures with the idea of forming a cooperatively owned corporation to buy out Vitaphone.

Kent testified that when the Vitaphone deal fell through a producers' committee was organized to secure an equipment company to manufacture talking picture apparatus, one with big enough resources to take care of any patent litigation that might arise. The committee, he said, tried to make a deal with Erpi but nothing developed.

Over the border!- on with the dan



Hollywood's holiday playgroun



new Tropical Musical, seethin





rhythm, ablaze with stars - -





Edw. Everett Horton



th





in this flaming filming of



"In CALIENTE"



Warner Bros.'

with



senoritas, rampant with

Pat O'Brien



Dolores Del Rio

e Marcos,



and thirteen others*

*Including Glenda Farrell, Leo Carrillo, Winifred Shaw, Phil Regan. Directed by Lloyd Bacon. Dances created by Busby Berkeley. A First National Picture.

Reade Urges Rental Shift To End Gifts

(*Continued from page* 1)

"poison gas" is administered. He asserted that in many instances rentals run from 50 to 100 per cent of the grosses and that some of his New Jersey houses have not shown a profit in five years.

The meeting was called by the local board in an effort to eliminate various games, allegedly in violation of the code, and wares distributed free in theatres.

Reade blamed protection by major circuits as one of the reasons for giveaways. He related that in one of his New Jersey houses costing $125,000 he has to wait from 30 to 90 days after first run. His subsequent run admissions are the same as first run.

"Can you imagine the impudence of a distributor insisting on 35 per cent of the gross on a picture which plays third and fourth run?

"You wouldn't expect to buy last week's newspaper tomorrow and pay the same price. In fact you wouldn't go to General Motors and buy a new car and accept a second hand Chevrolet," he said.

"Neither would you buy *Munsey's* of last September for the full price unless you got something with it," he declared. "Some artificial stimulus is needed," Reade asserted. "Dishes are only a 60-day tonic. After two months, crockery is given away instead. Then radios and after that something new. If you stop this practice you will throttle the subsequent run exhibitor.

Says Would End Giveaways

"Every exhibitor will agree to cut out these gags if he can buy product on a national allocation of the gross receipts system as major circuits do," he contended.

Reade pointed out that "the Roxy offers the biggest bag of gumdrops to children for 15 cents." The theatre "is in receivership and doesn't pay Federal taxes or interest," he said. He added that the Waldorf, Arena and Ziegfeld cannot meet the Roxy price.

"I don't believe 50 theatres will be built in the next 10 years," he asserted. "There is no reason why independents cannot buy on a national allocation. If the same privilege is afforded independents, there is no doubt they will get out of the furniture and crockery business."

Reade said he had been at Nicholas M. Schenck's home several times when the M-G-M and Loew's head intimated that M-G-M had no desire to oversell.

David Loew, representing Loew's, stated that unless independents stop giving away articles the Loew circuit would go for the idea on a wholesale scale. He said there was no desire on the part of the circuit to adopt such a policy, but it would be forced to do so unless subsequent run exhibitors stopped. In regard to complaints made against the circuit, Loew said that if any exhibitor has a grievance he could bring it to his attention and he would see that the practice was halted.

Loew said the giveaways were brought about by double features, and because exhibitors play duals distributors must resort to cheaper pictures.

At this point, Reade interrupted and said: "I'll give a benefit for distributors at the Madison Square Garden on Labor Day and Loew's would get the cup."

Loew answered: "Fortunately, we don't need a benefit."

Tom Murray of the Century Circuit was then asked for a suggestion. He said that distribution of premiums usually starts by agreement between competitors and then spreads like a disease. He added there is no police department for the industry, but Century was willing to go along on whatever plan was adopted. He referred to the Los Angeles situation where admissions have been increased from 15 to 40 cents in anticipation of a clearance schedule, adding that because of this Paramount has increased its revenue 33 per cent in that branch.

John O'Connor of RKO was the next speaker. He said the circuit was ready to cooperate. "If anyone has a grievance against us, let him call it to our attention and the practice will be stopped," he said.

Laurence Bolognino of Consolidated Amusements stated that distribution of premiums is just as bad as cutting admissions in any other form. He said his circuit was forced into the practice in an effort to offset his competitors.

"We charge the same admissions as first runs and pay as high in rentals. If we don't do something to save our skins, we don't know where we'll land," he said.

Harry Brandt, president of the I. T. O. A., suggested a round robin of all independent and major circuit representatives in a move for a general agreement to eliminate premiums and games and increase admissions.

Harry Brandt Offers a Plan

He blamed the giveaway condition on the protection for major circuits and low admissions. "Subsequent run exhibitors have such low admissions that they cannot be further reduced and have to resort to premiums to compete with the big fellow."

Melvin Albert said that the solution was in giving the independents a better break on product. He said the sponsors of Screeno and Lucky would not stand for interference by the board. He also thought nothing would come out of the meeting. He accused RKO and Loew of calling the session to protect their own interests, but was instantly corrected by George Thompson, impartial man and chairman, who said that the conclave was sponsored by the board as a whole in an effort to clear up the whole local practice.

Stewart MacDonald of Warners said the circuit was fully in accord with elimination of chance games. Larry Kent of Skouras Theatres asserted that low admissions have brought about the practices complained of and the solution is in boosting admissions.

Sidney Justin stated that the Paramount does not resort to any of the practices outlined.

Louis Geller, a member of the board, asked Reade if a realignment of clearance would help. Reade said it wouldn't.

Casey struck a final note, declaring that the only way to eradicate the various practices is to wipe out the causes of reduced admissions.

Irving Greenfield, attorney for Loew's, defended an attack by Albert on Campi's action in giving Loew's preference on an appeal where the circuit was involved in a "pay envelope" complaint against Brandt's Audubon. He vindicated John C. Flinn, declaring he sent a letter to Campi asking for preference as is customary in any court of law.

About 50 attended, including Flinn, Louis Frisch, Leon Rosenblatt, Leon Netter, Frank Damis, John Benas, Leo Justin, Al Suchman, Charles McDonald, Louis Goldberg, John Manheimer and Eugene Picker.

Action by the board was deferred until tomorrow morning when the board will reconvene.

Wall Street

Columbia Up 2 on Big Board

	High	Low	Close	Net Change
Columbia, vtc (cl)	53¼	51¼	52¼	+2
Consolidated	4⅛	4⅛	4⅛	— ⅛
Cons., pfd (1v)	16⅛	15⅞	15⅞	.....
Eastman	144	142½	143	+ ½
Fox Film "A"	12¼	11¾	11¾	— ¼
Loew's, Inc.	40	39¼	39⅝	+ ⅝
Loew's, Inc., pfd.	106½	106½	106½	— ¼
M-G-M, pfd	27⅜	27⅜	27⅜	— ⅛
Paramount Publix	3⅜	3¼	3¼	.....
Pathe	⅝	⅝	⅝	.....
Pathe "A"	11	10⅜	10⅞	+ ⅞
RKO	1½	1½	1½	— ⅛
Warner	3½	3⅜	3⅜	— ⅛

Little Change on Curb

	High	Low	Close	Net Change
Technicolor	20¼	19⅛	19⅛	— ⅜
Trans-Lux (.10K)	2¼	2¼	2¼	.....

RKO Bonds Gain 1¼ Points

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	12	11	11	— ¾
Loew's 6s '41 ww deb rights	104⅝	104½	104½	.....
Paramount F. L. 6s '47	87¾	87	87¼	.....
Paramount Publix 5½s '50	88⅜	88⅜	88⅜	— ¼
RKO 6s '41 pp	32¾	32¾	32¾	+1¼
Warner Bros. 6s '39 wd	63¼	62	62	— ½

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 14)

Southern California Bank Nights Spread

(*Continued from page* 1)

day, according to Affiliated Enterprises, Inc., owners of bank nights. Over 20 theatres have started bank operations within the last two weeks, according to these figures. Several exhibitors who formerly lodged bank night complaints with the local board are now operating banks in opposition.

Every house in Pasadena except three first runs are now holding bank nights and seven houses in the San Gabriel-Alhambra district are doing the same. In Santa Barbara the condition prevails in the F.W.C. and Warner theatres.

The local board has until May 25 to file an answer, but the understanding here is the action begins following this week's inspection of the answer by Attorney Pierson Hall.

Bank Night Cases Gain

KANSAS CITY, May 14.—Complaints against bank night are piling up again at the local code office. The latest has been brought by Lester Robinson, Noll, Bethany, Mo., against I. W. Maple's Roxy, same town.

RKO Golf Meet Set

RKO will go in for a one-day golf tournament at Westchester Country Club May 23.

Move Anew to Settle Booth Costs in N. Y.

(*Continued from page* 1)

booth costs to be figured at 12 cents per point per hour, and houses with all subsequent runs to be known as Class B with booth costs to be figured at 10 cents per point per hour.

All houses of less than 600 seating capacity comprise one group, larger houses being classified in jumps of 200, as, for instance, 600 to 800, 800 to 1,000, while admission classification ranges from 15 to 50 cents in jumps of five cents.

Houses of less than 600 seating capacity, playing fifth or later run, with admission of 15 cents, under the proposal, would have a booth cost of $1 per hour, while the same house, playing first to fourth run, would have a cost of $1.20. At the other end of the scale, a 4,000-seat house, first to fourth run, 50 cents admission, would have a booth cost of $7.20 per hour.

Where stage shows are given, seven points are to be added, which would make the booth cost of the 4,000-seat house, first run, 50 cents admission, $8.04 per hour.

On the whole, it was said, the total booth cost in New York will be somewhat less than the present amount. Many of the large houses will have a heavier cost, such as the Capitol, where the weekly booth cost under the new proposal would be $705.60 against a present scale of $688.50. Under the three former proposals, the house would have a cost of $504 under the Brandt plan, $588 under the O'Reilly plan and the present scale under the Local 306 plan. RKO's Albee would have an even greater increase, $576.72 against a present scale of $357, while the British proposal would have been $400.50; O'Reilly plan, $457.71, and Local 306, as at present.

The Music Hall would have a cost of $626.40 against a present scale of $795.60, which also was proposed under the Local 306 plan, while the Brandt and O'Reilly plans would have cost $522.

The new proposal provides for the 30-hour week. In determining run, the run of the majority of pictures exhibited shall control, while in determining admissions the highest price regularly charged for the orchestra section shall apply.

Baltimore Passes Banned

WASHINGTON, May 14.—Indiscriminate distribution of passes bearing a five-cent charge was again declared a code violation today by the grievance board. Robert Marhenke and others, operating the Majestic, Baltimore, were ordered to stop the practice. The complaint was filed by Sol Shecter, Roy Theatre.

The clearance and zoning board reduced clearance held by the first run Petersburg, Va., theatres over Hopewell from 14 to 10 days. Decision in the case, which was brought by George Stath, Beacon, Hopewell, carried the proviso that Petersburg must date and play within 45 days after Richmond first runs.



Promise yourself

THE BIGGEST BUSINESS IN TOWN

and you'll keep your promise

WHEN YOU PLAY

SHIRLEY TEMPLE

in her greatest picture

'Our Little Girl'

HIT NO. 1 of the FOX SPRING FESTIVAL

with

ROSEMARY AMES • JOEL McCREA

Lyle Talbot • Erin O'Brien-Moore • J. Farrell MacDonald

Produced by Edward Butcher

Directed by John Robertson. From the story "Heaven's Gate" by Florence Leighton Pfalzgraf.
Screen play by Stephen Avery and Allen Rivkin. Adaptation by Stephen Avery.

FOX


He rides like the wind-
A
FOX
SPRING
FESTIVAL
HIT

loves like the whirlwind!

in a role more romantic than his "Cisco Kid"!

Warner Baxter . . . impetuous Don Juan of the Pampas. Ketti Gallian . . . the only girl who can resist him. Veloz & Yolanda . . . swaying to the sinuous Cobra Tango. Haunting melodies...fearless men...matchless beauties . . . in Argentina, where love rules the night!

WARNER BAXTER

and

KETTI GALLIAN

in

UNDER the PAMPAS MOON

a B. G. DeSylva Production

with

VELOZ & YOLANDA

Today's dancing sensations

Directed by James Tinling. Screen play by Ernest Pascal and Bradley King. From an original story by Gordon Morris.





FOX

"Richelieu" High in Twin Cities' Boom

MINNEAPOLIS, May 14.—Remarkably strong bills and good theatre weather sent grosses upward. "Cardinal Richelieu" was strong on both sides of the river. It was $2,000 up on a $6,000 take at the Century here and was $2,500 over the line, also at $6,000, at the St. Paul Riviera.

"G-Men" ran up to $7,000 at the Orpheum. This is above par by $1,500. "Naughty Marietta" was outstanding in the face of this competition, getting $6,500, about $1,000 over the line, at the State here and $6,500, up by $1,000, at the St. Paul Paramount. "Go Into Your Dance" and "My Heart Is Calling" were both well on the profit side of the line, and "The Scarlet Pimpernel" took $2,500 in its third week at the World.

Total first run business in Minneapolis was $33,700. Average is $28,500. Total St. Paul business was $21,500. Average is $16,000.

Estimated takings:

Minneapolis:

Week Ending May 9:

"SWELL HEAD" (Col.)
ALVIN—(1,486), 15c-40c, 7 days. Musical stock. **Gross:** $5,000. (Average, $4,000)

"CARDINAL RICHELIEU" (U. A.)
CENTURY — (1,650), 25c-40c, 7 days. **Gross:** $6,000. (Average, $4,000)

"CASINO MURDER CASE" (M-G-M)
LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,700. (Average, $1,500)

Week Ending May 10:

"G-Men" (F. N.)
ORPHEUM—(2,900), 25c-40c, 7 days. Stage show. **Gross:** $7,000. (Average, $5,500)

"NAUGHTY MARIETTA" (M-G-M)
STATE—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $6,500. (Average, $5,500)

"LADDIE" (Radio)
TIME—(300), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"GREAT GOD GOLD" (Monogram)
PALACE—(900), 15c-25c, 7 days. Five acts vaudeville. **Gross:** $2,000. (Average, $2,000)

"MY HEART IS CALLING" (Gaumont British)
WORLD—(400), 25c-55c, 7 days. **Gross:** $4,000. (Average, $3,000)

St. Paul:

Week Ending May 10:

"NAUGHTY MARIETTA" (M-G-M)
PARAMOUNT—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $6,500. (Average, $5,500)

"CARDINAL RICHELIEU" (U. A.)
RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $6,000. (Average, $3,500)

"GO INTO YOUR DANCE" (F. N.)
ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

"HOLD 'EM YALE" (Para.)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"THE SCARLET PIMPERNEL" (U. A.)
WORLD—(400), 25c-35c, 7 days, 3rd week. **Gross:** $2,500. (Average, $1,500)

"Wedding," Sten Strong in Lincoln

LINCOLN, May 14. — "Wedding Night" with Anna Sten's one night personal appearance was the money sock of the week and ran up to $3,100 at the Lincoln. This figure is $900 on the profit side of the line.

"Gold Diggers" was a flop, and hard, too, with a weak $2,600 at the Stuart. That's $500 down.

The Orpheum, with "Hold 'em Yale" and the "Melody Lane" revue, first half, followed by "Curious Bride" and "$10 Raise," dualed, was a swell week and got $2,700, $400 over par. The Colonial, with three, "Millionaire

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"Knew," Show Get $13,000, Philadelphia

PHILADELPHIA, May 14.—The two stage show houses topped their averages slightly to lead the way in a generally bad week. Poor weather hit most of the grosses.

The Fox, with "Man Who Knew Too Much" on the screen and the Timbergs and Rooneys on the stage took in $13,000, topping average by $1,000, while the Earle did just the same with "Vagabond Lady" and Benny Meroff on the stage. "G-Men" just crossed the deadline with $12,500 at the Boyd, generally disappointing, but it was moved into the Stanton. "Cardinal Richelieu" again topped average by doing $7,500 in its third and last week, a completely successful engagement.

Flop of the week was "Stolen Harmony" which could get only four days at the Stanley to a weak $4,000.

Total first run business was $63,600. Average is $66,900.

Estimated takings for the week ending May 9:

"CARDINAL RICHELIEU" (U. A.)
ALDINE—(1,200), 35c-40c-55c, 6 days, 3d week. **Gross:** $7,500. (Average, $7,000)

"MISSISSIPPI" (Para.) (Second Run)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $1,800. (Average, $2,400)

"G-MEN" (F. N.)
BOYD—(2,400), 35c-40c-55c, 6 days. **Gross:** $12,500. (Average, $12,000)

"VAGABOND LADY" (M-G-M)
EARLE—(2,000), 25c-40c-50c, 6 days. Stage: Benny Meroff Orchestra and Revue. **Gross:** $13,000. (Average, $12,000)

"MAN WHO KNEW TOO MUCH" (Gaumont British)
FOX—(3,000), 40c-55c-65c, 6 days. Stage: Timbergs and Rooneys; Olive Sibley. **Gross:** $13,000. (Average, $12,000)

"RECKLESS" (M-G-M) (Second Run)
KARLTON—(1,000), 25c-35c-40c, 6 days. **Gross:** $3,100. (Average, $3,500)

"GO INTO YOUR DANCE" (F. N.) (Second Run)
KEITH'S—(2,000), 30c-40c-50c, 6 days. **Gross:** $3,100. (Average, $4,000)

"STOLEN HARMONY" (Para.)
STANLEY—(3,700), 35c-40c-55c, 4 days. **Gross:** $4,000. (Average, 6 days, $12,000)

"MARK OF THE VAMPIRE" (M-G-M)
STANTON—(1,700), 30c-40c-50c, 6 days. **Gross:** $5,600. (Average, $6,000)

"Your Dance" Best Draw in Montreal

MONTREAL, May 14.—More than usual interest was attached to the presentation of British features in various Montreal houses because of their tie-up with the King's Jubilee celebration. "Royal Cavalcade" was presented at the Capitol under the personal patronage of their Excellencies, the Governor-General and Viscountess Bessborough, the picture being shown for six days for a $10,000 take. Heading the week, however, was "Go Into Your Dance" which brought $12,000 to the Palace. British films were screened at four leading theatres because of the occasion.

Total first run business was $48,000. Average is $48,000.

Estimated takings for the week ending May 11:

"ROYAL CAVALCADE" (British)
"MURDER ON A HONEYMOON" (Radio)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 6 days. **Gross:** $10,000. (Average, $9,500)

"DAMAGED LIVES" (Indep.)
HIS MAJESTY'S—(1,700), 35c-50c, 6 days.

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Made in U. S. A.

Kansas City, May 14.—To dispel any impression that "Cardinal Richelieu" might be an English production, because of "The Iron Duke," Loew's Midland here emphasized that the current George Arliss vehicle was "made in America." Advertising copy conveyed that information prominently.

"G-Men" and Downey Loop Top, $43,000

CHICAGO, May 14. — The Loop showed signs of pulling out of its slump last week. "G-Men," with Morton Downey on the stage, ran up to $43,000, passing the par mark by $8,400.

"Woman in Red" was strong at $17,000 in the Oriental and "Go Into Your Dance" was normal with $5,000 at the Garrick. Other spots failed to reach average.

Total first run business was $118,000. Average is $127,600.

Estimated takings:

Week Ending May 9:

"G-MEN" (F. N.)
CHICAGO—(4,000), 25c-50c-68c, 7 days. Stage: Morton Downey and vaudeville program. **Gross:** $43,000. (Average, $34,600)

"WOMAN IN RED" (Warners)
ORIENTAL—(3,940), 25c-40c, 7 days. Stage: Mark Fisher and band. **Gross:** $17,000. (Average, $15,000)

"STAR OF MIDNIGHT" (Radio)
PALACE—(2,509), 25c-35c-50c, 7 days. Stage: Donald Novis and vaudeville program. **Gross:** $19,000. (Average, $22,000)

Week Ending May 10:

"CARDINAL RICHELIEU" (U. A.)
UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $15,000. (Average, $17,000)

"NAUGHTY MARIETTA" (M-G-M)
ROOSEVELT—(1,591), 25c-35c-50c, third week, 4 days. **Gross:** $3,000. (Average, $11,000)

"BRIDE OF FRANKENSTEIN" (Univ.)
APOLLO—(1,400), 25c-35c-50c, 3rd Loop week, 5 days. **Gross:** $4,000. (Average, $8,000)

"PEOPLE'S ENEMY" (Radio)
STATE-LAKE—(2,776), 20c-25c-35c, 7 days. Stage: Vaudeville program. **Gross:** $12,000. (Average, $15,000)

"GO INTO YOUR DANCE" (F. N.)
GARRICK—(900), 25c-35c-40c, 2nd Loop week, 7 days. **Gross:** $5,000. (Average, $5,000)

"Harmony" on Dual Leads Providence

PROVIDENCE, May 14.—Grosses hovered around par for the week at most houses with the Strand coming through for $1,000 extra on "Stolen Harmony" and "The Hoosier Schoolmaster," catching $7,500. The Majestic picked up an average $7,000 with "Traveling Saleslady" and "The Florentine Dagger." The same was true for Fay's which booked "Ladies Love Danger" and Buster Foy's "Bughouse Fables" revue.

Despite a nicely balanced bill, "One New York Night" and "Unwelcome Stranger" did only $8,500 at Loew's and the RKO Albee was down $500 from its usual $7,000 take with "Mr. Dynamite" and Polly Moran on the stage.

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"G-Men" with Show Big Hit In Pittsburgh

PITTSBURGH, May 14.—The combination of "G-Men" and the "Folies Bergere" revue, "Hello, Paris," on the stage proved to be the biggest double-barreled attraction the Stanley has had in four years and gave that house a sensational $35,000. As a result, the entire bill has been held over, the first time in the Stanley's history that this has happened.

"Bride of Frankenstein" at the Alvin gave that house a new high at $15,500 and it likewise was held, but without the stage support it had during its first week. "Imitation of Life," playing a return engagement downtown at the Fulton, did average business at $4,500 and was held three days.

At the Penn, "Cardinal Richelieu," with Myrt 'n' Marge, the radio stars, in person dipped that house to $15,000, while the Warner wound up weakly at $3,800 with "The Florentine Dagger" and "Chasing Yesterday."

Total first run grosses were $73,800. Average is $60,500.

Estimated takings for the week ending May 9:

"BRIDE OF FRANKENSTEIN" (Univ.)
ALVIN—(2,000), 25c-55c, 6 days. Stage: Johnny Lee and the Three Lees, Gus Mulcahy, Paul Kirkland, Collette Lyons, Streamline Alvinettes, Jerry Mayhall's orchestra. **Gross:** $15,000. (Average, $10,000)

"IMITATION OF LIFE" (Univ.)
FULTON—(1,750), 15c-40c, 6 days. Repeat engagement. **Gross:** $4,500. (Average, $4,500)

"CARDINAL RICHELIEU" (U. A.)
PENN—(3,300), 25c-55c, 6 days. Stage: Myrt 'n' Marge, Dolly Kay, Stuart and Lash, Don Francisco, Hal Menken's revue. **Gross:** $15,000. (Average, $21,000)

"G-MEN" (F. N.)
STANLEY—(3,600), 25c-55c, 6 days. Stage: "Folies Bergere" revue, "Hello, Paris." **Gross:** $35,000. (Average, $20,000)

"FLORENTINE DAGGER" (Warners)
"CHASING YESTERDAY" (Radio)
WARNER—(2,000), 25c-50c, 6 days. **Gross:** $3,800. (Average, $5,000)

"G-Men" Pulls Top In Omaha, $8,700

OMAHA, May 14.—In spite of the street car strike crowds were able to get to the Brandeis to see "G-Men." The other half of the dual bill was "Strangers All." The take of $8,700 topped normal by $5,200.

"Bride of Frankenstein" and "Princess O'Hara" at the Orpheum went $500 over normal for a total of $8,000. "Les Miserables" was strong at $6,200.

Total first run business was $24,500. Average is $17,400.

Estimated takings:

Week Ending May 3:

"NAUGHTY MARIETTA" (M-G-M)
OMAHA—(2,200), 25c-40c, 2 days, 2nd week. **Gross:** $1,600. (Average week, $5,000)

Week Ending May 8:

"G-MEN" (F. N.)
"STRANGERS ALL" (Radio)
BRANDEIS—(1,200), 25c-40c, 9 days. **Gross:** $8,700. (Average, $3,500)

Week Ending May 9:

"BRIDE OF FRANKENSTEIN" (Univ.)
"PRINCESS O'HARA" (Univ.)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $8,000. (Average, $7,500)

Week Ending May 10:

"LES MISERABLES" (U. A.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $6,200. (Average, $5,000)

"Informer" Is Frisco's Top; Pulls $15,000

SAN FRANCISCO, May 14.—"The Informer" was in the money at the Golden Gate. It topped average by $2,000 on a take of $15,000.

Business was somewhat better along the line, but the only other house to go over average was the Warfield, which had "Reckless" on the screen and a stage band to help. The $21,000 take was up by $1,000. "Eight Bells" took a par $9,000 at the Orpheum and "Let 'Em Have It" was normal at 8,000 in the United Artists, but elsewhere grosses were weak.

Total first run business was $76,200. Average is $78,000 without the Clay.

Estimated takings:

Week Ending May 7:

"THE INFORMER" (Radio)

GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage, band. **Gross:** $15,000. (Average, $13,000)

Week Ending May 8:

"MARY JANE'S PA" (Warners)
"WOMAN IN THE DARK" (Radio)

FOX—(4,600), 15c-30c-40c, 7 days. **Gross:** $8,000. (Average, $10,000)

Week Ending May 9:

"EIGHT BELLS" (Col.)

ORPHEUM — (3,000), 15c-30c-35c-40c, 7 Stage, Rube Wolf band. **Gross:** $9,000. (Average, $9,000)

"G-MEN" (F. N.)

ST. FRANCIS—(1,400), 15c-35c-55c, 7 days. **Gross:** $7,500. (Average, $8,000)

"LET 'EM HAVE IT" (U. A.)

UNITED ARTISTS—(1,200), 15c-35c-40c, 7 days. **Gross:** $8,000. (Average, $8,000)

"NAUGHTY MARIETTA" (Para.)

PARAMOUNT—(2,670), 25c-35c-40c, 7 days, 3rd week. **Gross:** $6,500. (Average, $10,000)

"RECKLESS" (M-G-M)

WARFIELD—(2,700), 25c-35c-40c-55c, 7 days. Stage, band. **Gross:** $21,000. (Average, $20,000)

Week Ending May 10:

"SONG OF HAPPINESS" (Amkino)

CLAY—(400), 25c-35c, 7 days. **Gross:** $1,200.

"Harmony" on Dual Leads Providence

(*Continued from page* 16)

Total first run business was $39,400. Average is $40,500.

Estimated takings for the week ending May 9:

"HOOSIER SCHOOLMASTER" (Monogram)
"STOLEN HARMONY" (Para.)

STRAND—(2,300), 15c-40c, 7 days. **Gross:** $7,500. (Average, $6,500)

"LADIES LOVE DANGER" (Fox)

FAYS—(1,600), 15c-40c, 7 days. Stage: "Bughouse Fables." **Gross:** $7,000. (Average, $7,000)

"ONE NEW YORK NIGHT" (M-G-M)
"UNWELCOME STRANGER" (Col.)

LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $8,500. (Average, $12,000)

"TRAVELING SALESLADY" (Warners)
"THE FLORENTINE DAGGER" (Warners)

MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"MR. DYNAMITE" (Univ.)

RKO ALBEE—(2,300), 15c-40c, 7 days. Polly Moran heading vaudeville. **Gross:** $6,500. (Average, $7,000)

"ROBERTA" (Radio)

RKO VICTORY—(1,600), 10c-25c, 7 days. **Gross:** $2,900. (Average, $2,000)

Fox Unit Cuts Capital

DOVER, Del., May 14.—Fox Kansas Theatre Co., a Delaware corporation controlled by Fox Midwest Theatres, has reduced its capital from $1,158,538.43 to $50,000. This amount is represented by 1,000 shares, of no par value, owned by Fox Midwest.

"Marietta" and Apollon in Washington Lead at $29,500

WASHINGTON, May 14.—"Naughty Marietta" sang $29,500 worth of sweet music at Loew's Fox to establish a season big-money top. Dave Apollon's "International Varieties" helped. Average is $20,500.

At Loew's Columbia "Mark of the Vampire" took $6,500, more than double normal. The picture went into a second week.

"Cardinal Richelieu" was somewhat disappointing at Loew's Palace with $15,500, just $1,000 over par.

The Metropolitan, with a return engagement of "Go Into Your Dance," was good for a satisfying $5,700, or $1,600 over average.

"The Bride of Frankenstein" gave RKO-Keith's $11,000 on the first seven days, $400 under par for a week, but it was held for two days so the theatre could return to its Friday opening.

The Earle Theatre slipped to $16,000 with "The Case of the Curious Bride" and a stage show headed by Gus Arnheim.

Total first run business was $90,850. Average is $72,700.

Estimated takings, exclusive of tax:

Six Days Ending May 6:

"WAR IS A RACKET" (Eureka)

LITTLE—(318), 15c-40c, 6 days. **Gross:** $450. (No average available)

Week Ending May 7:

"THE BRIDE OF FRANKENSTEIN" (Univ.)

RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $11,000. (Average, $11,400)

Week Ending May 9:

"THE CASE OF THE CURIOUS BRIDE" (Warners)

EARLE—(2,218), 25c-77c, 7 days. Stage: Gus Arnheim and Orchestra, Edna & John Torrence, Downey Sisters, Maxine Tappen. **Gross:** $16,000. (Average, $17,600)

"MARK OF THE VAMPIRE" (M-G-M)

LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days. **Gross:** $6,500. (Average, $3,100)

"NAUGHTY MARIETTA" (M-G-M)

LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Dave Apollon and his "International Varieties," with Seven Arabian Sheiks, Twelve Danny Dare Girls, Danzi Goodell, Luba Malina, Rosemary Deering; Gene, DeQuincey & Lewis; Tommy Martin, Don Morrell. **Gross:** $29,500. (Average, $26,500)

"CARDINAL RICHELIEU" (U. A.)

LOEW'S PALACE—(2,370), 35c-77c, 7 days. **Gross:** $15,500. (Average, $14,500)

"GO INTO YOUR DANCE" (Warners)

METROPOLITAN — (1,591), 25c-40c, 7 days (return engagement). **Gross:** $5,700. (Average, first run, $4,100)

"THE BRIDE OF FRANKENSTEIN" (Univ.)

RKO-KEITH'S—(1,836), 25c-55c, 2 days (or second week). **Gross:** $2,000. (Average, first week, $11,400)

Week Ending May 10:

"DON QUIXOTE" (Nelson & Vandor)

BELASCO—(1,052), 25c-65c, 7 days. **Gross:** $4,200. (Average, $1,500)

"G-Men" Hits Big $19,500 In Cleveland

CLEVELAND, May 14. — "G-Men" smashed Sunday attendance records at Warners' Hippodrome and more than tripled average business with $19,500 gross on the week. "Naughty Marietta," playing a second week, grossed $10,500 against a $4,000 average at Loew's Stillman.

"Richelieu" went $500 above par to a $10,500 gross at Loew's State. Other houses broke a little better than average.

Total first run business was $60,300. Average is $41,000.

Estimated takings for the week ending May 10:

"LADDIE" (Radio)

ALLEN — (3,300), 30c-35c-42c, 7 days. **Gross:** $3,500. (Average, $3,000)

"G-MEN" (F. N.)

WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $19,500. (Average, $6,000)

"TRAVELING SALESLADY" (F. N.)

RKO PALACE—(3,100), 30c-40c-60c, 7 days. Stage: Willie and Eugene Howard. Mitzi Green and vaudeville. **Gross:** $15,000. (Average, $15,000)

"CARDINAL RICHELIEU" (U. A.)

LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $10,500. (Average, $10,000)

"NAUGHTY MARIETTA" (M-G-M)

LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days, 2nd week downtown. **Gross:** $8,500. (Average, $4,000)

"I'LL LOVE YOU ALWAYS" (Col.)

CIRCLE—(1,925), 15c-25c-30c, 7 days. Stage: Princess Yvonne, mind reader, headliner on five-act vaudeville bill. **Gross:** $3,300. (Average, $3,000)

Escall Wins at Golf

HOLLYWOOD, May 14.—Low gross in the A. S. C. annual golf tournament went to John Escall with 78. Second low, 79, was captured by Wesley Anderson.

"G-Men" Hits Boston High; Gets $34,000

BOSTON, May 14.—"G-Men" was a mild sensation at the Metropolitan. Helped by Isham Jones and his orchestra and a vaudeville bill it crashed through to $34,000, over by $9,000.

"The Bride of Frankenstein" was also in the big money at Keith's Memorial with a gross of $18,000, over average by $6,000.

Total first run business was $84,500. Average is $71,500.

Estimated takings for the week ending tonight:

"GO INTO YOUR DANCE" (F. N.) (Second Run)
"A NOTORIOUS GENTLEMAN" (Univ.)

FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $4,500. (Average, $4,600)

"THE BRIDE OF FRANKENSTEIN" (Univ.)

KEITH'S MEMORIAL—(2,907), 25c-65c, 7 days. **Gross:** $18,000. (Average, $12,000)

"BABY FACE HARRINGTON" (M-G-M)
"LET'S LIVE TONIGHT" (Col.)

LOEW'S STATE—(3,537), 25c-55c, 7 days. **Gross:** $10,000. (Average, $12,000)

"G-MEN" (F. N.)

METROPOLITAN—(4,332), 35c-65c, 8 days. Stage: Isham Jones and orchestra; Senator Murphy. Don and Betty, Frankie Little, Elida Ballet and Fabian Sevitzky. **Gross:** $34,000. (Average, for 8 days, $25,000)

"GO INTO YOUR DANCE" (F. N.) (Second Run)
"A NOTORIOUS GENTLEMAN" Univ.)

PARAMOUNT—(1,795), 25c-50c, 7 days. **Gross:** $7,000. (Average, $7,000)

"THE LOST CITY" (Regal)
"THE NUT FARM" (Republic)

RKO BOSTON—(3,246), 25c-50c, 8 days. **Gross:** $11,000. (Average, $11,000)

H. D. Wilkes Celebrates

NEW ORLEANS, May 14.—Harold D. Wilkes, Paramount exchange manager, celebrated his 19th wedding anniversary last week.

"Marietta" Is Denver's Top; Pulls $9,000

DENVER, May 14.—In spite of the fact that the President's radio talk cut into Sunday night business, grosses were good for the week. "Naughty Marietta" reached $9,000, over the line by $3,000, at the Denver.

"Star of Midnight" also was $3,000 up on a take of $8,500 at the Orpheum.

Total first run business was $31,200. Average is $23,000.

Estimated takings for the week ending May 2:

"CARDINAL RICHELIEU" (U. A.)

ALADDIN — (1,500), 25c-35c-50c-60c, 7 days. **Gross:** $4,500. (Average, $2,500)

"TRANSIENT LADY" (Univ.)
"RENDEZVOUS AT MIDNIGHT" (Univ.)

BROADWAY—(1,500), 25c-40c, 7 days. **Gross:** $1,200. (Average, $1,500)

"PRIVATE WORLDS" (Para.) (Closing 10-day run)

DENHAM—(1,500), 25c-35c-50c, 7 days. **Gross:** $6,000. (Average, $4,000)

"NAUGHTY MARIETTA" (M-G-M)

DENVER—(2,500), 25c-35c-50c, 7 days. Stage show. **Gross:** $9,000. (Average, $6,000)

"STAR OF MIDNIGHT" (Radio)

ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $8,500. (Average, $5,500)

"MR. DYNAMITE" (Univ.)

PARAMOUNT—(2,000), 25c-35c-50c, 7 days. **Gross:** $2,000. (Average, $4,000)

"Wedding," Sten Strong in Lincoln

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Cowboy," "Casino Murder Case," and "Florentine Dagger" totaled $1,150, $300 to the good.

Total first run business was $9,550. Average is $8,450.

Estimated takings:

Week Ending May 8:

"MILLIONAIRE COWBOY" (Fox)
"CASINO MURDER CASE" (M-G-M)
"FLORENTINE DAGGER" (Warners)

COLONIAL—(750), 10c-15c, 7 days, the first for three days, others for two. **Gross:** $1,150. (Average, $850.)

Week Ending May 9:

"WEDDING NIGHT" (U. A.)

LINCOLN—(1,600), 10c-20c-25c, 7 days. Stage: Anna Sten on Monday. **Gross:** $3,100. (Average, $2,200.)

"HOLD 'EM YALE" (Para.)
"$10 RAISE" (Fox)
"CASE OF THE CURIOUS BRIDE" (Warners)

ORPHEUM—(1,200), 10c-15c-25c, 7 days. Three days with "Melody Lane" revue. **Gross:** $2,700. (Average, $2,300.)

Week Ending May 10:

"GOLD DIGGERS OF 1935" (F. N.)

STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $2,600. (Average, $3,100.)

"Your Dance" Best Draw in Montreal

(*Continued from page* 16)

Gross: $7,500. (Average, $7,500)

"CHANNEL CROSSING" (Gaumont Brit.)
"THOSE WERE THE DAYS" (B. I. P.)

IMPERIAL—(1,914), 20c-25c-34c, 7 days. **Gross:** $4,500. (Average, $3,500)

"THE MAN WHO KNEW TOO MUCH" (Gaumont British)
"WOMEN MUST DRESS" (Monogram)

LOEW'S—(3,115), 30c-34c-40c-50c-60c, 7 days. **Gross:** $8,000. (Average, $10,500)

"GO INTO YOUR DANCE" (F. N.)

PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. Added: "The King Jubilee." **Gross:** $12,000. (Average, $11,000)

"BREWSTER'S MILLIONS" (U. A. Brit.)
"LILIES OF THE FIELD" (British)

PRINCESS—(2,272), 30c-35c-50c-65c, 7 days. **Gross:** $6,000. (Average, $6,000)

Biggest week-end opening in months at Orpheum Theatre, New Orleans!

Played
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RELIANCE PICTURES *presents*

LET 'EM

with RICHARD ARLEN · VIRGINIA

Harvey Stephens · Eric Linden · Gordon Jone

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Biggest business any U. A. Picture has ever done in St. Paul . . . at any theatre!



HAVE IT

E · ALICE BRADY · BRUCE CABOT

ced by EDWARD SMALL *Directed by* Sam Wood

ITED ARTISTS

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ASSOCIATION OF MOTION PICTURE EXHIBITORS

NATIONAL

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MAY 20, 21, 22, 23

Meet With Your Fellows and Help Formulate the Answers . . .

All Independent Exhibitors Invited.

Business Sessions — snappy and to the point.

Real Southern Hospitality and entertainment.

See The Pageant of Progress in Motion Picture Merchandise.

Bring the ladies; they'll enjoy the lazy days in Dixie.

Special railroad rates and special hotel rates for all independent exhibitors.

RESERVATIONS

Write to
E. P. SIMMONS
Piedmont Hotel
Atlanta, Ga.

Pennsylvania Has New Open Sunday Plan

(*Continued from page 1*)

a vote is in the negative Sunday shows will be outlawed for at least five years, as another referendum cannot be held during that time.

To initiate a subsequent referendum signatures must be obtained from at least five per cent of the highest vote cast for any office in the municipality at the last previous election.

The bill was read for the first time and is expected to come up this week on second reading.

A half dozen plans have been compromised in the measure. The others will probably die in committee. It is certain that the bill will be opposed by the Sabbath Observance League, the Lord's Day Alliance and other similar organizations.

Florida Film Bills Die

TALLAHASSEE, Fla., May 14.—After several unsuccessful attempts to levy an amusement tax, a tax on billboards and a tax on advertising used for display purposes, it looks as though the legislators have decided to let the film industry alone, for in this, the sixth week of the session, but one bill has been introduced that affects the industry.

Senator Sikes of St. Petersburg filed a bill which is aimed at Ascap, for under the terms of his bill all representatives whose business it is to collect royalties on musical compositions and radio programs would have to take out a state license at a fee of $2,000 annually and counties would have the right to assess a like amount.

E. J. S. Donovan, who was the Governor's representative in touch with the producers in their recent tour of the state looking over what Florida had to offer them, in case they should decide to remove from California, received a wire from Fred Pelton, one of the members of that party, suggesting that Florida could make "a fine gesture towards the motion picture industry" by repeal of the state censorship law. A bill to repeal the state review board law was entered last week.

Revive Mass. Sales Tax

BOSTON, May 14.—This year's Legislature has shown a tendency to raise bills from the dead. After killing three bills proposed for the imposition of a two per cent sales tax in Massachusetts, the House reconsidered the action and recommitted the bills to the Committee on Taxation in the event that future action is desired later in the year. State Tax Commissioner Henry F. Long, Mayor Mansfield of Boston, and Representative J. Walter Tuttle of Framingham sponsored the measures.

Reconsider License Bill

BOSTON, May 14.—The Senate by roll call today reconsidered its rejection last week of a bill for licensing theatrical booking agents, private entertainment bureaus' agents and personal managers. The bill has been ordered to a third reading.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Nitwits"

(*Radio*)

HOLLYWOOD, May 14.—Wheeler and Woolsey, involved in the murder of Music Publisher Hale Hamilton, go on a rampage in Tin Pan Alley, slapsticking their way through a costume rental shop pursued by Fred Keating a private detective dressed as a skeleton who turns out to be a black spider shakedown artist.

As a melange of hokum, broad comedy and burlesque souffled over with Mack Sennett gags, it runs the gamut of music, mockery and madness. Starting slowly and somewhat sappily, it winds up better.

"Nitwit" Wheeler, a cigar clerk, loves Betty Grable. "Nitwit" Woolsey, his partner, is the inventor of a truth machine. Evelyn Brent is the publisher's wife, Erik Rhodes is a song writer dissatisfied with his royalties, and Charles Wilson is a detective who tries to solve the mystery. Everybody suspects everybody. Being all in fun, logic plays a trifling role with two song numbers skimming through crazy skeins. Woolsey contributes some funny individual bits with wild situations, crockery-busting episodes, crap-shooting porters, plus slap-chasing responsible for most of the ribaldry.

George Stevens directed for belly laughs from Stuart Palmer's story and Fred Guiol's and Al Boasberg's screen play which Lee Marcus produced.

Where they're not too particular and Wheeler-Woolsey wangle them in, this should wow 'em, so we think.

Production Code Seal No. 839. Running time, 79 minutes. "G."

Looking 'Em Over

"Let 'Em Have It"

(*Reliance-U. A.*)

SAN FRANCISCO, May 14.—The Department of Justice has heaped upon it further glorification in "Let 'Em Have It," a fast-moving, punch-laden melodrama depicting the activities of "soldiers of peace" against the ravages of crime. It's a swell show.

The story revolves around Bruce Cabot and his rise in gangland from a job as chauffeur to Virginia Bruce. After easy money, his first taste of it whets his appetite to a point where he becomes Public Enemy No. 1, making his way to first place through a series of rapidly-engineered and daring bank robberies interspersed with plenty of killings.

Richard Arlen, as the D. J. hero, is the Federal agent principally responsible for tracking Cabot to his lair and ending his nefarious career with a well-planted blow that sends the criminal crashing through a bannister and so to his death.

There are impressive and dramatic scenes. Touching is the sequence of the ceremony when Miss Bruce's brother, played by Eric Linden, is added to the roster of D. J. men who have lost their lives in the line of duty. A genuine kick comes when Cabot, having forced a plastic surgeon to alter his appearance, discovers the medical man has carved the gangster's own initial on each cheek, branding him to the world forever after.

Performances are topnotch clear down the line and, including among others not hitherto mentioned, Alice Brady. Sam Wood's direction is swiftly paced.

Production Code Seal No. 804. Running time, 95 minutes. "G."

"The Girl from 10th Avenue"

(*Warners*)

Presented with all the necessary ingredients for good entertainment, Director Alfred E. Green made the most of his opportunity here and has turned out a stirring, a gripping and a finished product.

Undoubtedly, the film's entertainment values are greatly enhanced by the character portrayals of the cast, particularly on the part of Bette Davis and Ian Hunter.

The yarn, handled with a delicate touch, has as its base the familiar theme of the girl of the lower stratum of society who marries far above her station to suffer before obtaining final marital bliss.

Miss Davis, as a girl from New York's 10th Ave., meets Hunter as he has been jilted by Katherine Alexander. She saves him from drinking himself to death and the two marry. They both find a modicum of

(*Continued on page 24*)

Want Ohio's 10% Ticket Tax Back

COLUMBUS, May 14.—The House Taxation Committee today voted nine to three for the restoration of the 10 per cent admission tax. Thirteen votes are necessary to recommend the measure. These are expected at a later meeting. The present three per cent gross levy would remain. The 10 per cent would be in the nature of a surtax.

The suggested schedule follows: three cents on admissions from 26 to 31 cents, four cents from 31 to 41, five cents from 41 to 51, with a straight 10 per cent on all admissions over 51 cents.

After deducting the 10 per cent Federal admission impost, the estimated yield under the new admission tax is estimated at $1,000,000 annually.

Tax Passes Neb. House

LINCOLN, Neb., May 14.—The chain store tax bill, expanded to include theatre circuits, has passed the House in its amended form by a vote of 61 to 25.

It now goes back to the Senate for additional debate on the amendments.

The bill now seeks to place a $3 per single unit to $175 per unit over 20 on chain operations in the state.

Drop Mass. Signboard Bill

BOSTON, May 14.—A bill designed to require the assent of municipalities for erection of billboards, signs and other advertising devices has been turned down by the Legislative Committee on Mercantile Affairs. Leave to withdraw has been given.

The joint Ways and Means Committee has also given leave to withdraw on the bill designed to create a state lottery.

Osterberg Wounded Once More by Guns

CHICAGO, May 14.—Scarred, bruised and beaten, but unscared, Clyde Osterberg last night took four more slugs from unidentified guns as he stood with his wife and alleged bodyguard, George Hall, in front of the residence to which he had moved following an exactly similar attack 10 days ago. When taken to a hospital and informed his wounds may prove fatal, Osterberg again refused to talk.

Mrs. Osterberg ditto.

Hall scrammed.

Osterberg's warlike relations with the late Tom Maloy and his cabinet, resulting in varied knuckle and gunplay, are being sifted by the police in connection with reports that the victim had renewed efforts to establish an insurgent operator organization.

Mascot's Building Finished on Coast

HOLLYWOOD, May 14.—Mascot yesterday completed construction of its new office building. First Division will occupy six offices in the new structure, Invincible and Chesterfield 11 and Capitol Films three, with Mascot itself taking over the entire administration building.

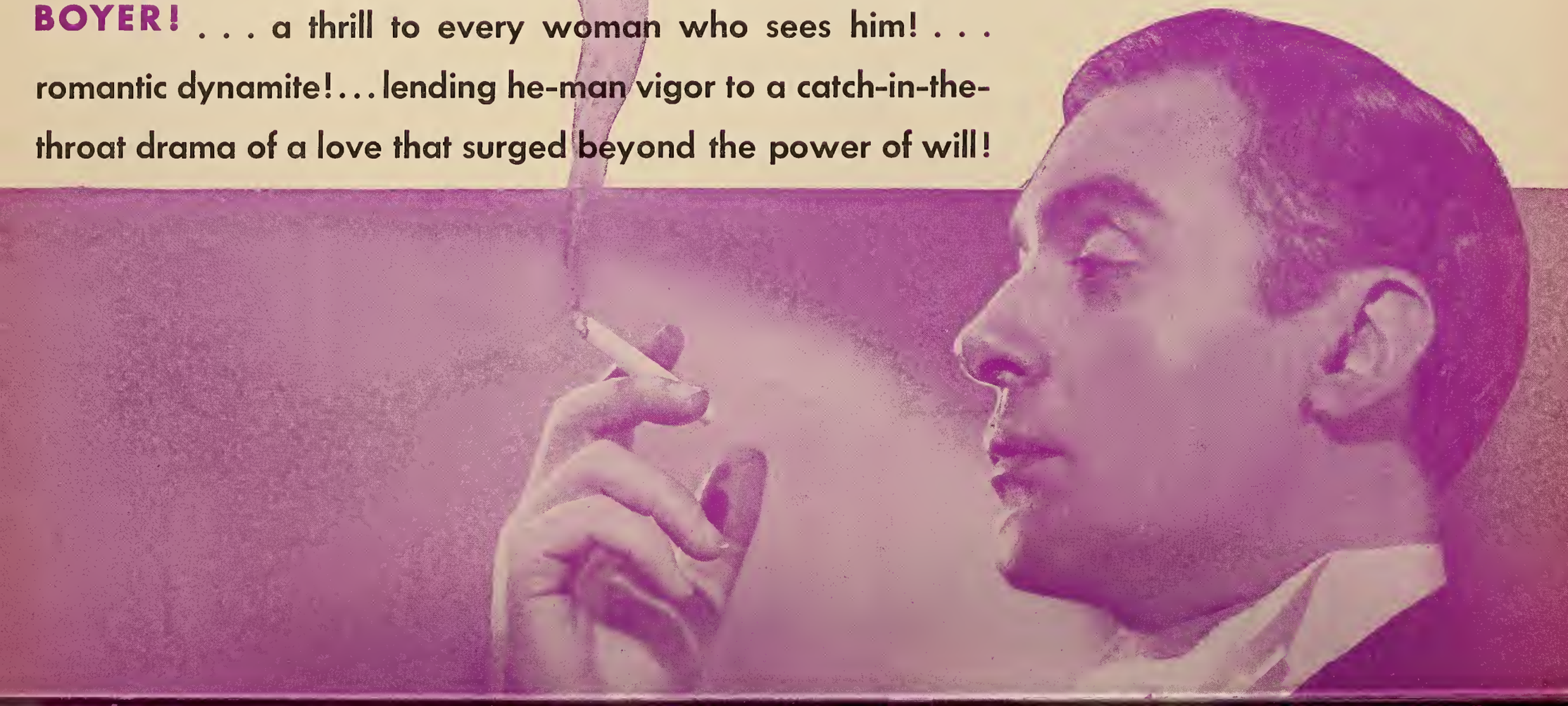
Capitol is the new company headed by Earl Dunn and slated to make eight features called "The Highway Patrol" series taken from magazine stories.

ELECTRIC HEPBURN..IN A MODERN LOVE STORY..
WITH THE NEW ROMANTIC IDOL OF THE SCREEN!

★

What gorgeous clothes she wears! . . . temptingly lovely . . . gloriously alive! . . . she gives new meaning to romance . . . in this impassioned story of a heart-strong girl . . . head-over-heels in heaven!

BOYER! . . . a thrill to every woman who sees him! . . . romantic dynamite!...lending he-man vigor to a catch-in-the-throat drama of a love that surged beyond the power of will!




Katharine
HEPBURN
Charles
BOYER
BREAK OF HEARTS
JOHN BEAL
JEAN HERSHOLT
DIRECTED BY PHILIP MOELLER
ASSOCIATE DIRECTOR, JANE LORING
A PANDRO S. BERMAN PRODUCTION
RKO-RADIO PICTURE
OPENING THIS WEEK
RADIO CITY
MUSIC HALL

Senate O. K.'s Move To Hold NRA a Year

(*Continued from page* 1)

1, next, as Senator Harrison of Mississippi, chairman of the Finance Committee and staunch Administration supporter, served notice that he would oppose any effort on the part of the House to increase the extension to two years, as sought by President Roosevelt.

The resolution was adopted without any amendments, under a more or less general agreement that this be done to expedite the legislation. As reported by the Finance Committee, it exempts from code requirements all persons whose business is purely intrastate in character.

Explaining the legislation, Senator Harrison declared that amendment of the present law would require lengthy consideration and that by continuing the NRA until next April time would be given for the drafting of a new bill when Congress convenes in January.

"In the next session of Congress we can more clearly write a law that will be sustained by the courts," he said.

The committee chairman criticized "certain gentlemen of the NRA" who sought to have the House write new legislation and declared that should this be done he would bring the bill back to the floor of the Senate for consideration as new legislation.

Objections to the resolution were voiced by Senators Shipstead of Minnesota, who discussed price-fixing provisions; Borah of Idaho, who sought a change in the provision exempting intrastate activities from codes, and LaFollette of Wisconsin, who criticized the Senate as not having done a real job and asserted that the resolution did not leave the NRA "with enough to wad a shotgun."

Both Sides Lose in Buffalo

BUFFALO, May 14.—While the roles of the same parties in two cases before the clearance and zoning board were reversed, the outcome was the same in each instance. The protestant lost.

The request of Menno B. Dykstra, proprietor of the Glen, Williamsville, for day and date boking with Schine's Granada in Buffalo was dismissed as unreasonable. On the same grounds, the request of the Schine Theatrical Co., as operator of the Granada, for 60 days clearance over the Glen also was dismissed. The maximum clearance between the two theatres was established as not to exceed 14 days.

Qualify K. C. Decision

KANSAS CITY, May 14.—In upholding the local grievance board's cease and desist order against Jack Johnston, Ritz, McPherson, Kan., Campi ruled he may receive a stay in execution of the order if he can show that the complainant, C. W. Helstrom, Helstrom, same town, is not abiding by his compliance certificate, which Johnston alleged he has violated.

Toohey Heads Hub Board

BOSTON, May 14.—Martin R. Toohey, operator of the LeRoy at Pawtucket, R. I., has been named permanent chairman of the grievance board.

Reverse Detroit Ruling

DETROIT, May 14.—E. S. Kinney, secretary of the code boards, has received word from Campi that that body has decreed the Ramona is not entitled to protection over the Roseville, Roseville, a suburb of Detroit and more than three miles apart.

The Campi decision was the result of an appeal by Jeff Williams of the Roseville from a ruling by the local board that the Ramona must date pictures within 14 days of availability.

Stop Ohio Bargains

CLEVELAND, May 14.—An order to discontinue six-cent and 10-cent Wednesday night bargain prices in violation of contract minimums has been ordered by the grievance board. The complaint was made by Carl Duncan of Killbuck, O., against Edna B. and Roy L. Russell, Opera House, Millersburg.

The clearance and zoning board has established the Millersburg Opera House as competitive to the Duncan, Killbuck, and has given the Opera House 14 days clearance over the Duncan. Either theatre can buy clearance over the other on new contracts after April 30.

Albert E. Ptak has won rezoning of the area which includes his Lyceum. A plea of Intercity Amusement Co., operating the Utopia, Painesville, to have Cleveland protection over Painesville reduced from 14 to seven days, was dismissed.

Protests Hub Clearance

BOSTON, May 14. — Greater Boston clearance has been protested again. Max Levenson, circuit owner, is seeking a change in the setup for the Strand, Alhambra and Quincy Theatres in Quincy. He protests the four weeks' clearance over Quincy of the M. and P.-Publix Wollaston in Wollaston which in turn is four weeks behind first run Boston.

Stop Cleveland School Film

CLEVELAND, May 14.—A precedent on non-theatrical competition has been set here. The grievance board has ordered RKO to stop serving the Roosevelt Junior High School at Cleveland Heights with features for exhibition outside of school hours.

It was charged by the Windamere that "Anne of Green Gables" and "Little Women" were shown after school hours at a general admission of five cents.

Oshkosh Film Stopped

MILWAUKEE, May 14.—A film stoppage order has been issued by the grievance board against the Strand, Oshkosh, as a result of a third bank night complaint. The house is operated by Standard Theatres Co. This circuit also has been ordered to stop bank nights at the Kenosha.

Appeals College Decision

CINCINNATI, May 14.—Prof. E. V. Hollis, head of the Moorhead, Ky., State Teachers' College, has filed an appeal with Campi against the grievance board's decision giving Mt. Sterling, 36 miles away, 14 days' clearance over the college.

Looking 'Em Over

"The Girl from 10th Avenue"

(*Continued from page* 21)

happiness in an arrangement whereby Miss Davis is Hunter's wife in name only, until he begins to see his old social register friends again. In the meantime Miss Alexander, who had married Colin Clive, fails to make a go of married life and tries to regain Hunter. In a smashing climax the entangled threads of the various complications are straightened out, Hunter and Miss Davis realize their mutual love and all ends well.

Besides Miss Davis and Hunter, Clive, Miss Alexander, Alison Skipworth and Phillip Reed handle their roles perfectly. The camera work of James Van Trees is excellent.

Women everywhere should go for this picture and its appeal should be almost as great to men. Exhibitors should have no trouble with this one.

Production Code Seal No. 828. Running time, 69 minutes. "G."

"Men of the Hour"

(*Columbia*)

With the newsreel field the source of its material, "Men of the Hour" offers a fair measure of entertainment. It is pleasantly acted and provides a number of laughs.

The story is built around a romance between Richard Cromwell and Billie Seward. Cromwell is assistant to Wallace Ford, ace news cameraman. He meets Miss Seward, a nurse, while on an assignment "shooting" a ship fire. The friendship between the two men is endangered when Cromwell misunderstands Wallace's intentions towards the girl.

There follows a rapprochement between the lovers, and the two are about to wed when Cromwell, advanced to a first cameraman, is fired when he ruins a police gang raid in an attempt to get a "scoop" without the knowledge of his employers.

After a tough time trying to get a job, Cromwell makes his peace with Ford, who fights to have him reinstated. The wedding ceremony winds up the film.

There are a number of exciting sequences in the film.

Other players include Jack La Rue, Wesley Barry and Charles Wilson. Lambert Hillyer directed.

Production Code Seal No. 669. Running time, 57 minutes. "G."

First Mickey Mouse Magazine Out Today

First issue of *Mickey Mouse Magazine*—200,000 of 'em, with a possibility that another 100,000 will be issued immediately—will appear today on the newsstands of the country. Distribution is being handled through the International Circulation Co., a Hearst subsidiary.

It's 44-page, 10 in. x 13 in., book done in three colors on heavy stock. It will be issued quarterly at 25 cents a copy in this country. The cover says it's "a fun book for boys and girls to read to grown-ups."

It has everything that kids get excited about—plenty of color drawings, rhymes, drawings with numbers, comic pages, illustrated stories, pages for crayon coloring, a crossword puzzle, a game called "Around the Clock with Mickey," a "horacescope."

Hal Horne, Inc., is publisher, and Hal Horne is editor, with George Daws, formerly Samuel Goldwyn's eastern publicity head, as general manager; Murray Bracker, advertising and business manager, and Kay Kamen as chairman of the advisory board. The publication is copyrighted by Walt Disney Enterprises.

Local 306 Autonomy Demand Is Reported

(*Continued from page* 1)

by "progressive" factions within the organization.

The insurgent faction asks for the immediate launching of a campaign against all theatres not employing Local 306 members, and declares the Holmden policy of fighting one house at a time to be a failure, according to the reports. Also said to be asked is a complete accounting of the local's funds since it was taken over by the parent organization; restoration of a 15 per cent salary cut made a year ago, ostensibly on a temporary basis; an immediate election of officers of the local and resumption of membership meetings, said to have been discontinued under the Holmden regime. The faction is also said to be opposed to the return to the local of various officers prominently identified with the Sam Kaplan and Sherman regimes and asks that no new working agreements be placed in effect until ratified by the local's membership.

Holmden could not be reached yesterday for comment on the reports.

Laemmle Reelected As Universal Head

(*Continued from page* 1)

vice-president, Charles B. Paine, treasurer; Willard S. McKay, secretary; Eugene F. Walsh, assistant treasurer, and Helen R. Hughes, assistant secretary.

Carl Laemmle, Jr., was named to a vice-presidency; Edward Muhl, to an assistant secretaryship, while Samuel Sedran was appointed second vice-president.

Breen Starts Today

HOLLYWOOD, May 14.—Joseph I. Breen leaves for Manhattan tomorrow on his way to Europe. Geoffrey Shurlock, one of the eight members of Breen's staff, will be acting director of the Production Code Administration in his absence.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 115 NEW YORK, THURSDAY, MAY 16, 1935 TEN CENTS

Hays Signs New 5-Year Contract as MPPDA Head

Stays As Association Chief Until 1941— Extension of Pact Kills Off Rumors a Replacement Was Sought

By RED KANN

(*Copyright*, 1935, *by* Motion Picture Daily)

Will H. Hays has signed a new five-year contract to continue as president of the M. P. Producers' and Distributors' Ass'n of America, Inc.

The barrage of rumors of replacement, apparently a favorite topic of political correspondents in Washington, thus becomes a complete dud.

The new deal swings into effect with the expiration of Hays' current pact which runs out in the spring of 1936. Until 1941, then, and unless the M.P.P.D.A. head himself should seek to withdraw from the high place he has held for many years, Hays is slated to continue to act as the spokesman for the organized industry.



WILL H. HAYS

On tap for weeks, the arrangement was terminated and officially sealed earlier this week when the heads, or the ranking executives of all the major producing and distributing companies affixed their signatures. No formal announcement, however, has yet been issued.

The flood of reports regarding Hays and his official post reached its zenith a few months ago when, alternately, the names of Postmaster General Farley and ex-Governor of New York Alfred Smith found their way into newspaper headlines. With the expiration of Hays' original contract approaching came intensified rumors of replacement.

So frequent and so wild have the reports been that their continued publication long since has become a subject of annoyance to industry leaders, not to overlook Hays attaches.

It was suggested several months ago that the neatest manner of disposing of gossip stories would be a renewal of the agreement and its immediate publication thereafter. M.P.P.D.A. headquarters have found themselves embarrassed in the past by the persistence with which that perennial blossom—"Hays Is Out"—has cropped up and long since had abandoned any concentrated effort to deny each

(*Continued on page* 5)

British Take Critical View Of Code Talks

Some Editors Satirical On U. S. Film Morals

By BRUCE ALLAN

London, May 9.—Varied reactions in the press greeted the arrival of Carl E. Milliken of the Hays office and Martin Quigley for the purpose of explaining the American Production Code Administration to the film section of the British Federation of Industries.

Comment varied from satirical references to American moral standards and censorship to open resentment over restrictions placed on U. S. showings of "Brewster's Millions,"

(*Continued on page* 4)

Loew's May Start Giveaways in N.Y.

Retaliatory measures against exhibitors who refuse to desist from putting on chance games and distributing gifts in theatres in violation of the code will be instituted by Loew's within the next few weeks, it was stated yesterday by an executive of the circuit.

David Loew has already received

(*Continued on page* 5)

Toronto Gathering Protests Tax Jump

Toronto, May 15.—Circuit officials independent owners and managers from cities and towns throughout Ontario gathered in the Royal York Hotel today for a mass meeting to deal with the amusement tax crisis.

A highlight was a proposal from Allied Exhibitors of Ontario to close

(*Continued on page* 10)

New Para. By-Laws Approved by Board

Paramount directors approved changes in the by-laws of the new company, its charter of incorporation and new debenture forms at a meeting of the board yesterday. Court ap-

(*Continued on page* 4)

Yates to Go West on Liberty Production

Hollywood, May 15.—Herbert J. Yates, president of Consolidated, is due here by plane from New York in

(*Continued on page* 11)

M-G-M Groups Will Shift in Various Spots

In line with M-G-M's new flexible selling policy, numerical groupings of feature product will vary with different territories, it is understood. Under this plan, films listed in groups such as specials, starring attractions and the "Marquee Group" will probably be shifted to meet varying local conditions, it is said.

In some sections of the country certain features may be singled out and sold as specials in addition to the six announced at the two regional meets. The number of specials may run as

(*Continued on page* 4)

Gov't Will Speed St. Louis Trials

Washington, May 15.—Trial of the St. Louis film indictments at as early a date as possible will be sought by the Department of Justice.

Successful culmination of the St. Louis prosecution may be followed by

(*Continued on page* 5)

K. C. Dual Choice Proposal Dropped

Kansas City, May 15.—Local exhibitors have dropped all plans to obtain an increase in features for dualing, and are now awaiting develop-

(*Continued on page* 5)

Roxy Group to Seek Loan from the RFC

Following receipt of an application by the Roxy bondholders' committee and the noteholders' protective committee, Federal Judge Francis G.

(*Continued on page* 5)

Metro-Goldwyn Acts On Stock Retirement

The retirement on June 15 of 146,691⅜ shares outstanding of Metro-Goldwyn Pictures Corp. preferred

(*Continued on page* 4)

House Stand On NRA May Block Action

By BERTRAM F. LINZ

Washington, May 15.—The determination of Administration leaders in the House to support President Roosevelt's demand for a two-year extension of the Recovery Act today was seen as threatening a deadlock which might make enactment of any legislation impossible.

Declaring that if the NRA was worth continuing at all it was worth

(*Continued on page* 5)

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"Roberta" Is April's Box-Office Leader

"Roberta" leads the April "box-office champions" of *Motion Picture Herald*. Other winners of the month are "Life Begins at 40," "Naughty Marietta," "Mississippi," "Gold Diggers of 1935," "Reckless" and "The Bride of Frankenstein."

Beery, M-G-M Make Up

HOLLYWOOD, May 15. — Wallace Beery and M-G-M are at peace again after being on the "outs" for some days. The actor begins work Monday in "O'Shaughnessy's Boy." Peace terms, arrived at at a conference with Louis B. Mayer last night, call for a two months' vacation upon completion of the film and a new ticket upon his return.

Harry Cohn in Town

Harry Cohn arrived in town by plane last night from Hollywood. He came expressly to attend the annual banquet of the Society of Arts and Sciences tomorrow, at which Grace Moore will receive the medal awarded her for her work in "One Night of Love."

Acquires Mix Series

Benjamin Kresner, president of Trans-American Film Corp., has purchased European rights to six Art Mix westerns. He will distribute them through Variety Film Distributors. Negotiations are on for other features.

Purely Personal

AL MERTZ, CRESSON SMITH, FREDDIE MEYERS and H. MOSLEY are the clearing house for tickets to the RKO golf tournament at Westchester May 23. LOU GAUDREAU, A. J. KIRWAN, DICK GAVIN and LOU MILLER are on the prizes committee. LESLIE E. THOMPSON and EDDIE MCEVOY are the handicappers, while publicity is in the hands of JOHNNY DOWD, BARRET MCCORMICK and HARRY GITTELSON and transportation in the hands of MCEVOY and MEYERS.

•

JACK DEMPSEY has lined up JOE LOUIS, BENNY LEONARD, BENNY FRIEDMAN, TONY CANZONERI, LEFTY GOMEZ, LOU GEHRIG, JAMES J. BRADDOCK, EARLE SANDE, JIM CROWLEY, DICK FISCHEL, JOHNNY DUNDEE and IRVING JAFFE for the N. V. A.-Masonic Clubs benefit at the Garden Saturday night.

Quip of the Day

Ali Gaga says, anent the Academy award for the original screen story to "Manhattan Melodrama," that the only thing original about the picture is the fact it was the first film to catch Dillinger.

BILLIE BURKE is scheduled to arrive here late this week from the coast. It will be her first visit here in three years and her daughter, PATRICIA ZIEGFELD, and MARY ROGERS will accompany her.

•

OSCAR STRAUSS' "Stormy Spring" and three of his melodies to fit the story have been acquired by Paramount. The story, from the German, will be used for CARL BRISSON, HELEN JEPSON and JOE MORRISON.

•

OSCAR DOOB is now placing dandelions on his golf balls. He can hit the wild flower any place he finds it and he's been muffing on his golf balls regularly until he found the remedy.

•

ARTHUR MAYER moved into new office quarters in the ninth floor annex of the Paramount Bldg. yesterday, where he will be during construction of the new Rialto.

•

JOHN COLLIER, whose story, "Sylvia Scarlett," has been acquired by Radio, has arrived here from London. He'll leave for the coast shortly to work on the screen play of his story.

•

O. P. WILLIAMS, eastern sales manager for March of Time, Inc., is on a five-day tour of Washington, Philadelphia and other eastern cities.

•

CLIFF ROSS, son of H. A. Ross of Ross Federal Service, will stage a bachelor dinner Friday night. He will be married June 8.

•

J. J. MCCARTHY is scanning steamship folders with a wistful eye but says he isn't going anywhere.

•

EDWARD H. GRIFFITH, M-G-M director, is on his way to New York via boat. It's a rest after an illness.

•

JOEL SWENSON is planning on heading for Canada in June on vacation.

SAM ECKMAN, Jr., managing director for Metro in England, and ARTHUR DENT, managing director for B.I.P., did a "hands across the sea" at "21" yesterday in the open and in the presence of "DEAC" AYLESWORTH, LESLIE THOMPSON, PHIL REISMAN, REGINALD ARMOUR, JACK COHN, NATE SPINGOLD, HERMAN ROBBINS and SAM DEMBOW, JR., with RALPH ROLAN lurking somewhere in the rear. BOB RUBIN was another luncheon guest there yesterday.

•

ARTHUR DENT of B.I.P. arrived Tuesday and by yesterday morning felt completely at home. The reason: He visited the Paramount on the evening of his arrival. There he saw early shots of the King's jubilee from London which were applauded far beyond any American scenes in the same release. Marvelous country, DENT concluded.

•

JULIUS CHARNOW returned home the other day to find his daughter, DORIS, had contracted the measles. Optimistic, he told his daughter that if he could get first run pictures at the Leonia as quickly as she got the measles all his problems would be solved.

•

ERNEST MORRISON, general manager for the Sparks East Coast Theatres, is in from Miami for code and other meetings. FRED KENT, attorney for Sparks, arrives tomorrow.

•

EVERETT CROSBY, brother and manager of BING, is in from the coast to negotiate a new radio contract for the Paramount star. BING'S current deal winds up June 11.

•

ROBERT SAVINI leaves today for Charlotte and Atlanta. He will attend the Allied convention in Atlanta. He recently returned from Washington.

•

SAM CHERNOW, formerly with RKO theatres, is now with the Norman D. Waters Advertising Agency in charge of picture exploitation and publicity.

•

RUTH CHATTERTON plans to take a plane for the Columbia studio either Monday or Tuesday.

•

MORDAUNT HALL had the Hays office on his calling list yesterday.

•

FAY WRAY has returned to the coast.

•

. . . San Antonio

ARTHUR ESBERG, manager of the Aztec, is in Alburquerque where he will be city manager of the Interstate group.

WELDON PARSONS, manager of the Empire, has been transferred to Galveston where he will manage the Queen City.

WILLIAM O'DONNELL has been transferred from the Texas to the Aztec. JOHN T. FLOORE succeeds as manager of the Texas.

ALICE JOY, radio star, heads the stage show at the Texas. JERRY JOHNSON'S orchestra is an added attraction.

TED LEWIS and his band have begun a tour of the Texas theatres of Interstate. Lewis and his boys are on their way to Hollywood to make a picture for M-G-M.

Theatres in India Prospering—Armour

"Every one of the 600 theatres in India is in operation and business is very good," Reginald Armour, in charge of RKO Radio sales in India, Burma, Ceylon, Straits Settlements, Siam and Java, stated yesterday. He is here to confer with Phil Reisman and attend the company's sales convention in Chicago next month.

"There are 150 'A' theatres in India which exclusively play American product, 150 'B' houses which play both American and Indian made talkers and 175 'C' units which play all-Indian sound films. The balance of the theatres have not yet been equipped for sound and are playing silent versions," he said.

"Approximately 250 pictures are produced in India a year. There are about 50 producers. The native-made productions serve a total of 350,000,000 people," he asserted. "Super pictures made by local producers cost in the neighborhood of $40,000 and gross from two to three times as much as imported English pictures."

Armour, in addition to his RKO Radio duties, is supervisor of RCA activities in the Far East. He said there are about 250 sound machines installed by the company and most of the Indian producers are licensees of RCA. He plans to sail for India, his headquarters, around July 1.

With the exception of the 750-seat house M-G-M is building in Calcutta, new theatre activity is at a standstill. RKO has the Elphinstone in Calcutta and reports are current M-G-M will build in Bombay, where the company is said to have acquired a site.

Harry Fried Named To Head IEPA Board

PHILADELPHIA, May 15.—Harry Fried has been named chairman of the board of governors of I. E. P. A. He succeeds Morris Wax, recently elected president.

Wax has been elected a national director and will represent the I.E.P.A. at the Atlanta Allied convention starting May 20.

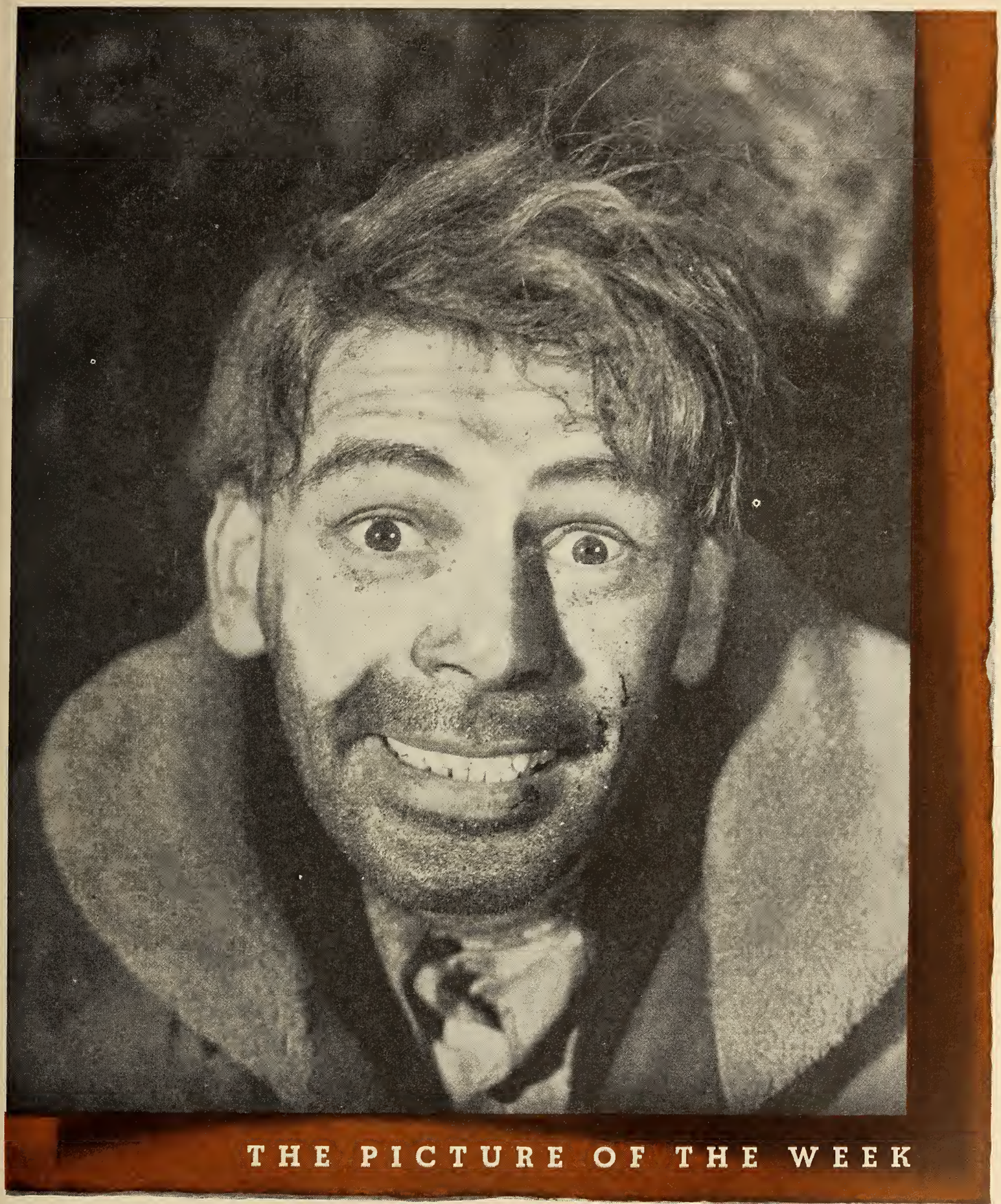
A permanent grievance board has been named. It includes: William E. Butler, chairman; Columbus Stamper and Ray O'Rourke. A special board has been appointed to take action on regulation of premiums in this territory. Its members are: Clarence Hexter, chairman; John Bagley, Ray Schwartz and Ben Shindler.

Mayer Gives Party; Helps Wreck Rialto

A wake in the form of a party, at which Arthur Mayer was host, was held last night to commemorate the passing of the Rialto Theatre. Immediately after the last screening of the picture demolition of the building—originally Hammerstein's Victoria, and a Times Square landmark since 1898—was begun. The wreckers didn't stop the celebration, however, and it wasn't until the small hours of this morning that the festivities concluded.

James Weed Improving

DAYTON, May 15.—James L. Weed, RKO city manager here, is in the Miami Valley Hospital recovering from an abdominal operation which he underwent last week.



THE PICTURE OF THE WEEK

Its thrilling critical reception, its record-breaking pre-release successes, and the magnificent performance of its star, **Paul Muni,** unquestionably stamp Warner Bros.' **"Black Fury"** as the outstanding screen release of this week. Michael Curtiz' bold direction adds brilliant power to the work of a huge supporting cast headed by Karen Morley, William Gargan. A First National Picture. Released May 18th.

British Take Critical View Of Code Talks

(*Continued from page* 1)

"Nell Gwyn" and, in some spots, "The Scarlet Pimpernel."

Some editors made it plain that if Queen Victoria wore low-necked evening gowns—and she did—that made them all right for films, and if King Charles wanted Nell Gwyn taken care of after his death—well, what about it?—it was history.

A few editors and persons connected with the industry expressed the view that the conferences would be helpful, and that if the British industry desired to make expensive pictures it would have to cater to the idiosyncrasies of the American market.

Industry leaders regarded the conferences as the most important industry happenings since British producers decided to seek outlets in the American market.

Cites His Experience Here

The Daily Mail quoted from its film correspondent, Seton Margrave, who in turn quoted Capt. Richard Norton of B. & D., saying:

"My experience in New York in getting certificates for 'Nell Gwyn' and 'Brewster's Millions' taught me that there is a real difference in outlook as between British and American censorship. Therefore, I welcome any such discussion.

"It is impossible for British producers to make expensive pictures without having access to the American market, so that a discussion of the problem of American censorship may be said to be essential to the future of the British film industry."

Jympson Harman, in the *London Evening News,* was not quite so friendly. Among other things he wrote:

"Two wise men from the west will arrive in London to tell us exactly what is wrong with the morals of our films. They will explain why the good folk of Oshkosh may not be allowed to know the truth about Nell Gwyn and what was wrong with the frocks worn by the ladies when the Prince Regent made merry.

Quotes Michael Balcon

"Michael Balcon, the Gaumont British production chief, who has just returned from a triumphant visit to Hollywood, tells me that these gentlemen have done a great thing for the cinema. Films were getting so near the knuckle that there seemed to be no limit to what they might do. Moral opinion against Hollywood became so strong that the whole business was in danger of being wrecked.

"This situation has been met and counteracted by the producers' own efforts, forced out of them at great financial cost by their self-appointed censors. Our coming visitors are two of the chief moral advisors.

"Their chief trouble is that they take films too seriously; they want to uplift them too much."

In the *Evening News* an article was headed "Clothes and the Man."

After mentioning objections to "historical" films produced in England the article went on: "In the matter of morals we have taken it for granted that, both in regard to things seen and things said, British and American films are much of a muchness. Possibly some of the American films produced here are bowdlerized for American consumption. As to that we are quite willing that the League of Purity should wave its big stick at the Hollywood producers.

"We do not suggest that British films do not occasionally err on the side of vulgarity and bad taste. On the other hand, we have a decent respect for historical accuracy, and we shall never blush at our grandmothers' evening gowns or feel it necessary to suppress the fact that the lamentable Nell Gwyn did not come to a bad end."

The People, a Sunday paper, was strong in its criticism. It said: "One would almost think that the Americans, our breezy trans-Atlantic cousins, have no sense of humor when one reads of their film purity campaign. But this is not so. They have merely learned to keep expressionless poker faces when they are putting up their most audacious bluffs.

Calls Attitude Inconsistent

"Two ambassadors from Hollywood are coming over here to tell us how to keep our films clean. Think of some of the American talkies you have seen and heard and try to laugh that off!"

In the *Daily Express* the heading was "Purity Men from U. S. to Talk Over Our Film Morals." Among other things the *Express* film correspondent, Paul Holt, wrote: "The visit is an outcome of the recent protests through the British ambassador in Washington against the banning of British pictures throughout America on moral grounds.

"The visit is intended to clear up the vexed question of what is—and what is not—moral on the screen."

The *Glasgow Daily Record* was more sympathetic in its attitude.

"Film censorship in America," the paper stated, "undoubtedly presents many anomalies—and incidentally a good many hypocrisies; the necessary moral twist given to immoral situations not infrequently leaves a nastier taste than an honest treatment of the same situation would do. However, that is primarily America's affair. British producers will undoubtedly benefit from the visit of Mr. Hays' representatives, and as a quid pro quo they might tell their visitors what's wrong with many of the films that come here from Hollywood. But perhaps that would take too long."

Visit Called "Good News"

In the *Liverpool Post* the visit was described as "good news."

"Ever since British films became exportable," the comment read, "there have been undefined but real difficulties in the way of their full exploitation in the United States. The fault has not rested wholly on the other side of the Atlantic. Lack of full knowledge at this end of American box-office appeal, and of the rules and regulations governing the cinema industry have also played their part. It is therefore good news that two leading American authorities chosen by the Motion Picture Producers and Distributors Ass'n., at the invitation of British industrialists, are arriving here for discussion with our own producers."

The Era indulged in satirical references to the conferences by saying: "Government of Hollywood, by Hollywood, for Hollywood, and the rest may perish from the earth."

John Bull asked: "Is it merely a coincidence that Mr. Will H. Hays has acquired doubts regarding the good taste of British films just when American film-goers have discovered their entertainment value?"

Northern Whig of Belfast suggested "There has been more than a suspicion of vindictiveness about some of the decisions against British pictures in the past year, when one takes into consideration the type of film which is still arriving here from America. In short, Elstree thinks that America's New Deal smacks of a raw one from their point of view."

Film Weekly suggested that Milliken and Quigley were "going to 'explain' to British producers the peculiar standards of screen morality demanded by the United States film code."

Wall Street

Columbia Gains on Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	54⅜	52½	54⅜	+2⅞
Consolidated	4⅛	4	4	— ⅛
Cons., pfd (1v)	16	15¾	16	+ ⅛
Eastman	143	142	143	.....
Eastman, pfd	152	152	152	.....
Fox "A"	11¾	11⅝	11⅝	— ⅛
Loew's	40½	39⅝	39¾	+ ⅛
Loew's, pfd.	106½	106½	106½	.....
M-G-M, pfd	27¼	27¼	27¼	— ⅛
Paramount	3⅜	3⅛	3¼	.....
Pathe	¾	⅝	¾	+ ½
Pathe "A"	10⅞	10	10⅜	— ½
RKO	1⅝	1½	1⅝	+ ⅛
Warner	3⅜	3⅜	3⅜	.....
Warner, pfd	22½	22¼	22¼	—2

Technicolor Up ⅛ on Curb

	High	Low	Close	Net Change
Technicolor	19¾	19	19¼	+ ⅛
Trans-Lux (.10K)	2⅛	2⅛	2⅛	— ⅛

RKO Bonds Gain 2¼ Points

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11	11	11	.....
Keith B. F. 6s '46	77	77	77	+ ½
Loew's 6s '41 ww deb rights	104½	104½	104½	.....
Paramount Publix 5½s '50	87⅝	87	87	—1⅜
RKO 6s '41 pp	35	34	35	+2¼
Warner Bros. 6s '39 wd	63¾	62¼	63½	+1½

(c) Plus stock extras. (K and v) Paid this year

(Quotations as at close of May 15)

New Para. By-Laws Approved by Board

(*Continued from page* 1)

proval of each subject will be asked of Federal Judge Alfred C. Coxe on May 24.

The approved changes in the company's by-laws call for the reduction of directors from 20 in number to "not less than 16 and not more than 18" and the classification of the board into three groups of not more than six directors each. The groups will serve one, two and three-year terms each until 1938, when annual elections of directors will be held.

File Chase-Para. Motions

Motions by the Chase National Bank for leave to file new claims aggregating $5,000 against Paramount Publix for services as trustees under the Famous Players Lasky 1927 indenture and the Paramount Publix indenture of 1930 and to liquidate claims already filed by the bank were referred to Federal Judge Alfred C. Coxe yesterday for hearings.

M-G-M Groups Will Shift in Various Spots

(*Continued from page* 1)

high as 12 or 14, provided sufficient strong attractions develop to rate listing in such a category. Under the same plan, star attractions may be swelled later in the season from 22, as announced, to 27. The "Marquee Group" will include special features. Will Rogers in "Ah Wilderness" may be listed in this group, but this has not been decided yet. The picture was planned last year, but until it is made no decision on a sales policy for it will be reached.

Due to exhibitor demands, "Smilin' Thru" with Norma Shearer is to be revived, hiking the announced releases to 50. If plans go through for an exploitation feature on amateur talent with nationwide radio hookups tying in with the talent contests, the total number of releases will be tipped to 51.

According to reports from Chicago, three different policies will be offered exhibitors in the east. One provides for a minimum of four pictures at 35 per cent of the gross with the playing time on the balance of the product to be worked out. The second plan calls for eight percentage features, to be divided into groups of four with one group at 35 per cent and the second four at 30 per cent. The third plan is said to call for a minimum of 12 features on percentage, six at 35 per cent and the other half dozen at 30 per cent.

M-G-M is said to be adhering to its 10-point system on playing time, details to be worked out with individual circuits and exhibitors. Unconfirmed reports have it that the company will insist on at least five points for most of its films. According to this system, the week's gross is divided into 10. Sundays are counted as three points, Saturdays, two; week-days, one for each day.

Special Shorts on Tap

The M-G-M short subject lineup for the new season is expected to include specials, probably in two-reels, with "Chic" Sale in the type of characterization usually associated with him and typified in "Little Friend," a current Metro release.

One of the proposed specials may deal with Abraham Lincoln.

Metro-Goldwyn Acts On Stock Retirement

(*Continued from page* 1)

stock at par was approved yesterday by the company's board.

Stockholders will receive the par value of $27 per share plus the regular seven per cent dividend of 47¼ cents, due June 15. Retirement of the issue involves an outlay of $4,030,335. A new security issue is expected to be announced by Metro-Goldwyn in the near future.

Loew's Declares Dividend

Directors of Loew's, Inc., yesterday voted the regular quarterly dividend of 50 cents a share on the common stock, payable July 1 to holders of record June 14.

House Stand On NRA May Block Action

(Continued from page 1)

extending for two years, Speaker Byrnes indicated that the House would ignore the threat made yesterday by Senator Pat Harrison, chairman of the Senate Finance Committee, that the House amendment of the Clark resolution would be vigorously fought.

The House Ways and Means Committee, meanwhile, made plans for immediate consideration of the measure. In the hope of reporting it next week, with Chairman Doughton predicting that a two-year extension would be inserted, although he denied any intention of starting a controversy in the Senate.

It was also indicated that the committee would amend the provision exempting from codes all persons "wholly engaged" in intrastate business, probably along the line suggested by Donald R. Richberg, chairman of the National Industrial Recovery Board, to retain under codes all industries engaged in or directly affecting interstate commerce.

K. C. Dual Choice Proposal Dropped

(Continued from page 1)

ments with the announcement of new season sales policies.

Jay Means, I. T. O. head, is authority for the statement that "nothing further will be done" in view of the distributors' flat rejection of the plan whereby a "release board" was to be set up to designate product for dual bills. Exhibitors, including independents and Fox Midwest, agreed on the plan as a solution to the demand for indiscriminate double billing, but with one exception all major distributors queried turned it down on the ground they saw no reason why they should relinquish the right to determine which of their features shall be played on a twin bill.

That statement of policy does not, however, apply to Warners, Columbia or Universal. All except percentage pictures are being released locally by Warners for dualing in the regular single feature spot, this being a new development. The two other companies permit doubling of all features, but with a 28-day setback in clearance. Other major companies restrict duals to features not receiving a first run.

FWC Duals Start Today

Los Angeles, May 15.—Despite the opposition of producers and distributors, Fox West Coast starts duals tomorrow, the initial twin bill consisting of "Our Little Girl," Shirley Temple's latest, and "Baby Face Harrington." Duals are announced as the new summer policy of the circuit.

Geldert Funeral Today

Hollywood, May 15.—Funeral services for Clarence Geldert, pioneer actor and director, who died Monday of a heart attack on location, will be held tomorrow.

Loew's May Start Giveaways in N.Y.

(Continued from page 1)

the official nod from Nicholas M. Schenck, president, to proceed to adopt giveaways and chance games at Loew theatres in the metropolitan area where competing exhibitors refuse to stop the practice.

One of the first Loew houses to go for the new plan will most likely be the Rio, which on several occasions recently has filed protests with the local grievance board against the Audubon on "pay envelopes" and "Lucky." Every time one practice is terminated another is started. Loew's 175th Street may be the second house.

At the general meeting of local independent and major circuit heads before the New York grievance board on Tuesday, Loew stated that the circuit did not want to distribute premiums and hold chance games, but unless exhibitors stop the practice Loew's would be forced to adopt the same policies on a wholesale plan.

Loew yesterday said he did not know where he would start first and still held hopes that the circuit would not be forced to go through with the move.

RKO is not considering a similar Loew move, but within the next few days will file about 20 complaints against exhibitors for code violations.

The local board meets again to act on the discussions on Tuesday.

Gov't Will Speed St. Louis Trials

(Continued from page 1)

the bringing of similar suits in other jurisdictions, it was indicated.

However, it was said, the Government is not preparing for a campaign against the film industry. All cases which are under consideration are the result of complaints filed with the department.

Officials of the department refused to say when they expected the St. Louis case to come to trial, pointing out that there are always a number of steps which must be taken as a preliminary to the actual hearing of a case. However, in view of the short time remaining to the current court term, unless the Government moves with speed the hearing may not be reached until next Fall.

Roxy Group to Seek Loan from the RFC

(Continued from page 1)

Caffey has signed an order instructing Howard S. Cullman, trustee, to apply to the Reconstruction Finance Corp. for a first mortgage loan on the theatre.

This is the first official move to reorganize the theatre and if the R.F.C. should approve the plan, reorganization proceedings based on such financing will be started.

The petition states that the R.F.C. will not give its approval unless the application is made by the trustee. It is not intended by the application to bind anybody to the making of a loan or to acceptance of such a loan if made, unless a plan for reorganization is consummated which has the approval of the bondholders and the court.

Four Protests Hit Schedule in L.A.

Los Angeles, May 15.—With the new clearance and zoning schedule going into effect today, four protests have been filed. They are slated for hearing May 28 with John Flinn sitting in.

Harry H. Hicks, operating the Arlington and Gem in Zone 2, has asked the six houses in that zone be declared non-competitive. Warners have filed a protest in the same zone. They want it split into two zones, as formerly.

Mike Rosenberg of Principal Theatres protests the downtown price classifications specifying matinees. He wants matinee scales to remain at 35 cents, claiming that high film rentals make it impossible to classify matinees at 25 cents. Jules Wolfe of the Lincoln wants Zones 20 and 21 combined. He says houses in both zones are competitive and are patronized solely by negroes.

Due to new protests on the zoning schedule, the clearance and grievance boards will call a protest meeting May 22 and 23 instead of waiting for the arrival of Campi Secretary John C. Flinn on May 28.

Superserial Row Back to L. A.

Washington, May 15.—Difficulties between Superserial Prod. and its studio labor were today remanded by Deputy Administrator William P. Farnsworth to the Studio Labor Board for such action as it deems necessary, following a conference with Chairman W. J. Davis.

A number of the cases, it developed, had been filed after Davis left the coast. The producer made a request to be heard by the board. Upon a statement by Davis that he personally would move for a rehearing, the matter was referred back to the coast instead of being heard here as had been requested. It was explained that if the board rehears the cases no action will be taken in Washington unless a new request is filed. If, however, the board refuses to review the matter, it is probable that interested parties will be called east for a hearing.

Refuse Price Clearance

Boston, May 15.—No clearances can be based on admissions only, according to a ruling of the clearance and zoning board in a case brought by Charles A. Caballero in behalf of his Art Theatre, Springfield.

Caballero contended that the Art, recently renovated, was entitled to films as soon as any house charging 25 cents, and that all houses charging less than this price should be set back behind the Art. The complaint was directed against the Paramount, Poli, Bijou, Broadway, Capitol, Garden, Arcade, Franklin, Jefferson, Liberty, Strand and Phillips.

An appeal is expected.

Delay Century-RKO Appeal

The appeal hearing of the Century-RKO clearance dispute on Long Island, scheduled for yesterday, was postponed until next Tuesday at the request of Campi.

Both Century and RKO appealed the decision of the local clearance and zoning board which recently ruled that the respondent's Alden in Jamaica was competitive to Century's Fantasy, Rockville Center, while the Strand and Columbia, Far Rockaway, were not in competition to the complainant's house.

MPPDA Signs Hays to New 5-Year Pact

(Continued from page 1)

new alleged candidate as his name appeared in the lists.

It can be stated with complete certainty that in the latter day stages of the Hays regime, his principals never seriously contemplated a successor. Weeks ago when the preliminary discussions of a new contract were first aired, the heads of the major companies expressed themselves for a renewal. The outcome was entirely up to Hays, the sole question, if there were any, being whether or not Hays himself wanted to continue his motion picture activities.

Apparently, he has.

New NRA Confab on Extra List Impends

Los Angeles, May 15.—Attorney Eugene H. Marcus is awaiting word from Compliance Director Sol A. Rosenblatt to fly to Washington for a new conference on the extras' registration list. He is expected to proceed to Washington either Saturday or Monday.

The conference will concern the official publication of the names of all registered extras. A regulatory measure for extras selected for work outside the list which would force employers to state definite talents desired when hiring these people to avoid politics and nepotism will also be discussed. The meeting will also cover evasion of code provisions, such as studios entering into private contracts with extras.

Discover Pickets' Aims

Rochester, May 15.—"Mystery" of the picketing of the newly opened Hollywood, neighborhood house, was solved here when owners haled the pickets into court and found they were kicking about the alleged failure to employ union labor on renovating the building and not about employment in operation of the theatre.

Kinsler in Variety Job

Cincinnati, May 15.—Ralph Kinsler city salesman for RKO pictures, has been made treasurer of the local Variety Club, succeeding Abe Lipp, who has held the office since the club was formed. Kinsler also is a charter member.

Vandals Damage Astor

Vandals who wrecked the interior of the Astor over the week-end caused damages estimated by police in the neighborhood of $50,000. Walter Reade closed the house Saturday night after an unsuccessful attempt to operate under a revival policy.


. . . EVI
LES MISI
Star
20TH CENTURY PICTURE
R

YWHERE! OVERWHELMING!

DETROIT - (United Artists Theatre) - Smash 2nd week follows overflow 1st week!

•

NEW YORK - (Rivoli Theatre) - Still breaking the 8-year-old attendance and receipt record. Now in its 5th week and still going strong!

•

PITTSBURGH - (Loew's Penn) - Played *without usual stage show* and topped receipts of previous pictures which had support of strong stage shows!

•

CINCINNATI - (Keith's Albee) - Reached new high at Albee and continues smash 1st run after moving to Capitol Theatre.

ST. PAUL - (Riviera Theatre) - Hits new high for 1935!

•

PHILADELPHIA - (Aldine Theatre) - Biggest opening in 10 months. Will hold over for indefinite run!

•

WASHINGTON, D. C. - (Loew's Palace) - Smash week-end business definitely insures 2nd week holdover.

•

INDIANAPOLIS - Biggest week in months forces 2nd week holdover at Loew's Palace.

•

COLUMBUS - Crowds storm theatre. Loew's Ohio turn-stiles hum as picture starts second week.

Joseph M. Schenck *presents*

DARRYL ZANUCK'S *production*

of VICTOR HUGO'S

RABLES

FREDRIC MARCH

CHARLES LAUGHTON

CEDRIC HARDWICKE • Rochelle Hudson • Frances Drake • John Beal

Directed by RICHARD BOLESLAWSKI

eased thru UNITED ARTISTS

Richard Boleslawski

DIRECTOR

Les Miserables

✣

✢
✢
✢
✢

W. P. Lipscomb

SCREENPLAY

"Les Miserables"

•

SCREENPLAY

*"Clive of India"**

"A Tale of Two Cities"

•

DIALOGUE

*"Cardinal Richelieu"**

•

UNDER CONTRACT TO

20th CENTURY

* IN COLLABORATION



Fredric March

as

"JEAN VALJEAN"

Florence Eldridge

as

"FANTINE"

"Les Miserables"

✢
✢
✢
✢

Reservations Gain For Allied's Meet

ATLANTA, May 15.—Last minute reservations are pouring in on Allied headquarters at the Piedmont, the committee says, and as a result a second registration headquarters has been opened. Registration will be started as early as noon on Sunday. The convention gets under way the following day.

Newsreel men are to photograph part of the proceedings and National Screen is to make trailers. The reels will concentrate on Governor Eugene Talmadge's talk Wednesday evening. A special stunt has been arranged in this connection by Sidney E. Samuelson, national president.

Last minute figures indicate an attendance of about 500, it is said.

Cost of badges has been lowered and the possessors will be entitled to seven entertainments, according to the local committee headed by Mrs. Fay Ellis and N. H. Waters. Two events are for women—the tea at the Governor's Mansion, at which Mrs. Talmadge will be hostess, and the other a bridge at the Piedmont Driving Club. Sam H. Borisky of Chattanooga is general chairman of the convention.

Among the exhibitors already on hand are: RCA, National Screen, National Theatre Supply Co., Conger Printing Co., Southern Fan Co., Claude Neon Sign Co., Triangle Poster Co., Amity Film Exchange, Theatre Service Co., N. Emile Savini, Visugraphic Film Co., Wil-Kin Theatre Supply Co., American Seating Co., The Selig Co. and National Film Carriers.

Delivery Men to Atlanta

Seven members of the National Film Carriers' Ass'n will attend the Allied convention in Atlanta May 20-23. The film delivery service is setting up a booth at convention headquarters.

James P. Clarke, president, will talk on film delivery problems. Accompanied by Clint Weyer, secretary of the organization, Clarke will leave for the south on Saturday. Other National members who will attend are: Harold Robinson of Detroit, E. E. Jameson of Kansas City, John Vickers of Charlotte, George Blackman of Syracuse and L. M. Miller of New Orleans.

N. Y. Allied Opposes Code

ALBANY, May 15.—Filing of the film code under the new state act calling for hearings before the Secretary of State can act is officially opposed by Allied Theatre Owners of New York in a letter written by A. Stone, president. A hearing is to be held June 1.

Stone cites all the well known Allied objections: That the code was drafted or submitted to the NRA without being submitted to a "representative group of exhibitors"; that it is "oppressive, promotes monopolies and restrains intrastate trade"; that it confers on producers "complete dominion and power"; that it denies to independents the right to choose representatives on code agencies; that it enables major producers to regulate trade practices.

Stone also requests that the hearing be postponed on the ground that national Allied officers will be in Atlanta until the end of the month. The convention starts there May 20 and lasts through May 23.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"The Glass Key"

(Paramount)

HOLLYWOOD, May 15.—Moving with measured dramatic tread, this murder mystery, by virtue of its direction, acting and writing, achieves a rare quality of suspense and power.

The story is spotted on the fringe of politics prior to an election, with the local boss (Edward Arnold) accused of murdering Ray Milland, the son of Senator Charles Richman. George Raft, Arnold's stooge, is an active agency in blasting Gambler Robert Gleckler's undercover opposition, clearing things for his boss and daughter (Rosalind Keith).

Raft, given an opportunity second only to "Scarface," turns in a brooding, sinister performance in a role fitting like wallpaper. Gleckler makes a menacing heavy, with Guinn Williams, his strong arm, vividly brutal. Miss Keith gives a genuine portrayal in her first screen appearance. Arnold, always good, repeats. Tammany Young supplies some nifty comedy. Claire Dodd, Emma Dunn and Mack Gray are among the support.

The film, while not in the tempo of "The Thin Man," nevertheless has Dashiell Hammett's ironic twists, with fire beneath the surface. The romance between Raft and Miss Keith, while slight, is effective.

The direction of Frank Tuttle achieves tenseness through simplicity and strength through convincing action. The Kathryn Scola-Kubec Glasmon screen play is shrewdly contrived and smartly embroidered with Harry Ruskin's additional dialogue. Harry Sharp photographed well.

Raft's performance in a well-acted and well-produced Hammett vehicle predicates good box-office reception.

Production Code Seal No. 696. Running time, 75 minutes. "G."

"The Healer"

(Monogram)

HOLLYWOOD, May 15.—Ralph Bellamy, as a doctor, devotes his life to curing children in the backwoods assisted by Nurse Karen Morley, who loves him. Spoiled daughter of wealth, Judith Allen, falls from her horse. He operates and saves her life. She determines to make him a fashionable doctor and marry him.

During an effective forest fire a tree falls on Miss Morley. Crippled Mickey Rooney regains the use of his legs and does the impossible by riding a bicycle through the fire area for aid. True love triumphs in a quiet way. Good performances are turned in by Miss Morley, Bellamy, Rooney, Miss Allen, Robert McWade as a dyspeptic millionaire, J. Farrell MacDonald as a tough backwoodsman and Vessie Varrell under Reginald Barker's direction.

The cast's excellence is somewhat retarded by the story. A timely exploitation angle is the national interest in cures for crippled children.

Production Code Seal No. 886. Running time, 73 minutes. "G."

Looking 'Em Over

"The Last Wilderness"

(DuWorld)

As a pictorial record of the last stands of American big game, this picture is to be commended. Using the wilds of Wyoming as a background, cameraman Ned Frost has caught elk, antelope, bear and various species of birds in their natural surroundings in such a manner that his work becomes doubly effective by his simple presentation.

Howard R. Hill, renowned archer, accompanies the expedition on the trip and his skill with a bow is well presented.

The film opens with a wildcat hunt. Hill kills two with his arrows. From this point on the picture takes the audience on the trail of bison, bear, mountain sheep and even moose. Most of the animals are merely photographed and only the dangerous ones are killed, all in full view of the camera.

Where nature or adventure films are liked, this picture should do very well.

Hill accompanies the action with explanatory dialogue. Reviewed without production code seal. Running time, 63 minutes. "G."

Toronto Gathering Protests Tax Jump

(Continued from page 1)

all theatres within the province for a period of three months, June, July and August, as a protest against the drastic tax increases imposed by Premier M. F. Hepburn, effective June 1.

Word was forthcoming from the Independent Theatre Owners of Canada that forms were in circulation for a gigantic petition of theatre-goers.

Circuit theatre interests joined with independents in sending a deputation to wait upon the Provincial cabinet ministers to seek relief. It was stated, however, that the government had already put through an order-in-council and new tax tickets were already being printed. The exhibitors were told flatly and firmly by Hepburn he would not modify the tax.

N. L. Nathanson, president of Famous Players Canadian, declared: "It is a question whether the industry in Ontario can survive under the new taxes. We pay the present amusement tax, another tax based on the number of seats, a license fee while every film shown is taxed as well. In addition, there are the usual municipal levies. Last year, on an investment of $9,000,000 in Ontario, Famous Players paid twice as much in taxes as it earned in profits."

Oscar Hanson scored the new taxation as direct discrimination against workingmen.

"Closing down the theatres may seem drastic," said Hanson, "but it is really quite sensible when one considers that the theatres would be losing money every week they were open during the next three months."

J. O. Scott, representing neighborhood exhibitors of Toronto, said it was expected that signatures of from 600,000 to 1,000,000 theatre patrons would be secured for the petition against the increase.

Mass. Senate for Betting

BOSTON, May 15.—The Massachusetts Senate today voted in favor of the measure already passed by the House to allow the operation of parimutuel dog tracks in the state this and next summer with the provision that the whole question be submitted to the voters in the 1936 elections. This is a compromise act backed by the M.P.T.O.A. and is considered a victory inasmuch as the public referendum last fall was overwhelmingly in favor of the tracks and as the Governor wants the attendant revenue. The amendment for investigation for immediate repeal pending the resubmission of the measure to the voters and for postponement of the action was defeated without a roll call.

Pass Coast Marathon Ban

SACRAMENTO, May 15.—The Assembly has passed Assemblyman Hunt's bill preventing endurance contests. The Assembly Labor and Capitol Committee has taken out of the child labor bill the provision which would have prevented players under eight, such as Shirley Temple, from working after 6 P. M.

"Werewolf" at $12,000

With "Werewolf of London" winding up the last seven days, the Rialto grossed approximately $12,000. "Mark of the Vampire" at the Mayfair for a second week garnered about $5,000.

"Bride" and Bernie K. C. Hit, $19,000

KANSAS CITY, May 15. — Ben Bernie's appearance at the Mainstreet shot the take to $19,000, probably top for the year in Kansas City. The screen attraction was "Case of the Curious Bride."

"Naughty Marietta" in a repeat run at the Midland went to $10,000, and "Princess O'Hara" and a stage show at the Tower also exceeded par at $7,300. The Uptown's take of $3,300 was slightly off on "The Hoosier Schoolmaster" coupled with "Man of Aran" in a shortened version.

Total first run business was $44,600. Average is $33,500.

Estimated takings:

Week Ending May 9:

"CASE OF THE CURIOUS BRIDE" (F. N.)

MAINSTREET—(3,100), 25c-35c-45c, plus tax, 7 days. Stage: Ben Bernie and all the lads. **Gross: $19,000.** (Average, combination bills, $9,000)

"NAUGHTY MARIETTA" (M-G-M)

MIDLAND—(4,000), 15c-25c-40c, 7 days. (Repeat run, 3rd week.) **Gross:** $10,000. (Average, $8,000)

"THE DEVIL IS A WOMAN" (Para.)

NEWMAN—(1,800), 25c-40c, 7 days. **Gross:** $5,000. (Average, $6,000)

"PRINCESS O'HARA" (Univ.)

TOWER—(2,200), 25c, 7 days. Stage: "California Revels," with Herman Hyde, Capps Family, Chic Thomas, Three Excellos, others. **Gross:** $7,300. (Average, $7,000)

"THE HOOSIER SCHOOLMASTER" (Monogram)

"MAN OF ARAN" (Gaumont-British) (Shortened version)

UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $3,300. (Average, $3,500)

Kent Denies Orders Withholding Product

WILMINGTON, May 15. — Under cross-examination Sidney R. Kent, president of Fox Film, a witness for the defendants — Erpi, Western Electric and A. T. & T. — in the General Talking Pictures and Duovac anti-trust trial here today, denied he gave orders refusing to supply film to any theatres at any time.

He said his company had a censorship list of theatres which were refused films because their equipment was bad and very damaging to the reputation of the product of his firm but not because of non-Erpi equipment. He said his company supplied films to theatres with 28 different kinds of equipment.

George C. Pratt, vice-president of Erpi, followed Kent on the stand. Pratt's testimony was mostly confined to the equality clause in agreements between Erpi producer licensees and exhibitors.

Allan McLean, Erpi electrical engineer; John Hamrick, operator of 11 theatres in Washington and Oregon, and Harold M. Steel, Erpi service engineer, also testified.

"G-Men" Fight Dormant

LOS ANGELES, May 15.—Warners is taking no action on the demand of exhibitors that "G-Men" be classified as a second run because of the price slash downtown. It is understood no move will be made unless the matter is pressed. The exchange says it has had no additional demands since the original blast last Saturday.

Campi to Golf

Having battled on many other points, Campi members will now fight it out between themselves on the greensward.

On May 22, Code Authority and members of local boards who will be in New York on that date, will meet face to face with niblick and putter at the Lakeville Country Club, Great Neck, L. I.

The program for the day is:

10:30 A.M.—Start of the morning round.

1-2 P.M.—Lunch.

2:30-3—Start of the afternoon round.

7:30—Dinner and awarding of prizes.

Yates to Go West on Liberty Production

(Continued from page 1)

about 10 days to sign contracts with M. H. Hoffman, head of Liberty, whereby the latter company will produce for Republic.

When Yates was here about two weeks ago, he and Hoffman agreed on the deal "in principle."

According to Hoffman, "Liberty will not produce eight features for Republic." He says that his company "will not abandon its own identity as an individual producer," nor become a part of Republic.

"However," he adds, "if satisfactory distributing terms are negotiated, Liberty may distribute its program through Republic exchanges."

Cleveland to Give Lump Sum for NVA

CLEVELAND, May 15.—Instead of contributing 10 per cent of the gross of one performance on May 20 to the N.V.A. fund. Cleveland exhibitors have indicated they will donate an arbitrary sum to the fund. Reason attributed for this is reluctance to disclose the amount of their gross receipts for any one performance.

Detroit Club to Aid Fund

DETROIT, May 15.—Variety Club is sponsoring a big midnight show at the Fox Saturday night, the proceeds of which will be divided between the NVA fund and the club's milk fund.

At the business meeting held in the club rooms, Edward Ashkins, salesman for Universal,, and I. H. Pollard, assistant manager for Columbia, were elected to active membership. Plans for a golf tournament and dinner-dance were discussed but action was deferred until after the midnight show has been put over.

Christie Meeting May 21

LOS ANGELES, May 15.—A dividend meeting will be held by creditors of Christie Film Co. before Referee in Bankruptcy Rupert B. Turnbull here on May 21. The trustee's third report will be heard at the meeting, as well as a petition to pay the expense of the bankruptcy administration.

"Caliente" to Capitol

Warners' "In Caliente," starring Dolores Del Rio, opens here at the Capitol May 24.

Allied Is Told of New W. E. Servicing

NEWARK, May 15.—Bert Sanford of Erpi yesterday advised members of Allied of New Jersey meeting at the Douglas Hotel that new service arrangements at lower costs are now available to users of Western Electric sound apparatus.

The reductions do not apply to exhibitors who have not yet paid up for their equipment, he said. He also gave a short lecture on the engineering facilities of the company. Sanford told of surveys made at the Schine and Poli houses whereby Erpi has effected considerable savings in electric bills.

Erpi is not interested in selling equipment other than Western Electric sound, he said. Sanford invited exhibitors with any sound problems to visit the company's headquarters. He also stated that Erpi today is servicing 5,200 machines throughout the country and after a result of a checkup has adopted the new servicing plan. Sanford stated that it is optional with the exhibitor.

Under the plan 12 visits a year for servicing will be made at theatres operating less than a full week, 17 annual visits for the average type theatre and 52 visits for de luxe houses.

Phila. Variety Lunch Draws Crowd of 200

PHILADELPHIA, May 15.—The semi-monthly luncheon of the local Variety Club at the Bellevue Stratford today drew a gathering of 200. Hal Horne of United Artists was guest master of ceremonies. Among the speakers were Charles L. O'Reilly, T.O.C.C. head; John C. Flinn, Code Authority secretary; Tommy Loughran, the boxer, and Congressman Percy L. Gassaway of Oklahoma, who was the big hit of the occasion, his speech being broadcast over WCAU.

Other guests included Former State Attorney General Schander, Former Mayor Mackey and other notables.

Kings for the day were Jack Beresin and Walter Woodward.

M. P. Club Assesses Members $100 Each

In a move to strengthen its financial position, the M. P. Club yesterday sent out notices to 270 members assessing each $100. Payments do not have to be made in a lump sum. Sums can be sent monthly or quarterly, according to the method deemed best for the members.

Felix F. Feist, president, planned to call a general session of all members at which time the assessment idea was to be placed before them. With the sending out of the notices, the meeting has been called off.

To Build on Concourse

A new theatre on Grand Concourse just north of Fordham Road is planned. Warner-Spear Co. has just bought a plot with a Concourse frontage of 125 feet. Part of a restaurant on the site is to be demolished.

Brecher to Take Apollo

A deal to take over the Apollo on 125th St., near 8th Ave., from Sidney Cohen is expected to be closed soon by Leo Brecher.



Stories by Oliver Drake
Direction by Bob Hill
Supervised by Ray Kirkwood

"THE TEXAS RAMBLER"

What the critics say!

* * * *

"MOTION PICTURE DAILY"—Exhibitors should have no trouble with this where westerns are liked.

* * * *

"SHOWMAN'S TRADE REVIEW" — Third of super series best so far; a really good western in every way.

* * * *

"BOX OFFICE"—More than the usual amount of fast riding and hand to hand combats enliven this western drama.

* * * *

"FILM CURB" — Unusually fine western — fast action—good thrills—and a bit of mystery.

* * * *

"JAY EMANUEL PUBLICATIONS"—Third of the Cody's is up to standard with the usual hard fighting, etc. Okay.

"THE CYCLONE RANGER"

"THE FILM DAILY"—Mexican border thrills has plenty of action with Cody delivering strong.

* * * *

"SHOWMEN'S TRADE REVIEW" — Enough thrills, spills, fights, to please most rabid fans. . .

* * * *

"BOX OFFICE"—. . . a well told story, first rate supporting cast and superb photography putting it far above the average outdoor drama.

* * * *

"JAY EMANUEL PUBLICATIONS" — Action lovers will be more than satisfied.

"FRONTIER DAYS"

An Altmount production directed by Bob Hill.

* * * *

"FILM DAILY"—Great stuff for western fans. Hard fighting, smash bang fights and plenty of thrills.

* * * *

"SHOWMEN'S TRAOE REVIEW" — Bang up western leaves little to be wanted.

* * * *

"BOX OFFICE"—Fast action that will suit the western picture fans to a "T."

* * * *

"FILM CURB"—This one provides all the thrills and more that western fans crave.

* * * *

"JAY EMANUEL PUBLICATIONS"—Should completely satisfy western fans.

WATCH FOR — "The VANISHING RIDERS"

SPECTRUM PICTURES CORP.
729 SEVENTH AVE., NEW YORK CITY

LEAVE IT TO LEO!

Tops them ALL!

THE Hollywood REPORTER

'PUBLIC HERO' A CINCH

Ruben's Direction, Story Stand Out; Swell Acting Cast

"PUBLIC HERO NO. 1"
(MGM)

Producer .....Lucien Hubbard
Direction.....J. Walter Ruben
Original Screen Play: J. Walter Ruben and Wells Root.
Photography .....Gregg Toland
Cast: Chester Morris, Joseph Calleia, Jean Arthur, Paul Kelly, Andy Lawlor, Ed Brady, Selmer Jackson, Stanley Price, George E. Stone, Bert Roach, Lewis Stone, Lionel Barrymore, Helene Costello, Billy Sullivan, Greta Meyer, Zeffie Tilbury, Frank Darien, Lillian Harmer.

Excellent entertainment of the action-plus school of drama that is made for the pleasure and enjoyment of large audiences, due to the fact that it has an A1 screen play enlivened by swell humor for the adults; A1 acting by Chester Morris, Joseph Calleia, Jean Arthur and Lionel Barrymore, and A1 direction by J. Walter Ruben that holds the picture up from start to finish with lively interest. You can't get better movie material, better done for any type of audience.

MGM's contribution to the string of stories about the Federal Government's Department of Investigation considers the case of the "Purple Gang" and the front page methods used to round them up, put them away and make the country safe to live in. It offers a most interesting characterization in Sonny Black—whose prototype was undoubtedly Dillinger, a grand fighting hero in the person of Jeff Crane, a G-man—giving the kiddies something they can really admire and emulate in the way of thrills that can benefit a community; an intriguing heroine in Maria Theresa O'Reilly, and an elegant old reprobate in the Doctor. All the characters are rolled together and mixed up into a fine assortment of exciting interludes, realistically told. And the fun is all genuine.

From this may be gathered the fact that J. Walter Ruben had a good idea for an original and Wells Root has fashioned a screen play that takes full advantage of the picture possibilities and injects that very elegant brand of humor that was started by "The Thin Man." Ruben, directing his own story, gives himself a good break by keeping the action moving right along and getting the best in the way of performances.

Chester Morris as the hero, Jeff Crane, has the best role that he's had in months and months, and he is once more the boy who sprang to fame in "Alibi." Joseph Calleia, making his screen debut, repeats the quality performance he gave in the stage play, "Small Miracle." He's an actor who should go very far in pictures. His face is interesting and his restraint lends much power to his characterization. He'll arouse the fans' interest plenty.

And then there's that complete revelation, Jean Arthur. A fresh, attractive young Miss, with a grand sense of comedy and a charming personality. She makes the heroine an important person to the enjoyment of the film. Lionel Barrymore is the drunken doctor, beyond the law, and it's the best thing he's done in an age. You'll love him. Paul Kelly, Lewis Stone, Paul Hurst are stand-outs in their roles and the others quite perfect as to type.

The photography is a bit ragged and rough in spots, as though hurried, but on the whole, okay.

A picture that's fun to see and should be a boon to the box-office.

YESTERDAY'S REVIEW WAS JUST THE BEGINNING

WITH LOVE AND KISSES!


MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Public Hero Number One"
(M-G-M)

Hollywood, May 13—Another blazing yarn of "G Men" ripped from the front pages and offering a fresh slant and taut romance is Leo's roar for the Federal "dicks."

With unerring suspense it follows Chester Morris in a jail break, paralleling San Quentin's spectacular release, and thus gaining the confidence of Joseph Calleia, Purple Gang chief. Dillinger's last lifting and his last stand in a Chicago theatre alley are tightly woven into the film, which sweeps along with sinister and melodramatic bounce.

Lionel Barrymore, outcast doctor of the gang, Paul Kelly, Federal chief, Jean Arthur, Calleia's sister, for whom Morris falls in tracking down her brother, Lewis Stone, prison warden and Morris carry the brunt of the story skillfully and convincingly. Calleia's first screen role as the merciless killer shines. Miss Arthur, in a romantic vein, gives warmth to a human performance. Both should be in demand.

J. Walter Ruben's direction has virility with a fine balance of action, comedy, plot and romance. Wells Root's screen play from Ruben's and his own story stresses entertainment. Lucien Hubbard produced discreetly.

As a highly effective gang yarn with dramatic twists, M-G-M's contribution to the "G Men" cycle looks like a clean hit.

Enlarge it for your lobby and let the folks know the good news!



TODAY WE GLEEFULLY PRESENT ANOTHER SWELL PRESS NOTICE!



OH SHUCKS! WAIT TILL YOU READ TOMORROW'S

Above is what the well-dressed lobby will wear!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 116 NEW YORK, FRIDAY, MAY 17, 1935 TEN CENTS

Warners Seek Stay to Stop "G-Men" Use

Charge Unfair Tactics In 2 Theatres' Ads

CHICAGO, May 16.—Warners, acting through Vitagraph, Inc., distributing subsidiary, today started two actions in U. S. District Court here to protect its "G-Men" title against alleged unfair competition in advertising.

The actions are directed against Indiana Amusement Enterprises, Inc., operating the Palace, South Bend, Ind., and Publix-Great States theatres, Inc., operating the Palace, Peoria, Ill.

An injunction is sought to stop advertising in newspapers. placards, billboards, etc.

The charge is that "Let 'Em Have

(*Continued on page 7*)

Variety Club Aid To Needy Spreads

PITTSBURGH, May 16.—Some idea of the extent of charitable work done by the 14 recognized chapters of Variety Clubs of America is contained in reports just submitted to John H. Harris, national chief barker, on the eve of the annual convention which starts tomorrow.

All chapters, in addition to their

(*Continued on page 7*)

Report Bank Night In 100 N. E. Houses

BOSTON, May 16.—More than 100 New England theatres have signed for bank night, according to James Kennedy, local franchise holder. The project has not been tested before the grievance board.

Circuits reported signed include Warners, Fred Sharby, Allard Graves, Ansel-Sanborn and Jack Eams. Other schemes for bolstering box-office returns are fast entering the territory, or are originating here. George Ryan has been retained to prosecute alleged infringers of the patented bank night plan.

Spyros Skouras on Way Back from L. A.

LOS ANGELES, May 16.—Spyros Skouras left for New York by plane today after several day and night sessions with Fox West Coast officials

(*Continued on page 7*)

Senate and House Battle Line Forming on the NRA

By CLARENCE LINZ

WASHINGTON, May 16.—Battle lines in the fight between the Senate and House were drawn today with the announcement of President Roosevelt's approval of a program calling for a two-year extension of the Recovery Act, a three to six months' period for revision of existing codes and application of codes to intrastate businesses substantially affecting interstate commerce.

These were the major features of a seven-point program which comprises also the other points in the

(*Continued on page 7*)

Neb. Chain Stores Bill Under Attack

LINCOLN, Neb., May 16.—Pushed into a Senate conference committee today, the chain tax bill, originally designed for stores only, but which now carries a theatre circuit and oil station string amendment, is being the target for a concerted lobby.

Opponents of the bill have added these extra chain organizations, it is understood, desiring such a preponderance that the whole measure may be lost. It will be out for consideration the first of next week.

No Tax Compromise, Is Hepburn Warning

TORONTO, May 16.—There isn't a chance in the world for theatre men of Ontario to secure any revision of the new amusement tax scale which becomes effective June 1, according to Premier M. F. Hepburn. The objectors to the new five-cent tax on 25-cent admission tickets were only wasting their time, he declared.

"The act will be rigidly enforced," the Premier stated. "We need the money for relief purposes and are going to raise it from that source."

Hearings Ended on Alien Actors Bill

WASHINGTON, May 16.—With film producers conspicuous by their absence, the House Immigration Committee today completed its hearings on the Dickstein bill putting all alien actors under the contract labor provisions of the Immigration Law.

The committee will meet again next week for final consideration of the bill and will probably then vote to report it favorably. Possibilities of opposi-

(*Continued on page 7*)

Campi April Costs Amount to $21,197

Total disbursements for Campi in April amounted to $21,197.43, of which $7,702.04 was spent by Code Authority headquarters, $2,748.15 by the Hollywood office and $10,747.24 by local boards.

Cash balance on hand April 1 was $20,309.67. Receipts from distributors and producers totaled $6,620 and receipts from exhibitors, $461. Income from other sources was $143.93. The cash balance as of May 1 was $9,489.96.

Thompson Is Named Grievance Chairman

Former Senator George F. Thompson, impartial member, has been elected chairman of the New York grievance board for a term of three months. The board failed to get to the local giveaway and chance game situation yesterday due to a lengthy hearing on the complaint of Leon Rosenblatt of the Maplewood, Maplewood, against M. G. Felder for alleged interference with the lease. The matter will be decided next Tuesday.

Campi yesterday announced a resolution adopted at the last hearing

(*Continued on page 7*)

General Register Is Patent Suit Victor

General Register has been upheld in its patent suit against R. H. Helsel, C. J. Wolfe and F. J. Faust, individually and as partners of the Silent American Ticket Machine Co., by the U. S. District Court. The court ruled that the Silent American Co. manufactured and sold machines in infringement of patents held by General Register. The court also ordered the recovery of profits and damages from the defendants.

A spokesman for Silent American Co. yesterday said the company had no comment to make at present on the court's ruling.

Roxy May Be Run by Bondholders' Group

Provided the application to the Reconstruction Finance Committee for a loan of $750,000 to reorganize Roxy

(*Continued on page 7*)

Para. Board To Exercise Wide Powers

No Finance Committee Will Be Named

The new Paramount board will retain for itself all administrative powers under a decision made yesterday by which no special authority will be delegated to the executive committee and no finance committee will be created.

There will be nine members of the executive committee, the board decided, and despite the committee's lack of specific powers it will hold weekly meetings. Its function in all but urgent or routine matters will be restricted to reports and recommendations to be submitted to the board as a whole. The new board itself will meet once monthly.

Originally, the plans of the Paramount reorganization groups were to

(*Continued on page 2*)

Cincinnati Picked For Republic Meet

W. Ray Johnston has definitely picked Cincinnati for the first sales convention of Republic Pictures. It will be held at the Netherland-Plaza Hotel June 7 and 8, with 26 of the company's 39 exchanges represented.

Edward Golden, sales manager, will preside. Edward Finney, advertising director, and Norton V. Ritchey of

(*Continued on page 7*)

First Division Puts Off Releasing Talks

A meeting of the board of First Division scheduled for yesterday to discuss new season releasing plans for the company and elect officers to fill vacancies was postponed to next Thursday. Several reciprocal distribution deals with British companies have been broached to First Division and additional time in which to consider them before taking action on any is

(*Continued on page 7*)

Steele on Stand in Delaware Sound Suit

WILMINGTON, May 16.—Harold M. Steele, Erpi service engineer, was the principal witness today in U. S. District Court in the monopoly suit of General Talking Pictures and Duovac Radio against Erpi, W. E., and A. T. & T.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Wide Powers for Paramount Board

(*Continued from page* 1)

delegate to the executive committee considerable special authority which would make it a group of extreme importance in the affairs of the new company and would even permit it, in many instances, to act independently of the board.

The decision to dispense entirely with a finance committee is expected to result in the appointment of a vice-president in charge of finance who will share supervision of the company's financial affairs with the treasurer of the company.

Para. to Close With 53

Paramount will wind up the current season with a total of 53 feature releases. The company sold 65 at the beginning of the season and will announce the same number at the annual convention to be held June 13-16 at the Waldorf.

See 100 for Para. Meet

Approximately 100 division and district heads, branch managers and salesmen will attend the annual Paramount sales meet at the Waldorf on June 13-16, Neil Agnew, general sales manager, stated yesterday. Newly appointed members to the 100 per cent club will also attend.

Writers' Group to Meet

HOLLYWOOD, May 16.—The Screen Writers' Guild Membership Committee will meet here next Thursday.

Insiders' Outlook

By RED KANN

THE Warners, right now, are burning. It's all about that sweetheart attraction of theirs called "G-Men," a competitive attraction cast in the same mould and how two Middle Western theatre companies are advertising "Let 'Em Have It." How the Palace in South Bend is doing it, to this column, tells its own story. Added verbiage would be merely gilding a dubious lily. . . . Or a stink weed. . . .



▼

The issue is now before the courts in Chicago where Warners have filed suits, one against Indiana Amusement Enterprises, Inc., operator of the South Bend Palace and another against Publix-Great States Theatres, Inc., operator of a theatre by the same name but in Peoria. And, while it is the function of the court to determine whether the charge of alleged unfair competition in advertising is to be sustained by the evidence, this column retains the right to voice its own views which are that the Warners are burning with justification and righteousness. . . .

▼

The effort to cash in on the "G-Men" title appears to be an obvious one, made all the more unnecessary because "Let 'Em Have It" is a fine show on its own. United Artists knows nothing about the incident, certainly would not have countenanced it had it known and, we, mind you, presume to say for the company it cannot find itself in accord with the untoward action of the theatre interests involved. . . .

▼

The Warners feel—and they have—a valuable property in "G-Men." Editorial endorsement in many newspapers is one of the unusual receptions accorded its exhibition, not to overlook the grosses the picture is hitting in key runs. It is not often that editorialists take pen in hand to urge whole-hearted support for any film or to urge members of Congress to see it. In the light of the darts let loose on the industry in other days, this note of commendation is refreshing, encouraging and heartening. . . .

▼

Hollywood—Walt Disney is recovering from an emotional earthquake. For a couple of days it looked as though the animal world would have to be reformed by his animators and evening clothes for Mickey Mouse for all showings after 6 o'clock ordered. Word came through that Pennsylvania censors were holding up "Robber Kitten" on the ground that it would have an "unwholesome influence on children because it showed kittens as robbers, stickups and gangsters." Then good news. All the animators went back to work and Disney took an aspirin. . . .

▼

Harrisburg — Cogitation has ceased here for the time being. After "considering objections raised" the Pennsylvania censors have approved "Robber Kitten" without alterations. Objections were raised on the ground the film would have an "unwholesome influence on children," and then were overruled. Popeye, the Sailor, may buy a safety razor with impunity any day now. But once he stops urging children to eat spinach, then what? . . .

L. J. Hite Rites Set

PLEASANTVILLE, O., May 16.—Funeral services for Lemuel J. Hite, father of Mrs. W. Ray Johnston, will be held here Saturday. Hite died yesterday. Mrs. Johnston left by plane from New York today to be on hand. Hite was the father of the late Charles J. Hite, president of the old Thanhouser Film Corp.

J. P. Kennedy on Coast

LOS ANGELES, May 16.—Joseph P. Kennedy arrived here yesterday, accompanied by his assistant, Edward Moore. He said his visit was in connection with the work of the Securities and Exchange Commission and had nothing to do with films. He left for San Francisco tonight.

Titles Are Changed

Although the Paramount picture played under the title of "The Scoundrel" recently at the Music Hall, the picture will open today at the Palace as "The Scoundrel in 49th St." When "The Dictator" opens at the Roxy shortly, it will be advertised as "Loves of a Dictator."

Purely Personal

PHILLIP MOELLER, director of "Break of Hearts," came down from Boston yesterday for the picture's opening at the Music Hall. He's been in Beantown working on the Theatre Guild's new show, "Parade."

•

REGINALD ARMOUR, managing director of RKO Radio Pictures, Ltd., of India, who is in New York, crossed from London with PHIL REISMAN. He will attend Radio's sales convention in Chicago June 17.

•

HERMAN RIFKIN, Boston; JACK BERKOWITZ, Buffalo; BERNARD MILLS, Albany, all Republic franchise holders, were in town conferring with W. RAY JOHNSTON and EDWARD GOLDEN.

•

A. S. SHUBERT, head of Radio's contract and playdate departments, has left for Chicago to complete arrangements for the Radio convention at the Drake next month.

•

HAROLD HENDEE, research director for Radio, will lecture before the teachers of the public schools of New Haven Saturday on "Authenticating the Movies."

•

HARRY COHN got in from the coast by plane last night. He was due a day earlier but his ship was grounded at El Paso by the weather.

•

ED FINNEY left for New Haven yesterday to address civic and school groups on "The Motion Picture in Transit from Studio to Theatre."

•

WILLIAM RODGERS of M-G-M yesterday returned from Cleveland. It was a short trip.

•

BRUCE GALLUP met with the women members of the Ampa yesterday at the Edison and outlined his new plans.

•

MORT BLUMENSTOCK was in Philadelphia yesterday.

Aylesworth to Head RKO Sales Speakers

Merlin H. Aylesworth, J. R. McDonough, Robert F. Sisk and Leslie E. Thompson will be among the speakers at the RKO Radio sales meet in Chicago June 17-19. Jules Levy, general sales manager, has not completed the product lineup yet, but will have all details ready for the three-day Windy City session.

Ben Cohen Coming Here

HOLLYWOOD, May 16.—Ben S. Cohen, vice-president of Burroughs-Tarzan Enterprises, is en route to New York with a print of the latest Tarzan film. The main reason for Cohen's trip east is to arrange for foreign distribution of the film.

Monogram Pays Dividend

Monogram Pictures, Inc., yesterday declared a dividend of one and one-half per cent on its stock, payable immediately. This is the first of four quarterly dividends to be paid during the next year.

ALL'S WELL IN SHOW BUSINESS



an *event* for showmen

Enjoy THE MONTHS OF



SHIRLEY TEMPLE in **"OUR LITTLE GIRL"** with Rosemary Ames, Joel McCrea, Lyle Talbot, Erin O'Brien-Moore, J. Farrell MacDonald. Produced by Edward Butcher, directed by John Robertson.



WARNER BAXTER and KETTI GALLIAN in **"UNDER THE PAMPAS MOON"** a B. G. DeSylva Production with Tito Guizar, Veloz & Yolanda. Directed by James Tinling.



"THE DARING YOUNG MAN" with James Dunn, Mae Clarke, Neil Hamilton. Produced by Robert T. Kane, directed by William A. Seiter.



GEORGE O'BRIEN in **"THE COWBOY MILLIONAIRE"** with Evalyn Bostock, Edgar Kennedy and Alden Chase. Presented by Sol Lesser and John Zanft. Directed by Edward F. Cline.



WILL ROGERS in **"DOUBTING THOMAS"** a B. G. DeSylva Production with Billie Burke, Alison Skipworth, Sterling Holloway, Gail Patrick, Frances Grant. Directed by David Butler.



"LADIES LOVE DANGER" with Mona Barrie, Gilbert Roland, Donald Cook, Adrienne Ames, Herbert Mundin, Hardie Albright, John Wray. Produced by Edward T. Lowe. Directed by H. Bruce Humberstone.



FOX SPRING FESTIVAL

MAY · JUNE · JULY! *here's how:*

"CHARLIE CHAN IN EGYPT" starring WARNER OLAND, with "Pat" Paterson, Rita Cansino and Stepin Fetchit. Produced by Edward T. Lowe. Directed by Louis King.



"BLACK SHEEP" with Edmund Lowe, Claire Trevor, Tom Brown, Eugene Pallette, Adrienne Ames, Herbert Mundin, Ford Sterling. Produced by Sol M. Wurtzel. Directed by Allan Dwan.



"THE LORD'S REFEREE" (tentative title) with Lew Ayres, Paul Kelly and all-star cast. Produced by Joseph Engel. Directed by H. Bruce Humberstone.



"ORCHIDS TO YOU" with John Boles, Jean Muir, Charles Butterworth, Harvey Stephens. Produced by Robert T. Kane. Directed by William A. Seiter.



"GINGER" with Jane Withers, Jackie Searl, O. P. Heggie, Walter King, Katherine Alexander. Produced by Sol M. Wurtzel. Directed by Lewis Seiler.



GEORGE O'BRIEN in **"HARD ROCK HARRIGAN."** Presented by Sol Lesser and John Zanft.



SHIRLEY TEMPLE in **"CURLY TOP"** a Winfield Sheehan production with John Boles, Rochelle Hudson, Slim Summerville, Jane Darwell, El Brendel. Directed by Irving Cummings.



AN *event* FOR SHOWMEN

So—SET YOUR DATES NOW
TO CELEBRATE

FOX SPRING FESTIVAL

AND END THE
SEASON *right*

Congress NRA Battle Line Being Formed

(Continued from page 1)

legislation originally introduced, including the prevention of practices tending to monopoly and the destruction of small enterprises.

Charging Donald R. Richberg, with "ambition to be a Mussolini," Senator Clark of Missouri, author of the resolution adopted Tuesday by the Senate, in a speech from the floor called the NIRB chairman's recent talk to the NRA staff in which he called the 10-month extension "complete folly" as "the most brazen exhibition of impudence on the part of a bureaucrat" he had ever seen.

Claims of Administration leaders that they had 55 votes in the Senate for approval of the President's plan, if adopted by the House, were ridiculed by members of the anti-NRA group, who declared that if the Administration sought to force acceptance of the plan the bill would be delayed indefinitely and the NRA allowed to expire.

Hearings on the legislation will be started by the House Ways and Means Committee Monday, it was announced, with NRA officials expected to be the first witnesses.

Thompson Is Named Grievance Chairman

(Continued from page 1)

whereby members of clearance and zoning boards cannot sit on cases when their own or subsidiary companies are involved.

Supplementing a resolution adopted Aug. 23, 1934, Campi has decided that code decisions supersede contracts in individual complaints. Heretofore, the code rulings only affected clearance schedules.

Clearance and zoning schedules before Campi include Atlanta, Birmingham, Bridgeport, Cincinnati, Cleveland, Dallas, Denver, Grand Rapids, Detroit, Hartford, Indianapolis, Kansas City, Memphis, Milwaukee, New Orleans, New Haven, Oakland, Portland, Provo, San Francisco, San Jose, Seattle and Uhrichsville.

Another complaint filed by Rosenblatt on behalf of the Westwood, Westwood, N. J., against Skouras Theatres alleging the respondent used unfair methods in obtaining product was dismissed by Campi.

ITOA Opposes Filing

ALBANY, May 16.—The latest protest against refiling of the film code under a new state law which grants public hearings to objectors has been filed by the I. T. O. A.

Earhart at NVA Show

The charity show being staged tomorrow night at the Garden by the N.V.A. jointly with the Masonic Clubs of New York State will have Amelia Earhart as guest of honor. Clyde Pangborn, Ruth Nichols and Clarence Chamberlin are other flyers who will be present.

Warners Pick Hugo Yarn

HOLLYWOOD, May 16.—Warners will film Victor Hugo's "Ninety-Three," French Revolutionary story. Cast, direction and starting date are to be decided shortly.

Cincinnati Picked For Republic Meet

(Continued from page 1)

Republican International Corp., foreign unit, will attend from New York.

Others expected are:

Albany—B. H. Mills, Gene Lowe, Jack Krause.
Atlanta—Arthur C. Bromberg, John W. Mangham, Jr., E. A. Rambonnet, Henry B. Glover, P. H. Savin.
Boston—Herman Rifkin, M. E. Morey, Al Ficke, Steve Brody and Mr. Davis.
Buffalo—J. Berkowitz, Harry L. Berkson, Nate R. Sodikman, H. T. Bruck, Sam Schonfield.
Charlotte—H. H. Everett, Jack London.
Chicago—Irving Mandel, Harry Lorch, Max Dreifuss, S. Decker, J. M. Schwartz.
Cincinnati—William Onie, George Kirby, Max Margolis.
Cleveland—J. S. Jossey, Nat Lefton, Sam P. Gorrel, Frank E. Belles, Ralph O. Flemm.
Dallas—Claude Ezell, William G. Underwood, Lloyd Rust, H. R. Bisby, Roy Starling.
Des Moines—J. E. Judd.
Detroit—Sam Seplowin, Fred C. Strubank, Clair H. Townsend, William B. Hurlbut.
Indianapolis—L. W. Marriott, E. A. Sipe.
Kansas City—Robert E. Withers, L. F. Durland, G. M. Parkhurst.
Little Rock—B. F. Busby, S. A. Arnold.
Milwaukee—J. G. Frackman, T. MacEvoy.
Minneapolis—Gilbert Nathanson.
New Haven—Robert Cobe.
New Orleans—L. Seischsnaydre, Ed Orte.
New York and Philadelphia—Herman Gluckman and his sales staffs.
Oklahoma City—Sol Davis, J. A. Smith, G. A. Alt.
Omaha—L. O. Ringler, Joe Smith and Mr. Newman.
Pittsburgh—J. H. Alexander, Samuel A. Fineburg, George Collins.
St. Louis—Nat E. Steinberg, Barney Rosenthal, William Weiss.
Tampa—Carl Floyd.
Washington—Sam Flax and Jake Flax.

Carr Visits El Paso

EL PASO, May 16.—Trem Carr, vice-president in charge of production for Republic Pictures, has arrived here to inspect his oil holdings.

Roxy May Be Run by Bondholders' Group

(Continued from page 1)

Theatres Corp., is granted, the bondholders' committee itself will operate without change of management, it was learned yesterday. This will eliminate for the time being the possibility of Spyros Skouras and S. L. (Roxy) Rothafel taking over the house under reported individual reorganization plans.

The Roxy went into receivership about three years ago when Harry Kosch was appointed receiver. A year later Howard S. Cullman succeeded Kosch and on June 15 last the house was put into bankruptcy under 77B with Cullman named as trustee. Cullman's first year as trustee expires next month. Under the bondholders' committee reorganization plan, Cullman will continue in active charge.

First Division Puts Off Releasing Talks

(Continued from page 1)

understood to have been desired by the board.

One of the deals is understood to involve the newly organized Anglo-American Renters, while still another may involve British International Pictures, according to report. Either deal would contemplate American distribution by First Division of the British company's product in return for European distribution of pictures handled or produced by First Division.

Wall Street

Warner Issues Gain on Big Board

	High	Low	Close	Net Change
Columbia, vtc (cl)	55¼	54	54¼	— ⅛
Consolidated	4¼	4	4¼	+ ¼
Cons., pfd (1v)	16½	15⅞	16	.....
Eastman	144⅛	143	143	.....
Fox "A"				
Loew's	40¼	39¾	40⅜	+ ⅝
M-G-M, pfd	27⅜	27⅜	27⅜	+ ⅜
Paramount	3⅜	3⅛	3¼	.....
Patre	⅞	¾	⅞	+ ⅛
Pathe "A"	10¾	10⅝	10¾	+ ⅛
RKO	2½	1⅝	2½	+ ⅞
Universal, pfd	34	34	34	+1
Warner	3⅝	3⅜	3⅝	+ ¼
Warner, pfd	23⅝	23⅝	23⅝	+1⅜

Trans-Lux Up on Curb

	High	Low	Close	Net Change
Technicolor	19½	18¾	18⅞	— ⅜
Trans-Lux (.10K)	2⅜	2⅛	2⅜	+ ¼

RKO Bonds Jump 5⅞ Points

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11¼	11⅛	11⅛	+ ⅛
Keith, B. F. 6s '46	78½	78	78½	+1½
Loew's 6s '41 ww deb rights	104⅝	104½	104½	.....
Paramount F. L. 6s '47	87	85¾	87	— ½
Paramount Publix 5½s '50	88¼	88¼	88¼	+1¼
RKO 6s '41 pp	40⅞	36	40⅞	+5⅞
Warner Bros. 6s '39 wd	65	63½	65	+1½

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 16)

Hearings Ended on Alien Actors Bill

(Continued from page 1)

tion on the floor should the bill be brought up in the House for a vote were seen in the protest of Representative Celler of New York that the measure would handicap theatres and picture producers. Celler declared that many films and plays would have been ruined by imperfect casting if the legislation had been effective in recent years, citing "Cavalcade," "What Price Glory" and "Journey's End" as among the productions which were made great by the alien actors who appeared in them.

Little difficulty would be experienced in deciding whether foreign actors deserved admission if the bill was adopted, it was declared by Deputy Commissioner of Immigration Edward J. Shaugnessy. The bill would not impose any hardship on high grade talent but would prevent the entry of the "ordinary actor," he said.

Opposition to the bill was voiced by Brock Pemberton, representing the League of N. Y. Theatres, but appeared to make no headway.

Spyros Skouras on Way Back from L.A.

(Continued from page 1)

on product and operations. A final secretive session was held this afternoon. The proposed session of all Fox West Coast managers was not held during Skouras' stay here.

Howard Dietz, advertising, publicity and exploitation director of M-G-M, was grounded in Kansas City yesterday on his trip by air to New York. He is due here today. William R. Ferguson, E. M. Saunders and J. S. MacLeod, who left with Dietz for the coast from the Kansas City regional sales meeting, are staying on the coast for several more days.

Warners Seek Stay To End "G-Men" Use

(Continued from page 1)

It" is being advertised with the title of the United Artists film subordinated to "G-Men."

"In newspaper advertisements and on billboards," a company spokesman says, "the title of 'Let 'em Have It' has been subordinated to large headlines proclaiming it depicts 'Gov't Men in action,' with the 'G' and 'Men' in tremendous letters. Furthermore, phraseology taken word for word from our copyrighted press book on 'G-Men' has been used in advertising the other picture in newspapers. We are seeking legal protection in the interests of the public and in our own interests against a manifest attempt to obtain for this other production the benefit of the extensive editorial praise received by 'G-Men' and its acknowledged popularity."

Variety Club Aid To Needy Spreads

(Continued from page 1)

social activities, have committed themselves to a charity program, following the example of the Pittsburgh chapter, which began by supporting a foundling and expanded its work until last year it furnished 200,000 bottles of milk to orphan asylums in Allegheny County. This chapter also collects toys in theatres each Christmas, gives an annual show in the state penitentiary, and sponsors entertainment in hospitals throughout the year.

Fox-Roxy Suit Opens

Hearing of testimony in the Chicago Title & Trust Co.'s suit to recover $1,000,000 from William Fox as a result of alleged defaults on the guaranteed redemption of Roxy Theatre stock was begun yesterday before Sol Stroock, attorney, as referee for the state supreme court here. Newspapermen were barred from the hearing under a stipulation signed by counsel participating in the case. Law firms involved include Hirsh, Newman, Reass & Becker, representing Fox; Sullivan & Cromwell, for Chicago Title & Trust Co.; Max D. Steuer, for Fox Film; Wollman & Wollman, for Harley L. Clarke; Hornblower, Miller, Miller & Boston, for Albert H. Wiggin; Mudge, Stern, Williams & Tucker, for Chase National Bank and Chase Securities Corp., and Henry Brill, for Fox Theatres.

Flash Reviews

Hooray for Love— . . . should please and rates as better-than-average entertainment. . . .

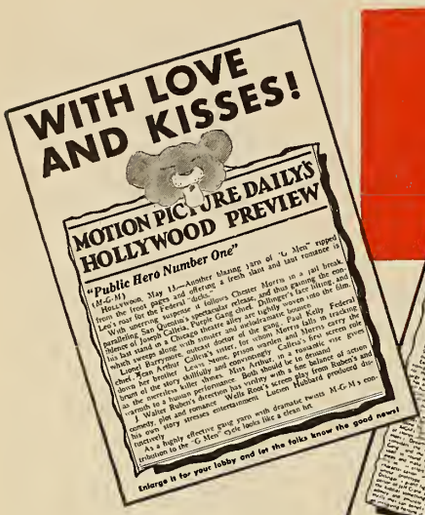
Fighting Shadows— . . . holds the interest closely . . .contains some fine outdoor scenery. . . .

These films will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Borzage Heading East

HOLLYWOOD, May 16.—Frank Borzage leaves Sunday for Annapolis to do preliminary work on "Anchors Aweigh." He will be joined the following week by Eddie Acuff, Broadway comedian, signed by Warners for the picture.

PUBLIC HERO





DAILY **VARIETY** DAILY

Film Previews

Public Hero No. 1

Lucien Hubbard production for Metro. Directed by J. Walter Ruben. Screen play by Wells Root. Story by J. Walter Ruben and Wells Root. Photographed by Gregg Toland. Assistant director, Hugh Boswell. Musical score by Edward Ward. Cast: Lionel Barrymore, Jean Arthur, Chester Morris, Joseph Calleia, Paul Kelly, Lewis Stone, Paul Hurst, George E. Stone, Sam Baker. Previewed at the Alexander, Glendale, May 11. Running time, 80 mins.

Another of the department of justice crook-smashing hero pictures to come off the production ways for preview, but bound to have its share of first showings, Metro's 'Public Hero No. 1' stands up sturdily as exciting b.o. entertainment. It has distinction in direction, superb performances, melodramatic sweep, and in competition with other entries in the new cycle and the inevitable comparisons audiences will make, may be depended upon to remain among the leaders.

'Public Hero' starts off with swift, sinister suspense. It picks up arresting character conflict in a penitentiary food riot and uses as its major news-inspired scenes the recent convict kidnaping of prison board members in the San Quentin break; the wipe out of the Purple Gang; the Dillinger face-lifting incident, with an accomplice surgeon devoting his genius to mending outlaw killers, and the final battle with Dillinger when he stalked out of a Chicago theatre to get his requiem of lead.

Main dramatic action shuttles amongst four characters, strikingly portrayed. Lionel Barrymore is the renegade surgeon. Chester Morris is the Department of Justice operative. Joseph Calleia plays the number one mobster, and Jean Arthur is his sis-

[illegible]ng by him with fanatic loyalty when she discovers, shockingly, that he is the object of the government hunt.

These four roles are wholly distinctive, each a superb portrait in itself. Lionel Barrymore comes close to his top characterization in a tragic kind of clowning as the sodden wreck still capable of pathetic professionalism in saving the lives of the hunted.

Jean Arthur shows her capacity as a resourceful and skillful actress in the strangely frank, alternately cajoling and hard girl whose confessed love for Morris develops while he is tracking her convict brother.

Joseph Calleia creates a role which for sinister power and unrelenting ruthlessness will stand beside the classic portraits of screen outlaws. His deadly menace is built with but a few spoken lines and the most meagre gesture—a piece of consummate skill.

Chester Morris capably fulfils the requirements of the effacing, duty driven hero who helps the crook leader escape prison in order to discover the gang's cover and identity. He plays with conviction and handles the romantic requirements nicely. Paul Kelly ably represents the Department of justice chief. Lewis Stone as the prison warden, Paul Hurst and George E. Stone as gangsters are effective, and Sam Baker gives importance to a bit as the victim of Calleia's suspicions.

J. Walter Ruben has directed soundly and with shrewd appreciation of the entertainment values, progressing the action with drive and balance between the romantic, the comic and the plot elements, and scoring most decisively in guiding the characterizations usually sloughed in this type picture. Story, on which Ruben shares credit with Wells Root, is well contrived knits romance with melodramatic drive for both male and femme appeal. Camera job by Gregg Toland is excellent, and the production values impressive.

Tops Them ALL!



FREE! 40" x 60" LOBBY FLASH!

Ask your M-G-M Branch for the big ticket-getting broadside containing three rave reviews heralding this season's box-office sensation!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 117 NEW YORK, SATURDAY, MAY 18, 1935 TEN CENTS

Campi Group Has Mystery; Witness Gone

Six from Florida There, But No Complainant

Campi's appeals committee found itself with a mystery on its hands yesterday. A complainant from Florida was missing and six defendants were on hand, and nobody could explain where the missing man was—not even his lawyer.

John A. Cunningham, president of Dade Enterprises, Inc., arrived in town last Monday, but his lawyer, Jacob Schechter, hasn't been able to get in touch with him since Wednesday. Schechter wanted a postponement. Willard C. McKay, chairman;

(*Continued on page 3*)

Clearance Row Set For Coast Hearing

Los Angeles, May 17.—Four exhibitor protests and maybe five have been set for hearing before the local board for May 23. Among these is the new protest of Harry Vinnicoff, demanding the Circle and Princess be taken out of Zone No. 12 and placed in Zone No. 9 similar to his Strand. He bases his demand on the former joint ownership of the three houses with Simon Lazarus, at which time

(*Continued on page 3*)

NRA Officials Quit Payrolls on June 16

Washington, May 17.—Compliance Director Sol A. Rosenblatt, Deputy Administrator William P. Farnsworth and all other officials and employes of the NRA will go off the payroll June 16, but will immediately be re-hired if the law is extended.

Because of the fact that the law carries a termination date, the Industrial Recovery Board has held that all employes must file new applications for employment after June 16. Present plans are to retain the entire force, making the "firing" painless.

Allied-Gulf States At Parting of Ways

New Orleans, May 17.—Whether the rumors of a row between Allied Theatre Owners of Louisiana and the Gulf States Theatre Owners' Ass'n. had anything to do with it is not

(*Continued on page 4*)

Missouri May End Jam with 1% Sales Tax

Governor's Forces Push Compromise Moves

Jefferson City, Mo., May 17.—Although Senator M. E. Casey of Kansas City and other opponents of any increase in the state's one-half of one per cent sales tax have not given up the fight they have been waging since the middle of April, Gov. Guy B. Park and the administration leaders in the Senate are hopeful of putting through the substitute one per cent tax bill presented by Senator Albert M. Clark of Richmond on May 14.

The tax would be levied on all individual sales above 14 cents, but would exempt street car and bus

(*Continued on page 3*)

Mexico Producers Want Taxes Ended

By JAMES LOCKHART

Mexico City, D. F., May 17.—Mexico's infant film industry is not as robust as was at first indicated, it develops. Since 1931 only two or three profitable pictures, have been made, it is stated in a report to the Ministry of Finance, and producers want exemption from all taxes except the income tax.

The petitioners assert that Japan, Spain and the Argentine have exempted their film industries from all taxes for five years and that Mussolini has signed a bill awarding the

(*Continued on page 3*)

Hearts and Flowers

Major I. E. Lambert is vice-president and general counsel of Pansy Amusement Corp.

It's not a gag company. Pansy operates the Regent, in Harlem, and is a subsidiary of RKO.

Columbia 9-Month Net Increases 100%

A net profit of $1,572,720.50 is reported by Columbia for the nine months ended March 30, comparing with $739,338.94 for the similar preceding period. Earnings this year are equivalent, after all charges, to approximately $8.62 per share of common after deducting preferred dividends, as against $4.17 for the corresponding period last year.

The consolidated balance sheet as of March 30 shows current assets of $7,620,760.48 and liabilities of $1,492,624.72, resulting in an increase of working capital to $6,128,135.76. Earned surplus increased to $4,499,595.20.

Flood of Talent Is Ready for NVA Show

The amusement world will release a flood of talent in the cause of charity tonight at the Garden when the N.V.A. puts on its benefit show, which this year is being sponsored jointly with the Masonic Clubs of New York State. No end of shining names in the realm of entertainment will be on the program, not to speak of many notable figures in the world of sports. And in the midst of it all will be Amelia Earhart as guest of honor.

The affair will open with a number

(*Continued on page 4*)

'G-Men,' 'Frankenstein' Only Broadway Grossers

With the Astor closed and demolition of the Rialto started, the number of Broadway first runs is reduced to eight, including the Palace, which occasionally dates a picture before it is shown in other Broadway houses.

With the exception of the Strand and Roxy, business was rather dull last week. Both the Music Hall and the Paramount which anticipated unusual grosses ended the period with weak tallies.

The second week of "G-Men" at the Strand netted approximately $36,000, while "Bride of Frankenstein" wound up the first stanza at the Roxy in the neighborhood of $38,000. Mae West's opening week at the Paramount garnered about $37,000, while "The Informer" at the Music Hall grossed $62,000.

"Go Into Your Dance" and Abe Lyman and his band at the Capitol for a second week drew $18,000 less than the first seven days. For the second week, the combination got $20,000. The Palace with "Mississippi" corralled only $7,500.

RKO Expected To Make Para. Product Deal

Franchise Here Up, but Agreement Looked For

RKO, in all probability, will get together with Paramount next season on a new product deal locally, despite the fact that the circuit cancelled its franchise effective Aug. 1.

Circuit executives assert there is no desire to drop the distributor's product, but they are anxious to abrogate the six-year franchise which is now four years old and negotiate new terms from season to season. RKO heads contend they do not have franchises with any other company and do not want to be tied down to Paramount.

Under the terms of the six-year deal signed July 31, 1931, RKO had

(*Continued on page 4*)

Para. Bank Deals Put Before Joyce

An agreement for settlement of a $503,827 claim against Paramount Publix by Commercial Investment Trust and U. S. & Foreign Securities Corp., based on royalty agreements made with Paramount's purchase of Southern Enterprises from S. A. Lynch, was submitted to Special Master John E. Joyce yesterday for approval.

The joint claim of the financial companies was filed in the amount

(*Continued on page 4*)

Metro-Goldwyn Cuts Capital $3,960,677

Wilmington, May 17.—Metro-Goldwyn Pictures Corp. reduced its capital here by $3,960,677.13 in the following manner: By retiring all of the issued and outstanding preferred stock of the company consisting of 146,691⅜ shares, each of the par value of $27, and by providing that an amount not exceeding that part of the capital represented by the shares so retired may be charged against or paid out of the capital of the corporation.

Local 306 to Hear Reports on Monday

A special meeting of Local 306, I.A.T.S.E., for nomination of new officers of the local and the submis-

(*Continued on page 4*)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Spyros Skouras Delayed

ALBUQUERQUE, May 17.—Spyros Skouras was grounded here today en route to New York by plane. He has been in Los Angeles for the past few days conferring with his brother Charles on Fox West Coast.

KANSAS CITY, May 17.—Elmer Rhoden returned today from F.W.C. conferences. He leaves next week for New York.

John D. Clark, general sales manager of Fox, is due from the coast Monday. He conferred with Fox West Coast and National Theatres' film buyers on new product.

Kills Fairbanks Deal

HOLLYWOOD, May 17.—Asserting the actor is needed in England for a picture to be made for them, Warners have opposed Universal's efforts to obtain the services of Douglas Fairbanks, Jr., for the male lead in "The Magnificent Obsession."

Shutrock New Rapf Aide

HOLLYWOOD, May 17.—Jack Shutrock, until recently music department head at M-G-M, has been made executive assistant to Harry Rapf, who has charge of M-G-M's shorts.

"U" Club Dance Set

The Universal Club will hold its annual supper dance at the Hotel Astor in the Grand Ballroom June 1.

Sign Jeanette MacDonald

HOLLYWOOD, May 17.—Jeanette MacDonald has been signed to a new three-picture contract by M-G-M.

Purely Personal

HAROLD J. RINZLER, son of SAM, partner of LOUIS FRISCH in the operation of Randforce, will become a benedict on June 16. The lucky girl is ROSALIND BERNSTEIN and the ceremony will take place at Brooklyn Jewish Center.

•

H. F. KINCEY and BOB WILBY of the southern circuit bearing their names arrived and left for Miami yesterday after attending a clearance and zoning case in which the Graham and Alco, Graham, N. C., were involved.

•

RUTGERS NEILSON escorting MRS. HEPBURN and her two other daughters, PEGGY and MARION, into the Music Hall to see "Break of Hearts." The audience mistaking PEGGY for her more famous sister, KATHARINE.

•

A. B. and MRS. THOMPSON, of Burlington, N. C., are in town. They plan to leave for home today. J. J. HENDERSON, their attorney, accompanied them on a clearance case against Kincey & Wilby.

•

MRS. MAURY SILVERSTONE is in New York with her two children, awaiting the arrival of her husband, who is managing director for U. A. in England.

•

JOHN E. KENNEBEC, Paramount managing director in Australia, is in Omaha on a visit and is due back in town about the first week in June.

•

SAM ECKMAN, JR., managing director for M-G-M in England, sails on the *Ile de France* this morning, accompanied by MRS. ECKMAN.

•

MRS. SAM MARX sails today on the *Pennsylvania* for the coast. Her husband, coast story editor for M-G-M, returned west last week.

•

REGINA CREWE, picture critic on the *New York American,* leaves for the coast tomorrow over the airline. She'll be away three weeks.

•

BETTY GOLDSTEIN, secretary to MOE SANDER at the New York Fox exchange, leaves today for the Carolinas on a 10-day vacation.

•

CHARLES S. ROTH, owner of the State, Harrisonburg, Va., is in town looking for new equipment and picture deals.

•

WILLIE HOWARD has arrived on the coast for his role in Paramount's "Rose of the Rancho."

•

ROBERT EDMOND JONES has an article on color, particularly on its application to films, in the current issue of *Vanity Fair.*

•

NED DEPINET watching the crowd pour out of the Music Hall after the last performance the other night.

•

CONRAD NAGEL, window shopping on Fifth Ave. the other night.

•

AL MENDELSON, New Jersey booker for the Fox exchange, starts commuting to Munsey Park, N. Y., for the summer on May 25.

•

TALLULAH BANKHEAD limping up Broadway yesterday. A broken toe suffered the night before the reason.

•

JOE PENNER will be master of ceremonies at the annual spring ball of Rutgers College Friday night.

•

ALFRED GRAY, brother of D. W. GRIFFITH, had J. J. MCCARTHY on his calling list yesterday.

•

MILTON FELD paid a visit to his old haunts in the Paramount Bldg. yesterday.

•

AL JOLSON attended the recent double header at the Polo Grounds.

•

JOE SEIDELMAN arrives at Los Angeles today from "down under."

•

ARTHUR MAYER is going to Mexico for a vacation.

Illinois Light Strike Shuts Many Theatres

SPRINGFIELD, Ill., May 17.—Scores of theatres in 49 central and southern Illinois towns have been forced to cease exhibition of pictures as a result of the disruption of electrical service due to a strike of union employes of the Illinois Power and Light Co. Some towns are entirely without power, others having only a limited supply.

Some theatre owners who sought to install private power plants were informed the strikers would not permit such a step. Other houses are turning to stage shows, with oil lamps furnishing the illumination.

Gov. Horner today continued his efforts to bring about a peaceful settlement. Until the strike is settled theatres that are unable to operate will be compelled to refuse film shipments and set back playdates. It is understood local exchanges will cooperate with exhibitors in the emergency.

Form Fox Winnebago

WILMINGTON, May 17. — Fox Winnebago Corp. was chartered here today with capital of $1,000.

United Radio Artists, Inc., changed its name to Cherwel Corp. and M. K. G., Inc., changed its name to United Radio Artists, Inc.

Approves New Members

HOLLYWOOD, May 17.—At a meeting of the Screen Writers' Guild last night the following new members were approved: Marcella Burke, Melvin Levy, Mortimer Offner, Ethel Gillette, Virginia Kelogg, Roger Whately and Robert Benchley.

Consolidated Dividend

Consolidated Film Industries yesterday declared a dividend of 25 cents a share on the preferred stock, payable July 1 to holders of record June 10. Previously the company had paid 50 cents a share on the issue.

Mrs. Wood Recovering

COLUMBUS, May 17.—Mrs. P. J. Wood, wife of the secretary of the Ohio I.T.O., has been discharged from a local hospital, and is recuperating at her home from an aggravated attack of the flu.

Grace Moore Given Art Society Medal

Grace Moore was presented the annual medal of the Society of Arts and Sciences "for raising the standard of motion picture entertainment through her work in 'One Night of Love'" at a dinner and reception given by the society last night at the Ritz-Carlton.

Miss Moore is the first figure in the industry to receive the prize and the second woman in the 53 years of the organization, the first having been Eve LeGallienne.

Prominent among the speakers was Will H. Hays, president of the M. P. P. D. A., who said in part: "The motion picture is the most potent factor in the development of national appreciation of good music."

Harry Cohn, president of Columbia, accompanied by Mrs. Cohn, was also present at the dinner and reception, having flown in from the coast for the occasion.

Stadium Board Meets

Directors of Stadium Theatres Corp., holding company for Orpheum Theatres which operates about 25 houses in the west and middle west, met yesterday and discussed financial and general matters. Leslie E. Thompson is president of Stadium.

RKO will close the Strand, Syracuse, on June 1 for the summer. Only one or two other houses will be darkened for the warm months. They are in college towns where the circuit has two theatres, with one closing.

William Elson, who is operating the President and 7th Ave. in Minneapolis under a lease from RKO, arrives Monday for home office confabs.

Music Hall Films Set

With "Escape Me Never" and "Becky Sharp" set for the Music Hall following the run of the current Katharine Hepburn picture, "Break of Hearts," the bookings for the house are considered closed for the next six weeks. It is expected "Escape Me Never" will be held over for two weeks and possibly more and that "Becky Sharp" will run for at least three weeks. The new Grace Moore film, "Love Me Forever," is also set for the Music Hall, and may play before "Becky Sharp."

Morris Rabanus Killed

NEW HAVEN, May 17.—Morris Rabanus, local M-G-M salesman, was killed last night in an auto crash near New London. He had returned last week from Detroit where he attended the company's regional sales meet.

Rabanus died at the Lawrence Hospital, New London. He had been with M-G-M for 18 years. His widow is flying in from Chicago to set funeral arrangements.

Change Golfing Scene

The RKO golf tournament on May 23 has been switched from the Westchester Country Club to the Fenimore Country Club, also in Westchester.

Pine Returns to Coast

HOLLYWOOD, May 17.—William Pine, publicity and advertising director for Paramount on the coast, returned here last night.

Campi Group Has Mystery; Witness Gone

(*Continued from page* 1)

Harry Buxbaum and Nathan Vinegrad, the appeal committee, protested. So did Fred H. Kent, attorney for E. J. Sparks, against whose houses, the Rex, Roxy, Rosetta, Coral Gables and Flagler at Miami, the complaint was directed.

There was much conversation and all hands adjourned to another room to talk it over. When they returned it was agreed that the case would be heard June 14.

Schechter told the board he had called the Lincoln Hotel for several days as well as a number of hospitals in an effort to find his client, but to no avail. He said he believed Cunningham had been at the hotel Wednesday, since opened mail was found in the room on that day. However, the committee ruled that unless Sparks was willing to put the hearing over it had to go on. After a lengthy discussion in Tyree Dillard's office, the postponement was worked out.

Sidney Meyer of Wolfson & Meyer, operating six Miami houses; Dr. Nat Perry of the State, Miami, and a partner of Cunningham's; Charles Walder, Tivoli and 7th Ave., Miami; Frank Rogers, vice-president and general buyer for Sparks; Ernest Morrison, Miami division manager for Sparks, and Kent, were among those who journeyed here for the case.

Clearance Row Set For Coast Hearing

(*Continued from page* 1)

their policy was playing the Circle and Princess against the Strand.

The Hawthorne Theatre, Hawthorne, now zoned later than adjacent towns, is also demanding equal zoning.

Five additional cases have been set for hearing before the board on May 28 and two more 10 days later.

No Stay on Bank Night

DES MOINES, May 17.—The grievance board was upheld in U. S. District Court here today when Federal Judge Charles A. Dewey refused to grant an injunction to Midwest Film Distributors of Kansas City so that film might be supplied to Don Thornburg, adjudged guilty of running bank nights at the Strand, Marshalltown. The court declared it could not grant an injunction because bank night was considered a lottery.

WASHINGTON, May 17.—NRA officials today characterized the Thornburg decision the "most sweeping" yet rendered on the point.

The decision was reported to Washington by wire a few hours after receipt of a decision of May 10 in the same court in the case of the Central States Theatre Corp. holding bank night to be a lottery despite the fact that a registration book was kept in the lobby and it was not required that an admission be paid in order to participate in the drawing.

Bank Night Row Ended

HAVELOCK, Neb., May 17.—Roy Hedrick, manager of the Lyric and C. Frasier, manager of the Joyo, have gotten together on their fight over operation of bank night. Charges brought by Frasier against Hedrick, charging him with operation of bank night, have been dropped. Both run bank nights.

Postpone K. C. Hearings

KANSAS CITY, May 17.—The bank night and reduced admission case of Sam Yoffee, Uptown, Trenton, Mo., against the Plaza of C. A. Schultz has been postponed by the grievance board until May 22, because of the illness of the complainant. The case of L. M. Robinson, Noll, Bethany, Mo., against I. W. Maple, Roxy, on a bank night date, has been postponed till the same date.

At the request of Mrs. Abe Baier, Lindbergh, the board also has postponed to June 5 hearing of her complaint against the Bijou, owned by J. W. Cotter, on a charge of operating bank night.

Behind the move lay Mrs. Baier's decision to withdraw the complaint if Campi upholds the decision of the local board on her complaints against the Prospect and Belmont. The local board held in the Belmont and Prospect cases that there was no competition.

Amateur Reel Extended

HOLLYWOOD, May 17.—In addition to the two-reeler planned with amateur talent which Hal Roach will produce in the east, the producer plans a similar subject with Los Angeles radio stations tied into the talent hunt.

Roach feels the search for new comedy talent can best be conducted by newspaper-radio tieups. The plan is to use non-professionals so selected in casts headed by established comedy names with Charlie Chase in one and perhaps Laurel and Hardy in the other.

Extension of the idea to other key points is not at all improbable.

Add to Television Group

HOLLYWOOD, May 17.—The Academy Research Council's sub-committee on television has added Wesley C. Miller of M-G-M and William Mueller of Warners to the body.

The committee, decided its first step would be the preparation of a summary of all published material on television in technical and scientific journals. After study the material the plan is to investigate the actual status of television transmission and reception equipment.

Ban Chicago Contests

HOLLYWOOD, May 17.—At the Hays office publicity directors' meeting, the committee decided not to sanction the Chicago Amusement Publicists Ass'n. proposal whereby the Chicago publicists would stage a series of beauty contests, dispatching the winners here for screen tests.

The local committee also ruled that all film concessions connected with the San Diego Exposition would clear through the local office.

Mandel Files Plans

Henry Mandel has filed plans for construction of a theatre at the southeast corner of Madison Ave. and 79th St. in spite of the fact that License Commissioner Moss has denied an application for a license for the house. The plans have been drawn by C. A. Sandblom and cost of the house is estimated at $75,000.

Wall Street

Most Slightly Off on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1).	54⅝	53¾	53⅞	— ⅜
Consolidated	3⅞	3¼	3⅜	— ⅞
Cons., pfd (1¼v).	15⅞	14½	14½	—1½
Eastman 143¼	142	142½	— ½	
Eastman, pfd 152	152	152	.....	
Fox "A"	12⅝	10¼	12⅝	+1⅝
Loew's	40⅜	39⅞	39⅞	— ½
Loew's, pfd 106½	106½	106½	.....	
M-G-M, pfd	27½	27⅜	27⅜	.....
Paramount	3¼	3	3	— ¼
Pathe	⅞	¾	¾	— ⅛
Pathe "A"	10½	10½	10½	— ¼
RKO	2½	2	2⅛	— ⅜
Warner	3⅝	3½	3½	— ½
Warner, pfd	22½	22½	22½	—1⅛

Technicolor Off ⅛ on Curb

	High	Low	Close	Net Change
Technicolor	19¼	18¾	18¾	— ⅛
Trans-Lux (.10K)	2¾	2¼	2⅜	.....

Para. B'way Bonds Drop 2¼

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11	10¾	11	— ⅜
Keith B. F. 6s '46	78½	78	78	— ½
Loew's 6s '41 ww deb rights.	104⅝	104⅜	104⅝	+ ⅛
Paramount B'way 5½s '51	55	55	55	—2¼
Paramount F. L. 6s '47	87	86½	86½	— ½
RKO 6s '41 pp....	41	40	40	— ⅞
Warner Bros. 6s '39 wd.....	64¾	63½	63½	—1½

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 17)

Mexico Producers Want Taxes Ended

(*Continued from page* 1)

Italian industry 10,000,000 lira as a subsidy.

Putting money into pictures made in Mexico by Mexican interests is not an investment, but an experiment, a speculation that may be repented under present conditions, the report states. Most producers have quit after making one picture, it goes on.

The industry is saddled with the following taxes: Production, varying from six per cent to 10 per cent; 13 per cent of theatre grosses in the Federal District which includes Mexico City; gross receipts levies in the provinces, which in some towns run up to 25 per cent; fees for censorship in the Federal District; State Department imposts for viewing pictures intended for export; stamp tax on receipts and documents issued in connection with the business; import duties on items which must be obtained abroad, and the "absentee's tax," an impost of two per cent to four per cent on all money sent abroad, excepting that for purchase of goods to be retailed in Mexico.

The income tax is the lightest of all, because practically nobody in the industry is making any money.

Cease Dual Ban Efforts

MILWAUKEE, May 17.—Lacking the support of Fox, members of the Independent Theatres' Protective Ass'n in Milwaukee County today decided to temporarily abandon attempts to ban duals. A. C. Gutenberg and F. J. McWilliams were named delegates to the Allied convention in Atlanta, to which they will be accompanied by five or six other exhibitors.

Missouri May End Jam with 1% Sales Tax

(*Continued from page* 1)

fares, newspaper circulation and virtually all articles sold in the ordinary five and 10-cent stores. It is estimated the bill will net the state upwards of $11,000,000 annually. Theatre admissions and advertising in pictures, programs, magazines, etc., would be affected.

Senator Clark and other senators who joined him in the preparation of the compromise measure are hopeful that it will terminate the deadlock that has frozen legislation in the General Assembly since April 15.

Senator Casey immediately made his opposition known when the bill was presented on May 14 by raising a point of order against it and it is believed he will attempt to conduct a filibuster against its passage.

The bill will apply to the sale of tangible personal property, or on any service specified in the amendment involving 14 cents or more and is to be passed along to the consumer. Merchants would be prevented from advertising they would absorb the tax.

Kill Mass. License Bill

BOSTON, May 17.—The Senate has killed a bill calling for licenses for booking agents. Some theatre men had favored it in the hope that it would eliminate a number of the so-called sidewalk agents.

The House has passed under suspension of the rules a bill to permit two years of dog racing with parimutuel betting before putting the question up to the voters in the 1936 election.

Urges Pettengill Fight

ST. LOUIS, May 17.—Ed Kuykendall, M.P.T.O.A. head, addressing the Better Films Council of Greater St. Louis today, urged opposition to the Pettengill anti-block booking bill and support of a measure pending in Congress which calls for more reasonable music fees. "The Pettengill bill," he said, "won't do anybody any good, but will do a lot of harm to theatre owners and the industry as a whole."

Kuykendall asserted the clean film drive had improved the quality of the product. He attacked duals, saying they tend to cheapen the quality of pictures and are an "injustice" to high-grade producers.

Martin to Coast

MEMPHIS, May 17.—Harry Martin, film critic of the *Commercial Appeal*, leaves tomorrow for Hollywood where he will gather material for a series of Sunday feature articles.

Lower Salt Lake Capital

WILMINGTON, May 17.—Publix-Salt Lake, Inc., of Salt Lake City, operating theatres in Utah and Idaho, reduced its capital by $405,999 from $455,000 to $50,999.

Cantor Arrives on Coast

HOLLYWOOD, May 17.—Eddie Cantor arrived here today. The Nick Parkyakakas of the radio was with him.

RKO Expected To Make Para. Product Deal

(*Continued from page* 1)

to give Paramount 15 months' notice of cancellation. This was done on May 28, 1934.

Following the annual Paramount sales meet at the Waldorf June 13-16, the circuit is expected to start talks on new product. Distributor officials are talking about selling away from RKO, but no decision has been reached. No definite action is expected until after the sales caucus next month.

Both sides hope to get together, but from appearances it looks as if each side is waiting to see who moves first. RKO locally splits the Paramount output with Loew's.

Para. Bank Deals Put Before Joyce

(*Continued from page* 1)

of $470,110 in Paramount's bankruptcy proceedings, but the claimants contended recently that the claim had been increased to $503,827 by interest accrued since. The agreement, for which court approval is sought, proposes to settle the claim for $371,389 and interest of $10,000.

The royalty contracts between Paramount and Lynch were made in 1919 with the purchase of Southern Enterprises from the latter, and revised in 1922. Lynch sold the royalty contracts to Commercial Investment Trust and U. S. & Foreign Securities in 1927. The payments called for in the royalty contracts were discontinued after Paramount's bankruptcy.

Additional claims held by the two financial houses against Publix Enterprises were sold to Paramount for $130,000 in 1933.

Allied Case Again Delayed

Hearing on an application to accept the plan of reorganization of Allied Owners' Corp. was postponed for a second time yesterday by U. S. District Judge Robert A. Inch. The new date is May 31.

Monroe Goldwater of Goldwater & Flynn, attorneys for the trustees, told the court that more than the necessary two-thirds consents had been obtained from creditors, but that the trustees wanted to await settlement of a claim of the Reconstruction Finance Corp. which has been held up by an income tax claim.

In reply to a question of the court Goldwater said that he knew of no obstacle that could jeopardize confirmation of the plan by the court.

Harrison Files Appeal

Notice of appeal of the $5,200 verdict awarded Gabriel Hess of the MPPDA in a libel action against P. S. Harrison, publisher, has been filed with the appellate division of the state supreme court, Jacob Schechter, Harrison's attorney, said yesterday. The appeal is not expected to be heard before fall, as the appellant has 60 days in which to serve papers, following which the case will be placed on the regular court calendar to await a hearing.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Hooray for Love"

(*Radio*)

Hollywood, May 17.—Dance routines by Sammy Lee, clever tunes by Dorothy Lee and Jimmy McHugh, an unusually smart Harlem number by Bill Robinson, "Fats" Waller and Jeni Legon, give vivacity to this otherwise routine backstage story.

Gene Raymond, through the efforts of Thurston Hall, the bungling father of Ann Sothern, mortgages his home and invests the proceeds in a show being produced by Sam Hardy. With cash in hand, Hardy skips out on the eve of the opening, leaving Raymond and the rest of the cast to get the show on despite the scenery and costume creditors. Although the plot has served often for this type of musical, many novel touches are introduced here.

Director Walter Lang handles the straight romance between Raymond and Miss Sothern, also the comedy romances of Hall and Georgia Caine and Etienne Girardot and Pert Kelton skillfully, getting many laughs. The screenplay by Laurence Hazard and Ray Harris takes in much territory, introducing Raymond as a college student and showing him as a Radio City guide when the story really gets started. In the supporting cast, Lionel Stander as the stage manager and Maria Gambarelli as a dancer are outstanding. The production by Felix Young shows thought and a nice sense of values. The picture should please and rates as better than average entertainment.

No production code seal. Running time, 73 minutes. "G"

Allied-Gulf States At Parting of Ways

(*Continued from page* 1)

known, but Allied has decided that its members can not belong to both organizations. Those present voted to send in their resignation to the Gulf States organization. At the same time, Allied voted to reduce dues to $12 a year; they were formerly $36.

The move to resign from Gulf States may embarrass that organization, since it has been tottering and very nearly collapsed in February when a one-day convention in association with the M. P. T. O. A. resulted in the attendance of about 15.

Fair Committee Named

Hollywood, May 17.—Lucille Webster Gleason was named chairman of a committee which will be in charge of the Motion Picture Hall of Fame at the San Diego International Exposition at a meeting of the Screen Actors' Guild today. Members of the committee are:

Marion Davies, Jeanette MacDonald, May Robson, Ann Harding, Ruth Chatterton, Joan Bennett, Mary Brian, Dolores del Rio, Bette Davis, Sally Eilers, Helen Mack, Joan Crawford, Miriam Hopkins, Claudette Colbert, Kay Francis, Genevieve Tobin, Thelma Todd, Eddie Cantor, Joe E. Brown, James Cagney, Edward Arnold, Edmund Lowe, Warren William, Robert Montgomery, Kenneth Thomson, Fredric March, Chester Morris, Richard Tucker, Clark Gable, Warner Baxter, Boris Karloff, James Gleason, Leon Errol, Lyle Talbot.

Atlantic Has Old Films

Atlantic Pictures, Inc., through Robert Savini, has closed a deal to handle the future distribution of several old features. Among the group ready for re-distribution are "Scarface," "Hell's Angels" and "The Front Page."

Cal. ITO Meets May 22

Los Angeles, May 17.—I.T.O. of Southern California members will hold a meeting Wednesday the nature of which is being kept a secret. It is understood fireworks are expected to pop.

Local 306 to Hear Reports on Monday

(*Continued from page* 1)

sion of a final report on the investigation of the local's affairs by the parent organization will be held Monday night at Mecca Temple.

Calling of the special membership meeting, the first to be held since I.A.T.S.E. took over the local's affairs and placed Harland Holmden in charge more than a year ago, is regarded as a definite indication that the parent organization is preparing to return full autonomy to 306, and to withdraw from the local's affairs itself. These moves have been urged by a liberal group within the local for some time past.

Jessel Settles Suit

Georgie Jessel yesterday settled the $240 suit filed against him by Paramount for $125. Jessel some time ago was booked for a week's engagement at the Palace, Middletown, O., a Paramount house, and a day before the opening claimed he was sick and could not go ahead with the date. Paramount alleged a walkout and filed suit for expenses in advertising the booking.

Erpi Tourney Today

Erpi is holding its annual golf tournament at Briarcliff Lodge, Briarcliff, today and tomorrow with some 45 men expected to tee off. Representatives from Washington, Philadelphia and Newark are expected to arrive to take part in the play for the Otterson Trophy, the grand prize, on Sunday.

Schafer Col. Still Head

Hollywood, May 17.—A. L. Schafer has been appointed head of the still department at Columbia, succeeding William Fraker, who died last week. Schafer has been with Columbia for the past three years, and has been connected with the industry for 12.

Flood of Talent Is Ready for NVA Show

(*Continued from page* 1)

called "The Massing of the Colors" and wind up with a grand ball at which the music will be supplied by a goodly number of our most prominent dance orchestras massed into a single band. Ensembles from the town's shows as well as individual performers will be on the program.

A part of the show will be a sports review sponsored by Jack Dempsey which will introduce such sports figures as Tony Canzoneri, Joe Louis, Benny Leonard, James J. Braddock, Earl Sande, Jim Crowley, Dick Fishel, Johnny Dundee and Irving Jaffe.

Boris Morros is responsible for arranging the affair.

Says School Films Should Be Selected

Boston, May 17.—"Motion pictures should not be introduced into schools just because they are interesting and new, but only because they provide a technique which, if used widely, by educators, would facilitate teaching tremendously," Prof. Kirtley Mather of Harvard University said today in an address in observance of "Parents and Their Children" conference week here.

"Motion pictures are not a substitute for something else which is already meeting requirements," he said, "but there are certain things that can be done better with pictures."

Make Huey Long Film

New Orleans, May 17.—It is reported here that the Grace Film Co. of New York is producing a one-reel short for the Huey Long publicity campaign. The picture consists of shots of Governor Allen, the state capitol building in Baton Rouge, Senator Long addressing a meeting in Philadelphia and of him leading a girl band in his campaign theme song, "Every Man a King."

Criterion Film Co., New York, is the distributor. The picture has already been shipped to Louisiana, but to date no bookings have been secured.

At the New York office of the Criterion Film Co. it was said that the picture is not sponsored by Senator Long; it is an independent effort called "The Kingfish," and will be distributed throughout the country.

Testify in Erpi Suit

Wilmington, May 17.—Harold M. Steele and Ralph E. Lawrence, Erpi service engineers, testified for the defendants today in the trust suit brought by General Talking Pictures and Duovac Radio against Erpi, Western Electric and A. T. & T. Steele denied he advised theatres to use W. E. tubes in his servicing reports to exhibitors. Lawrence described service operations in the field.

Mrs. Yamins Recovering

Fall River, Mass., May 17.—Nathan Yamins' wife is recuperating from a serious operation she underwent yesterday.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 118 NEW YORK, MONDAY, MAY 20, 1935 TEN CENTS

Code and Block Booking Up at Allied Convention

Paris Facing Big Shutdown In Tax Fight

May 31 Set as Date for Government Battle

By PIERRE AUTRE

PARIS, May 8.—This gay capital is facing the possibility of a complete shutdown of all forms of entertainment on May 31. Organized branches of amusement—legitimate and film theatres, music halls, vaudeville spots, night clubs, sports exhibitions, dancing, skating, restaurants, cafes and orchestras—have informed the Government they will close unless cuts are made in taxes.

The move is a climax to agitation dating back to the March session of Parliament. At that time the Government promised action in Parliament, but nothing happened. Parliament resumes on May 27.

At present film houses pay 35 per

(*Continued on page 2*)

Paramount Pictures New Name Approved

The name of reorganized Paramount will be changed to Paramount Pictures, Inc., under a proposal for a change of the company's name which was approved by Federal Judge Alfred C. Coxe on Saturday. The proposal must still be approved by stockholders at the special meeting, June 3, and by the secretary of state.

The decision to abandon the name Paramount Publix Corp., adopted about 1927, is in line with changes in name of subsidiary companies which resulted in the dropping of the Publix name from them as well.

Production Venture Started in Ottawa

OTTAWA, May 19.—A production venture backed by United States and Canadian capital is in prospect for Ottawa, according to J. R. Booth, wealthy local lumberman, who announced that he was interested in it.

Booth appeared before the civic Board of Control to ask for a lease

(*Continued on page 2*)

Premiums Get Into K. C. Downtown Area

KANSAS CITY, May 19.—Premiums invaded the downtown section here last week-end when the Dubinsky circuit effected a tieup with the Katz chain of drug stores to give 10-cent

(*Continued on page 3*)

Marked Gains Are Shown in Theatre Field

Activity in the theatre field is gaining so rapidly it begins to look like a boom. Transfers are more numerous than at any time in several years, new incorporations are increasing and houses are reopening.

Some of the reopenings, especially in New England, are due to the approach of summer, but this doesn't apply in many spots where warm weather brings a lull rather than vacationists.

Western Theatres Shift

OMAHA, May 19.—There have been several recent shifts on the theatre map in this territory. Milton Fuesner has sold the Oriental at Beaver City, Neb., to John Metzger of Syracuse, Neb Earl Kerr of Denver has taken

(*Continued on page 3*)

Theatres Give 10% To NVA Fund Today

Today is the day about 2,000 theatres of the country will contribute 10 per cent of their grosses to the NVA fund and distributors will remit 10 per cent of film rentals to the houses making these contributions.

In a number of cities where theatres have failed to agree to the 10 per cent quota, on the theory that it

(*Continued on page 2*)

Surprise Meeting of Coast ITO Is Called

HOLLYWOOD, May 19.—The I. T. O. board of directors here is puzzled over a surprise move of members in calling a special membership meeting and

(*Continued on page 2*)

Fox Met Changes Up For Hearing Today

A hearing on modifications in the Joseph M. Schenck-Fox Theatres plan of reorganization for Fox Metropolitan Playhouses will be held before

(*Continued on page 8*)

Color Films, Television in SMPE Agenda

HOLLYWOOD, May 19.—Color photography and commercial television, the two most promising upstarts in the studio and theatre world since the microphone and the flip-back seat made their appearance, will be examined soberly in the light of their present-day value to the industry during the convention of the Society of Motion Picture Engineers, which opens at the Roosevelt Hotel here Monday for a four-day session.

Approximately 300 S. M. P. E. members, half of them from the technical staffs of local studios, are expected to attend the convention, the first to be held in the studio capital since 1931.

A special session of the meeting will be devoted to the latest advances

(*Continued on page 3*)

Production Leaps; 44 Features Going

HOLLYWOOD, May 19.—Production raced towards peak activity last week with the weekly studio checkup registering 44 features and six short subjects in work as compared to 39 features and four shorts for the week preceding.

M-G-M retained the lead in the feature classification with eight shoot-

(*Continued on page 2*)

Arrange for Sound Study in Hollywood

HOLLYWOOD, May 19.—The Technicians' Branch of the Academy and Frank Wiggins' Trade School have completed plans to inaugurate study

(*Continued on page 2*)

Stage Shows Again Get Milwaukee Play

MILWAUKEE, May 19.—Stage shows are getting a play at Fox's Palace with Andre Lasky's French Revue as the current attraction at 25, 35 and

(*Continued on page 8*)

Members Gathering from Many Spots for Start At Atlanta Today

By RED KANN

ATLANTA, May 19.—The code, compulsory block booking, distributor "aggression" in exhibition and the Pettengill bill, with only the last of these slated to receive a kind word, will command most of the attention of delegates at the business sessions of the Allied States Ass'n. convention, which opens at the Hotel Piedmont here Monday for a four-day run.

Tied in with discussions of compulsory block booking will be commendation of the Pettengill anti-block booking bill and a probable convention resolution endorsing the measure and urging its passage by Congress. Allied, both nationally and locally, has been active in marshaling support for the measure for several months past.

The code, already punch-drunk and bewildered from rough handling at earlier Allied sessions, has another mauling in store for it at this one. Allied's traditional code position would indicate the registration of convention sentiment calling for complete nullification of the code as it affects theatres, on the theory that the sale of admission tickets is an intrastate and not interstate means of livelihood. Either that or a thorough re-drafting of the code to reapportion independent representation on Campi and the local boards and to liberalize the code's theatre provisions.

With the opening of Allied's meeting only 24 hours away, no champion of the code in its present form by tonight had registered, invited or uninvited, for the sessions.

Spirited condemnation of distributor "aggression" may be a feature of some of the business sessions with designated playing time and percentage policies probably bearing the brunt of

(*Continued on page 6*)

Leonia Hearing Is Delayed to May 27

On application by Adams Brothers, Vice-Chancellor Campbell of Paterson has postponed the hearing set for today until May 27.

Peter and Adam Adams recently filed suit against Julius Charnow of the Leonia, Leonia, and Fox film in an effort to enjoin exhibition of the distributor's product at the Leonia

(*Continued on page 3*)

MOTION PICTURE DAILY

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Production Venture Started in Ottawa

(*Continued from page* 1)

on Horticultural Hall, owned by the city, for use as a studio, and explained that the first production would bring a local expenditure of $65,000. The board granted the building at a nominal rental.

It was in this same building that a Shipman enterprise produced two feature pictures back in the silent days 10 years ago from stories by the Canadian author, Ralph Connor, namely "Glengarry School Days" and "The Man from Glengarry."

Arrange for Sound Study in Hollywood

(*Continued from page* 1)

courses in sound and acoustics for studio sound employes.

Recent grants of Federal funds have made it possible for the Los Angeles School District to start vocational courses in various industries. The present plans call for courses similar to those given by the Academy in 1930 and 1931 to be given to each studio sound department without charge.

A committee of nine representing the Academy, with two Wiggins representatives collaborating, is working on details.

Expect 125 RKO Golfers

About 125 are expected at the RKO golf tournament to be held at the Fenimore Club on Thursday. Numerous prizes have been lined up. Eddie McEvoy and Cresson Smith are in charge of the tourney.

Purely Personal

HARRY H. BUXBAUM thought he was being invited to a banquet when he received the following letter from JOHN C. FLINN: "You are cordially invited to meet with the Appeals Committee of three, of which you are one member, at the office of Code Authority. I would appreciate very much if you would let me know as soon as possible if you can keep the above engagement."

•

GRACE MOORE, VALENTINE PERERA, MARGALO GILLMORE, KATHARINE CORNELL, DESIRE DEFRERE, LEON LEONIDOFF, MRS. CARL VAN VECHTEN, CLIFFORD FISHER and MRS. FISHER, DWIGHT DEERE WIMAN, ARTHUR GORDONI and SAM ECKMAN and MRS. ECKMAN sailed for Europe Saturday on the *Ile de France.*

•

ED FINNEY denies the picture above his name on the new Monogram stationery is a likeness of himself in costume. He also wants it known that that picture on the new Republic schedule is "Metropolitan Merryground" and not "New York Merryground" as first reported here.

•

E. D. LEISHMAN, general European manager for RKO Radio, and HARRY LEASIM, general sales manager for the company in Europe, are due to arrive from abroad within the next few weeks to attend the annual sales convention in Chicago starting June 17.

•

SAM COCALIS, who has purchased a new Packard model, plans to sail for Europe the end of the month. He intends to visit his family in Greece. The whole trip will take two months, he says.

•

SIDNEY MEYER, FRED KENT, NAT PERRY, CHARLES WALDER, FRANK ROGERS and ERNEST MORRISON, all associated with the Sparks circuit, returned to Florida over the week-end.

•

BILL SAAL is preparing the Advertising Advisory Council for the forthcoming ads on "Frankie and Johnny," which RKO will distribute now that the picture finally has a code seal.

•

MRS. ROBERT F. SISK (CEPHA DAY) is in town from Hollywood. What with dust storms and the like, the air journey consumed two days.

•

PAT GARYN is only 10 pounds off what should be his normal standard. With the aid of stout and ale, he has hopes.

•

TOM HOWARD has purchased a home at Rumson, N. J. Merely a shack—11 rooms and two baths.

•

ROBERT WOLFF, JOE HORNSTEIN and MAX COHEN messed up the greens of the Purchase Country Club over the week-end.

•

ZANE GREY'S "Thunder Mountain" has been bought by SOL LESSER for GEORGE O'BRIEN.

•

SAMUEL PIKE'S and Joe Reilly's "Police Parade" has been acquired by Fox. The latter is chief of the Fox studio police.

•

PHIL TYRRELL, former director of bookings at the Music Hall, has joined Kennaway, Inc., Chicago.

•

LEON SCHLESINGER, Looney Tune producer, is back in Hollywood after a month's visit here.

•

ALEX YOKEL has gone to L. A. for the coast premiere of his play, "Three Men on a Horse."

•

JAMES DUNN will fly in from the coast this week to attend the Ross-McLARNIN fight.

•

WILLIAM RAYNOR, handling "Lucky," has returned from Boston and New Haven.

•

NUNNALLY JOHNSON gets in from the coast Tuesday on the *Santa Paula.*

•

LEE OCHS is doing grand jury duty at present and finds it interesting.

•

EDDIE EDELSON plans another of his soirees next Sunday afternoon.

•

RAY HENDERSON sailed for the other side Saturday.

•

SPYROS SKOURAS is due today from Kansas City.

Theatres Give 10% To NVA Fund Today

(*Continued from page* 1)

would give information to their competitors, exhibitor organizations are to make contributions of flat sums to the fund.

Saturday night was the highlight of this year's effort to raise $200,000 for the Saranac Sanitarium and other charitable activities of the NVA. It was probably as big an array of talent as has been seen in New York. Practically all the important bands, radio, screen and stage personalities in town were present, and there was a big representation of boxers, wrestlers, flyers and others. Madison Square Garden was packed.

Production Leaps; 44 Features Going

(*Continued from page* 1)

ing, one preparing and 10 in the cutting room. Paramount had seven, one and three; Fox, six, four and five; Radio, five, two and five; Warners, four, one and 10; Columbia, two, three and five; Universal, three, zero and one; Roach, one, zero and zero, with the independents chalking up eight, four and nine.

Short subject activity gained also. Roach had one short in production, three in preparation and six in the cutting room. M-G-M had zero, three and six; Universal, zero, one and one; Columbia, one, one and three; Radio, zero, one and four, with the independents registering four, two and five.

Rabanus Rites Today

NEW HAVEN, May 19.—Last rites for Morris Rabanus, local M-G-M salesman killed in an auto crash, will be held Monday at the funeral parlors of Beecher, Bennett & Lincoln, here.

Paris Facing Big Shutdown In Tax Fight

(*Continued from page* 1)

cent of their grosses in various taxes—state, pauper, copyright, town.

To make the closing threat more realistic, all employes have been given notices.

Government officials claim more money than ever is needed. Amusement backers counter that they want a 50 per cent cut in all taxes, due to bad business. Film houses have recently cut scales to an average of about three francs (20 cents) for double features. Scales generally are down about 30 per cent.

The Government is maintaining an aloof attitude. In some circles the closing threat has been called "blackmail."

Tie Vote Kills Lottery

BOSTON, May 19.—A tie vote of 110 to 110 in the House blocked the fight for a bill to legalize a state lottery. The legislators were put on record when a roll call was demanded by Representative W. B. Baker of Newton after a standing vote of 83 to 62 favored sending the bill to a third reading. Representative John J. Whalen, the sponsor of the measure, which, it is claimed, would net the state and municipalitics, $12,000,000 annually, states he will continue the fight for enactment.

Wisconsin Tax Approved

MADISON, Wis., May 19.—The Assembly committee on taxation has unanimously recommended for passage a substitute for the Carow income tax bill which broadens the theatre tax carried in the original measure into a general amusement tax of three per cent on ticket sales as against the four per cent tax on gross receipts. The amendment exempts entertainments given by schools and religious and charitable organizations.

Block Mass. Sales Tax

BOSTON, May 19.—Three bills for imposition of a sales tax in Massachusetts have been sent back to the House by the Senate. The House will have to make the next move.

Surprise Meeting of Coast ITO Is Called

(*Continued from page* 1)

luncheon at the Elks' Club next Wednesday. The meeting was called by a committee secretly appointed by the members and the details surrounding the gathering are being kept hidden.

The organization yesterday sent a telegram to Hiram Johnson in Washington asking him to support the bonus bill now before Congress and also a letter to the Allied convention in Atlanta wishing success and regretting not having sent a representative.

Mascot Signs Autry

HOLLYWOOD, May 19.—Gene Autry has been signed by Mascot for a series of eight musical westerns. Armand Schaefer will supervise production of the radio singer's first film venture.

Color Films, Television in SMPE Agenda

(*Continued from page* 1)

in color photography and its practical prospects for the immediate future on Tuesday night. The session is sponsored by the Academy of M. P. Arts and Sciences and will be held at the Carthay Circle, where outstanding Technicolor shorts will be screened and the new three-color process will be demonstrated. Papers on the subject will be presented by Technicolor engineers.

The present status of television, as it affects films, will be discussed in a paper by Dr. Alfred N. Goldsmith, past president of the S. M. P. E., which will be read by Homer G. Tasker of the United Research Corp., New York, S. M. P. E. president. Dr. Goldsmith was unable to attend this convention.

In all, more than 70 papers dealing with the industry's technical and scientific problems will be read at the 11 technical sessions to be held during the five-day meeting. The sessions have been divided into three general meetings, two devoted to studio problems, one laboratory meeting, one on projection and studio lighting, three on sound and one apparatus symposium.

To Be Guests of Studios

In addition to the business program, S. M. P. E. members will be the guests of various studios and of the California Institute of Technology under the program arranged by W. C. Kunzman, convention vice-president. Major N. Levinson, chairman of the technicians' branch of the Academy, will make the welcoming address at the opening luncheon tomorrow, at which Tasker, Howard Green of the Paramount writers' staff; Rod La Rocque and Kenneth Macgowan, Radio associate producer, will also be speakers.

S. M. P. E.'s semi-annual banquet will be held at the Roosevelt Wednesday night.

Committees handling the convention follow:

Program and Facilities—W. C. Kunzmann, J. I. Crabtree, J. O. Baker.

Local Arrangements and Reception—G. S. Mitchell, W. J. Quinlan, J. A. Ball, C. W. Handley, R. H. McCullough, E. Huse, K. F. Morgan, W. C. Harcus, E. C. Richardson, R. G. Linderman, N. Levinson, G. F. Rockett, H. W. Moyse, J. A. Dubray, F. E. James, Carl Dreher.

Projection—H. Griffin, J. O. Aalberg, L. E. Clark, R. H. McCullough, K. F. Morgan. They are officers and members of Los Angeles Local 150, I.A.T.S.E.

Studio and New Equipment Exhibit—O. F. Neu, H. Griffin, Peter Mole, J. F. Frank, Jr., S. Harris.

Banquet—W. C. Kunzmann, Peter Mole, G. S. Mitchell, W. J. Quinlan, G. F. Rockett, E. Huse, O. F. Neu.

Publicity—Will Whitmore, James J. Finn, F. H. Richardson, J. R. Cameron, G. E. Matthews, A. Jones, P. A. McGuire.

Membership—O. M. Glunt, E. R. Geib.

Ladies' Reception—Mrs. E. Huse, hostess, assisted by Mrs. G. F. Rockett, Mrs. W. Quinlan, Mrs. F. E. James, Mrs. Peter Mole, Mrs. C. W. Handley, Mrs. E. C. Richardson, Mrs. F. C. Coates.

The opening day's program follows:

Monday, May 20

9:00 A.M. Registration.
10:00 A.M. General Session.
Address of Welcome.
Presidential Response, H. G. Tasker.
Society Business.
Report of Membership Committee, E. R. Geib, Chairman.
Report of Progress Committee, J. G. Frayne, Chairman.
Report of Non-Theatrical Equipment Committee, R. F. Mitchell, Chairman.
"Non-Theatrical Projection"; R. F. Mitchell, Bell & Howell Co., Chicago, Ill.
"Television and Motion Pictures"; A. N. Goldsmith, New York, N. Y.
"The Talking Book"; J. O. Kleber, American Foundation for the Blind, New York, N. Y.
"Use of Films and Motion Picture Equipment in Schools"; M. Evans, San Diego City Schools, San Diego, Calif.
12:30 P.M. Informal Get-Together Luncheon. For members and guests of the Society, speakers to be announced later.
2:00 P.M. General Session.
Report of the Historical Committee, W. E. Theisen, Chairman.
"A Description of the Historical Motion Picture Exhibit in the Los Angeles Museum"; W. E. Theisen, Honorary Curator, Motion Picture and Theatrical Arts Section, Los Angeles Museum, Los Angeles.
"The Kodachrome Process of Amateur Cinematography in Natural Color"; L. Mannes and L. Godowsky, Eastman Kodak Co., Rochester, N. Y.
"Introduction to the Photographic Possibilities of Polarized Light"; F. W. Tuttle and J. W. McFarlane, Eastman Kodak Co.
"Production Problems of the Writer Related to the Technician"; C. Wilson, M-G-M Studios, Culver City.
"Production Problems of the Actor Related to the Technician"; D. C. Jennings, Hollywood.
"The Inter-Relation of the Dramatic and Technical Aspects of Motion Pictures"; Prof. B. V. Morkovin, University of Southern California, Los Angeles.
"The Problems of a Motion Picture Research Library"; H. G. Percey, Paramount Prod., Inc., Hollywood.
8:00 P.M. Studio Visit.
Visit to Walt Disney Studio, under the direction of W. Garity, Studio Manager. Admission by registration card only; buses leave the Hotel promptly at 7:30 P.M.

Wall Street

Columbia Gains on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1).	59	53⅞	58	+4⅛
Consolidated	4	3¾	4	+ ⅝
Cons., pfd (1¼v)..	15¼	14¾	15¼	+ ¾
Eastman	142	141½	142	— ½
Fox "A".....	13⅜	12⅞	13⅜	+ ¾
Loew's	39⅞	39⅛	39⅜	.....
M-G-M pfd.....	27⅜	27⅜	27⅜	.....
Paramount Publix	3⅛	3	3⅛	+ ⅛
Pathe	¾	¾	¾	.....
Pathe "A".....	10½	10½	10½	.....
RKO	2	2	2	— ⅛
Warner	3⅝	3½	3½	.....
Warner pfd.....	5½	5½	5½	.....

No Change on Curb

	High	Low	Close	Net Change
Sentry Safety Control	¼	¼	¼	.....
Tcchnicolor	19	18¾	18¾	.....
Trans Lux (.10k).	2⅜	2⅜	2⅜	.....

Warner Bonds Up ⅜

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf.	11½	11	11½	+ ½
Loew's 6s '41 ww deb rights.....	104½	104⅜	104⅜	— ¼
Paramount Broadway 5½s '51....	55	55	55	.....
Warner Bros. 6s '39 wd.....	63⅞	63⅞	63⅞	+ ⅜

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 18)

Capitol to Do Series

HOLLYWOOD, May 19.—Capitol Pictures is making ready eight highway patrol action pictures. The same principals will be featured in all. Reed Howes has been signed to star. Fred Neumeyer will direct. The first feature, "Double Spots," from the story by William Bruner, is being adapted now by Tom Gibson and will start shooting soon. Bob Doran has been signed for camera work.

Rex Chicago Office Makes Total Eight

With the opening of a Chicago branch in charge of Herman Saperstein, Rex Premiums now has eight offices. Two others will be opened shortly, one in Boston and the other in Omaha. Harry Egert, president, returned late last week from the Windy City after setting up the latest branch.

Cities where the company is now represented are: Philadelphia, with Ben Smallberg in charge; Albany, headed by Harry Rabinowitz; New Haven, Joe Leighton; New Orleans, Lester Tobias; Washington, Roy Dial; St. Louis, John Lane; New York, Louis Weinzimmer.

Jack Goldstein, general sales manager, is now on a trip to Omaha and Los Angeles. The company recently closed a deal with Skouras Theatres for nine Jersey City theatres.

Leonia Hearing Is Delayed to May 27

(*Continued from page* 1)

ahead of the Park Lane, Palisades Park.

David T. Wilentz, attorney general for the state of New Jersey, will represent Charnow at the hearing. Fox has retained a Jersey attorney to handle its side of the case and H. A. Toner will represent the Adams family.

Meanwhile, the Leonia, Leonia, will play Will Rogers in "Life Begins at 40" for three days starting May 23. Two other Fox films have already played Charnow's house.

Campi recently handed down a clearance decision granting the Leonia the right to play seven days after Leonia. The order did not mention Palisades Park theatre, which has contracts providing for seven days' protection over Leonia.

Premiums Get Into K. C. Downtown Area

(*Continued from page* 1)

coupons with each 20-cent admission and five-cent coupons with 15-cent tickets. The coupons are distributed at the Liberty and Regent and are redeemable at face value for any merchandise at the Katz stores in Greater Kansas City.

Exhibitors protest that this is a plain case of reduced admission contrary to the code, but whether the first run Publix Newman, adjacent to the Liberty, or other downtown first runs will do anything about it has not been determined.

Dietz Is Featured In Forbes Magazine

Howard Dietz is the subject of the fifth of a series of articles on "America's Most Successful Salesmen" in the current issue of *Forbes* business magazine.

According to C. D. Frazer, the author, Dietz has "lured more people through the turnstiles than any other man in his branch of the industry."

In answering the question "How"? Frazer says:

"He believes that advertising should be entertaining in itself, should tell a human-interest story. It must be the miniature sideshow which brings people into the tent."

Marked Gains Are Shown in Theatre Field

(*Continued from page* 1)

over the Broadway from Ray Felker at Council Bluffs, Iowa.

L. Weiner is managing the West at Sioux City, Iowa. It was placed in protective receivership recently.

Two houses have been closed because of scarlet fever epidemics. One is the KMMJ at Clay Center, Neb., and the other is the Orpheum at Fairfield.

Await Changes in Seattle

SEATTLE, May 19.—Rumblings that forebode changes in the first run setup in Seattle are being heard. Involved are the John Hamrick and Evergreen circuits.

Rumor has it that vaudeville will be "out" at both Hamrick's Orpheum and Evergreen's Paramount within three weeks. Further reports indicate that Evergreen may close the Paramount, despite a lease which says that the Paramount film product can be booked only by the operators of the theatre.

It is understood that if Evergreen closes the Paramount and thus loses the Paramount product, that Hamrick will not bid for the films. There are no other local first runs that maintain above a 25-cent admission.

All Paramount theatre employes are understood to have received dismissal notices this week.

Buy Terre Haute House

TERRE HAUTE, Ind., May 19.—The Little Virginia has been acquired by Ross Garver and M. D. Reinking, owners of the Orpheum and Swan.

The new owners have closed the house for remodeling. A new screen will be installed as well as new sound and interior decorations.

Plan Cleveland Drive-In

CLEVELAND, May 19. — Plans are afoot for Cleveland's first Drive-In theatre to be established on the Telling Farm property on the east shore not far from Willoughby. It is anticipated that affected theatres will fight it.

Takes Two at Tiffin, O.

TIFFIN, O., May 19.—David W. Britton, Berea, O., head of Seneca Theatres, Inc., has taken a lease on the Grand and Ritz, the only two houses here. His plans have not been announced.

Reopen Frisco Rialto

SAN FRANCISCO, May 19.—Fox West Coast has reopened its New Rialto after spending several thousand dollars remodeling. The house, a second run, is managed by Ward Morris.

Two Columbia Dividends

Columbia Pictures Corp. has declared a quarterly dividend of 25 cents per share on its common stock and voting trust certificates, payable July 2 to stockholders of record June 12, and a semi-annual dividend on the common stock of two and one-half per cent payable in common stock on Aug. 2 to stockholders of record June 12.

ONLY M-G-M DOES IT!



NATIONWIDE BILLBOARDS



NATIONWIDE MAGAZINES



NATIONWIDE MAGAZINES





NATIONWIDE BILLBOARDS





NATIONWIDE NEWSPAPERS

EXTRA! PREVIEW SENSATIONAL!

"PUBLIC HERO"

Read the Reviews! Tops Them ALL!

OAN CRAWFORD

BERT MONTGOMERY

No More Ladies

A METRO-GOLDWYN-MAYER PICTURE



"To the left are just a few samples"

YOUR NEXT BILLBOARD CAMPAIGN!

Okay America! 8000 smashing 24-sheets in 1500 cities pre-sells your public! Name the ONE AND ONLY company that does it! An M-G-M contract means co-operation from the day you sign. Magazines, newspapers, billboards. And it's all for YOU and FREE!

"It's Smart to be LIONIZED!"

Code, Booking Up at Allied Atlanta Meet

(Continued from page 1)

the attack. M-G-M, because of its proposed invasion of the Chicago theatre field, through Loew's, Inc., as a result of an exhibitor rebellion there against Metro sales policies, appears to have little chance of escaping a scolding in the forms of resolutions from the conventioneers. Allied orators, with the Chicago situation in mind, arrived here several days ago and since have been brushing up on polished vituperation, according to reports about convention headquarters.

Early registration at the Piedmont has led convention officials to estimate that attendance will reach a minimum of 500 and may go as high as 800, including the registration of other than exhibitors and, also, the wives and guests of delegates. In addition, registration may be swelled by the decision to welcome all exhibitors, whether members of Allied or not. Mounting exhibitor interest in Allied in the South has been evidenced during the past few months and may result in an unusually large attendance from adjacent southern states. This, of course, would account for the bulk of the attendance which, as is the case with all national exhibitor conventions, has been drawn from the territory in or adjacent to the convention city.

Representative groups, however, will be on hand from numerous Allied strongholds in the East, North and Middlewest, present reservations at the Piedmont would indicate.

Many Social Events Scheduled

A full program of social events for both conventioneers and their wives has been prepared under the direction of Mrs. Charles B. Ellis, Mrs. A. Jules Benedic and N. H. Waters. Included will be a tea at the Governor's mansion, at which Mrs. Eugene Talmadge, wife of the governor, will be hostess; a golf tournament at East Lake Country Club, at which Bobby Jones, former international champion, will be present, and various luncheons, dinners and sight-seeing tours. The convention banquet and dinner dance will be held Thursday evening at East Lake Country Club.

Gov. Talmadge is scheduled to address a special convention program on Wednesday evening at the Atlanta Athletic Club, at which "Heaven Bound," a play featuring the Big Bethel Negro Choir, will be presented. Mayor James L. Key of Atlanta is scheduled to extend the city's welcome at the opening session and the invocation will be delivered Tuesday afternoon by Rev. Father William M. Hanlon of Sacred Heart Church, who is a brother of the late Jimmy Hanlon, M-G-M executive, who died here recently. This event will comprise a tribute to the departed film man.

Talking pictures of the delegates will be made by National Screen Service and prints will be available for home town showings later. Exhibit space has been opened on the mezzanine of the convention hotel and 20 concessionaires are expected to exhibit film and theatre supplies.

Eastern States and Middle West Send Big Delegations

Upper New York, New England and Pennsylvania among the eastern states and Illinois and Michigan in the Middle Western tier will top representation at the Allied convention which opens in Atlanta today. The tally, point-by-point across the country, yesterday stacked up as follows:

Fifteen from Albany Zone

ALBANY, May 19.—Abe Stone, president of Allied of New York, heads a group of about 15 members of the local organization attending the annual convention in Atlanta.

Blum from Maryland

BALTIMORE, May 19.—Herman A. Blum, owner of the Little and treasurer of the Allied, will attend the convention as the representative of the M. P. T. O. of Maryland, Inc., which is affiliated with the Allied. He is the only member of the Maryland body that will attend. Blum said: "I have the welfare of the independent theatre men at heart and I will work for anything that will improve conditions in the industry generally."

Two from Birmingham

BIRMINGHAM, Ala., May 19.—Frank Merritt of Acme Theatres, Inc., and N. H. Waters of Suburban Theatres will represent Birmingham at the Allied convention. They have no particular problems to be aired, but are going "to listen in."

Strong Down East Group

BOSTON, May 19.—Delegates to Atlanta are on their way via boat to Norfolk and then over the road to the scene of the convention. Representing Independent Exhibitors, Inc., territorial Allied unit, are: Walter Littlefield, vice-president, Boston; Richard B. Rubin, State, Saugus; Nathan Yamins, Fall River; Frank Lydon, Hamilton, Dorchester; Ernest Horstmann, Wakefield, Wakefield; Les Bendslev, Wellesley, Wellesley; Eddie Ansin, Interstate Theatres, Boston, and Arthur Howard, Business Manager.

Others are expected to join these men at Boston from other Allied units in Maine, New Hampshire, Vermont and Rhode Island.

Nobody from Bridgeport

BRIDGEPORT, Conn., May 19.—This city will have no representation at Atlanta. The territory is M. P. T. O. A.

Carolinas Not Allied

CHARLOTTE, May 19.—Allied has no organization in either of the Carolinas. So far as can be learned, no exhibitors from this area, therefore, will be present when the gavel falls in Atlanta. There is a possibility that some of the small independents, however, may attend in view of the accessibility of the convention city.

Loew Bothers Chicago

CHICAGO, May 19.—Aaron Saperstein, president of Allied Theatres of Illinois, leads a contingent of 25 or more Chicago and downstate exhibitors to Atlanta.

In view of the hot spot in which Chicago exhibitors find themselves as a result of the threatened Loew invasion, it is expected that Saperstein and other members will fortify Sidney Samuelson, national president, with further facts on Allied policy regarding this move. Saperstein has indicated that he will not personally take the floor to amplify the local Loew situation, but will turn the task over to Samuelson, who, at a recent meeting of Allied Theatre Owners of the Northwest at Minneapolis, put through a resolution in which Allied stated that as a national proposition they would call a boycott on M-G-M if Loew persists in pursuing plans for competitive building in Chicago and several other cities.

This city is the hub of Loew theatre building activities and the local situation is generally conceded to be the basis on which Allied nationally will set its future policies. In fact, Allied's attitude generally is expected to develop from the local outline painted by Saperstein for Samuelson as the basis of a national issue.

Cleveland Sending Five

CLEVELAND, May 19.—M. B. Horwitz, Meyer Fine, Henry Greenberger, Maurice Kaplan, Harry Horwitz, all Cleveland independents, and Ray Wallace of Alliance, plan to attend Atlanta from the northern section of Ohio.

Smith Heads Ohio Group

COLUMBUS, O., May 19.—The I. T. O. Ohio, an Allied affiliate, is sending a representative delegation to the Atlanta convention. Those who have so far signified their intention of attending include: Martin G. Smith, Toledo, president; P. J. Wood, Columbus, secretary and business manager; W. C. Chesbrough and Frank Ferguson, Columbus; Moe Horwitz and Meyer Fine, Cleveland, and Ray Wallace, Alliance. Several other members are considering making the trip, but have not definitely decided.

Draws Blank in Iowa

DES MOINES, May 19.—Allied Theatre Owners of Iowa will not be represented at Atlanta convention, so far as Harry Hiersteiner, local member and former director, is informed. Leo F. Wolcott of Eldora, president and acting secretary, was in Des Moines late last week and had received no reports at that time that the organization would be represented.

Michigan Goes Over Road

DETROIT, May 19.—The following already have signed up to join Allied of Michigan's motor cavalcade to the Allied convention in Atlanta.

Glenn A. and Mrs. Cross, Battle Creek; Ray and Mrs. Branch, Hastings; P. C. and Mrs. Scram, Kalamazoo; James C. and Mrs. Ritter, Detroit; H. M. and Mrs. Richey, Detroit; Fred and Mrs. DeLodder, Detroit; Roy and Mrs. Taylor, Grand Rapids; F. A. and Mrs. Wetsman, Detroit; William Schuttenhelm, Detroit; Fred Schneider, Detroit; I. J. London, Detroit; William Guensche, Detroit; Barney Kilbride, Detroit; Allan and Mrs. Johnson, Grand Rapids; James M. Minter, Flint. W. A. and Mrs. Cassidy of Alma and William A. London of Detroit, who are now in Florida, will go from there to Atlanta.

The local unit's chief fight at the convention will be made against preferred playdates and percentage pictures and for revision of the code to give independent exhibitors and distributors greater representation on the various local boards and the Code Authority.

Too Far for Hartford

HARTFORD, May 19.—Plans to form a local group to attend the Allied convention which have been hanging fire for weeks have collapsed due to the distance. Show business has been poor since the advent of daylight saving and Allied exhibitors do not feel like going away at this time. E. M. Loew of Boston will represent Loew's theatre here. Maurice Shulman of the Rivoli, Harrison Harries of the Crown and Leonard O'Neil of the Cameo would have liked to have gone along.

Horwitz Won't Be There

HOUSTON, May 19.—Will Horwitz, fiery independent, will not attend the Allied convention and says that, so far as he knows, no one from this immediate area will.

K. C. Area Not Going

KANSAS CITY, May 19.—As far as can be determined, this territory will not be represented at the Allied convention.

Neither the Kansas-Missouri Theatre Ass'n. nor the I. T. O. of Greater Kansas City is affiliated nationally, although Jay Means, I. T. O. head, has long been friendly with Allied and receives its bulletins.

Three exhibitors from this territory attended the M. P. T. O. A. conclave at New Orleans in February in an unofficial capacity.

ITO of Calif. Not Going

LOS ANGELES, May 19.—The ITO, although in harmony with Allied, is not affiliated with either of the two national exhibitor associations. Representing approximately two-thirds of the independents in this area, the organization, nevertheless is sending no one to Atlanta.

About 6 from Wisconsin

MILWAUKEE, May 19.—A. C. Gutenberg, president of the Independent Theatres' Protective Ass'n. of Wisconsin and Upper Michigan, will attend the Atlanta meetings accompanied by Ross Baldwin, George Fischer and perhaps three others.

Berger from Minneapolis

MINNEAPOLIS, May 19.—Benny Berger will carry the banner of Northwest Allied at Atlanta. Al Steffes, scheduled for appearance on the program, may be prevented by ill health from making the trip.

Fishman May Attend

NEW HAVEN, May 19.—Although there is no Allied unit in the terri-

(Continued on page 7)

Eastern States and Middle West Send Big Delegations

(Continued from page 6)

tory, Abe Fishman of Fishman Theatres may attend the convention as a visitor.

Want 20% Cancellations

NEW ORLEANS, May 19.—On the theory that the National Industrial Recovery Act will be extended, Allied is going to make a demand for at least 20 per cent cancellation privileges, according to Henry Lazarus, one of the delegates from this territory who left for Atlanta yesterday morning.

Revamping of the code mechanism to give independents more representation on Code Authority is also being sought.

Lazarus was accompanied by Mrs. Lazarus, Harry Schulman, J. C. Keller and others. Many from this territory are expected to make the trip by bus and automobile.

Percentages are also going to be a hot convention topic, Lazarus indicated.

Few from New York

Both the I. T. O. A. and T. O. C. C., New York local independent organizations, will not be represented at the four-day Allied convention in Atlanta, starting today. Some members of each organization have discussed going to Atlanta, but definitely called it off at the last minute.

James P. Clark, president of National Film Carriers Ass'n., and Clint Weyer, secretary, left last night. Clark is listed as one of the speakers.

M. Grossman of Hudson, N. Y., and Abe Lichtman, Washington exhibitor, also departed last night.

Herman Robbins, George Dembow, Ben Rosenberg and Morton Van Praag, all National Screen executives, took a rattler last night.

Sidney Samuelson, accompanied by his wife and also his secretary, Sally Fisher, arrived in Atlanta Friday morning.

Two from Oklahoma—Maybe

OKLAHOMA CITY, May 19.—L. C. Griffith is contemplating joining Wallace Walthall of Dallas, who is affiliated with National Screen Service, for the Allied convention. No one else from this State is going, since this is an MPTOA territory.

Omaha Not Interested

OMAHA, May 19.—Allied will have to do without representatives from this territory when it convenes for its convention at Atlanta. Allied has never been any too strong in this section, getting most of its impetus from the Iowa side of the Omaha territory. Its staunchest member and former secretary, Lester Martin, resigned some months ago. With Martin's departure, Allied was left without any local representation, although, strictly speaking, Martin was some distance from Omaha, operating a small house in Iowa.

Philadelphia Turning Out

PHILADELPHIA, May 19.—IEPA, which recently joined Allied, expects to send between 20 and 25 members to Atlanta. The organization may charter a private car for the jaunt.

Those who have so far signified their intention of attending are Morris Wax, president of the group; David Barrist, Harry Fried, Bill Butler, Roy Schwartz, Dave Milgram, Jack Bagley, Leo Posel, Herb Elliott, Columbus Stamper, Jeanette Willensky and Mo Wax.

The group carries no specific local problem to the meeting, but plans to join in the discussions on code revision and block booking, both of which have engaged the attention of the IEPA for some time.

Twenty-two from Western Penna.

PITTSBURGH, May 19.—A special car left here tonight over the Pennsylvania railroad for Atlanta with 22 independent exhibitors aboard, as well as Fred J. Herrington of the M. P. T. O. of Western Pennsylvania, an Allied affiliate.

The party included Morris Roth, Plaza theatre, Duquesne; M. A. Rosenberg, Rialto; I. W. Shearer, Highland; Norman Huhm, Grandview; Bob Higgins, Guthrie, Grove City, Pa.; Ike Browarsky, Bellevue; Pete Antonoplos, East Pittsburgh; Mike Marx, Oil City, Pa.; Nick Anas, Weirton, W. Va.; Pete Nikas, Regal, Wilkinsburg; Al Weiland, of the Weiland, Wilkinsburg; Art Ttola, New Kensington; Eli Goldstein, Paramount; Bill Lipsie, Blairville, Pa.; Frank Panapolis, State, Clairton; Eddie Beedle, Canonsburg; Bill Brown, Palace, Tarentum; Bill Walker, Crafton; All Glazer, West Park; Dave Leff, Metropolitan; Bill Wheat, Sewickley, and Benny Amdur, of the Garden, Northside.

The delegation will be behind the Pettengill anti-block-booking bill solidly, but otherwise has considered no legislation to bring before the convention.

No Providence Men

PROVIDENCE, May 19.—This city will not be represented at Atlanta, a check-up reveals. Martin Tuohey is president of Allied Theatre Owners of Rhode Island. He operates the LeRoy at Pawtucket.

None from Eastern Missouri

ST. LOUIS, May 19.—Dr. J. L. Price, one-time president of the local Allied unit, informed MOTION PICTURE DAILY yesterday it will send no delegates to Atlanta. The local Allied affiliate was never active and disbanded a couple of years ago. In exhibitor association activities here the noise, as big as it is, is confined to the M. P. T. O. of Eastern Missouri and Southern Illinois.

Frisco Disinterested

SAN FRANCISCO, May 19.—There will be no delegates from this territory to the Allied convention. This region is almost entirely M. P. T. O. A. or Northern California Independent Theatre Owners' Ass'n.

Pacific N. W. Supplies Blank

SEATTLE, May 19.—No delegates from the Pacific Northwest will attend

(Continued on page 8)

Some Allied Leaders



Sydney Samuelson
New Jersey



Abram F. Myers
Washington



Nathan Yamins
Massachusetts



H. A. Cole
Texas



H. M. Richey
Michigan



Aaron Saperstein
Illinois



W. A. Steffes
Minnesota



Charles R. Metzger
Indiana



Herman Blum
Maryland



David Barrist
Eastern Penna.

Many Delegates from East and Mid-West

(Continued from page 7)

Atlanta, a check-up shows. Allied Amusements of the Pacific Northwest is not actively affiliated with either Allied or the M. P. T. O. A. and apparently finds no more interest in the Atlanta sessions than it did in the recent New Orleans convention.

Three from the District

WASHINGTON, May 19.—The delegation from Washington to attend the Allied convention will be composed of Charles H. Olive, A. E. Lichtman and J. H. Hiser. The group will make the southward trip in company of Martin Van Praag and Ben Rosenberg, of the National Screen Service of New York.

The Allied Theatre Owners of the District of Columbia will take no particular grievances to the convention, nor will it bring up any matters of particular import to this district. Rather, the local group will be represented further to augment the force of the national organization in its battle for the independent exhibitor.

Of particular interest, however, to the local group will be the analysis of the new code proposed by the Senate finance committee, the debates on the continuing of double featuring where "local option" has approved the practice and questions arising out of the growing tendency on the part of distributors to add restricting clauses to contracts allegedly without the knowledge and consent of the exhibitor.

The delegation will carry with it a resolution of the group it represents supporting the measure—H. R. 6472—introduced by Rep. Samuel B. Pettengill (Democrat, Indiana) for the prevention of compulsory block booking.

Latin Consuls Will Be M. P. Club Guests

The Latin American Consuls of New York will be guests of honor at the M. P. Club forum tomorrow with former Ambassador James W. Gerard heading the list of speakers under the chairmanship of Louis Nizer.

The following consuls will attend: Pablo Suarez, Cuba; Eduardo Villasenor, Mexico; F. Pardo De Zela, Peru; M. Jiminez, Costa Rica; and Jose Cambrubi, publisher of the *La Prensa*; James Carson, chairman of the Council of Inter-American Relations; Conrado Traverso, Argentine; Louizo De Faso, Brazil; Santiago Rivas Corta, and Jaime Yankelevich, president of Nacional Radio Corp. of Argentine.

Ask for Stock Listing

WASHINGTON, May 19.—Application for registration on the New York Stock Exchange of 626,755 shares of one dollar par common stock, not yet issued, has been filed with the Securities and Exchange Commission by Pathe, Inc.

New Ratoff Film Title

Gregory Ratoff's British made feature, "18 Minutes," which will be released this summer by Paramount, will go out under the new title, "This Woman Is Mine."

Stage Shows Again Get Milwaukee Play

(Continued from page 1)

55 cents, and Ted Fio-Rito and his band slated to open at the house May 31.

The avenue, with all its seven houses again ablaze for the first time in many moons, is making a play for some of the business from the Miller, Whitehouse and Princess, 15-cent houses a half block off the Riviera, through the recently reopened Strand and L. K. Brin's Garden.

Reports have it that the Strand, with its 15-cent admission until 6 P.M. and free paddle pops to the kids on Saturdays and Sundays, has cut into the business of the three 15-cent houses. Now the Garden, formerly playing continued first runs, has also gone into the 15-25-cent class with revivals.

Comerford Taken Home

SCRANTON, May 19.—M. E. Comerford has been brought to his home here from the Emergency Hospital, Washington, D. C. Comerford was stricken in Washington on Feb. 22 while on his way to the M. P. T. O. A. convention in New Orleans. Dr. J. F. Comerford, a nephew and the attending physician, reports that Comerford is continuing to show improvement.

Ralph Kohn in Town

Ralph Kohn, who recently joined Columbia, arrived from the coast by plane over the week-end.

Fox Met Changes Up For Hearing Today

(Continued from page 1)

Federal Judge Julian W. Mack today. The court has given its tentative approval to the plan, subject to the inclusion of the modifications. With these now embodied, formal court approval may be given the plan at once.

The Fox Met bondholders' committee was authorized on Saturday by Judge Mack to begin its solicitation of creditors' assents to the plan, and the committee's deposit certificates, binding those bondholders whom it represents, were approved. This is regarded as assuring the necessary two-thirds creditor acceptance of the Schenck plan as the committee represents 86 per cent of the Fox Met bondholders and approves the plan.

Cup to W. G. Van Schmus

The Radio City Music Hall Spotlights, three members of the spotlight crew, will present the cup they won in the Greater N. Y. Theatrical Bowling League to W. G. Van Schmus, managing director of the theatre, Friday evening at an informal ceremony. The Spotlights, Teddy Pikuritz, Fred Pikuritz and Charles Kronyak, won the trophy last winter.

Mandel Incorporates

CHICAGO, May 19.—Republic Pictures Corp. of Illinois has been incorporated here by Irving Mandel to operate exchanges in Chicago, Indianapolis and Milwaukee.

Dependable Film Delivery Assured By

Carolina Delivery Service Co., Charlotte, N. C.
Columbus-Cincinnati Trucking Co., Columbus, Ohio
Electric Delivery System, New Orleans, La.
Exhibitors Film Delivery & Service Co., Inc., Denver, Colo.
Exhibitors Film Delivery & Service Co., Inc., Kansas City, Mo.
Exhibitors Service Co., Pittsburgh, Pa.
Film Exchange Transfer Co., Boston, Mass.
Film Express Service, Minneapolis, Minn.
Film Pick-Up Service, Minneapolis, Minn.
Film Service, Inc., Milwaukee, Wis.
Film Transfer Co., Minneapolis, Minn.
Film Transport Co., Omaha, Neb.
Film Transportation Co., Des Moines, Ia.
Film Truck Service, Detroit, Mich., and Chicago, Ill.
Gilboy Company, San Francisco, Cal.
Gross & Johnson, Cleveland, Ohio
Horlacher Delivery Service, Inc., Philadelphia, Pa.
Howell Trucking Co., Inc., Rochester, N. Y.
Inland Film Express, Des Moines, Ia.
Inter-Carolina Delivery Service, Charlotte, N. C.
Interstate Film Service, Minneapolis, Minn.
Iowa Film Delivery, Des Moines, Ia.
Middle West Film Express, Minneapolis, Minn.
New Jersey Messenger Service, Philadelphia, Pa.
Northwest Film Delivery Co., Seattle, Wash.
Smith Film Service, Inc., Syracuse, N. Y.
Theatre Service Co., Minneapolis, Minn.
Theatre Transport Co., Toledo, Ohio

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MOTION PICTURE DAILY

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Allied to Concentrate Fire on M-G-M Building

Rosenblatt Says He Will Quit His NRA Post Within a Month

Washington, May 20.—Reports that he would quit the government service within a month were today confirmed by Compliance Director Sol A. Rosenblatt, negotiator of the film and other amusement codes.

"I expect to quit after the new act is passed, but by June 16 at the latest," he admitted. "I expect to go back to my law practice in New York."

Rosenblatt, who came to the NRA in the summer of 1933 as a deputy administrator, to undertake the negotiation of a code for the picture industry, rapidly achieved a position as one of the strong men of the administration, both under General Hugh S. Johnson, who made him a division administrator and assigned to him a number of codes difficult of negotiation, and under the board which succeeded Johnson, which appointed him director of compliance.

Fight to Keep NRA 2 Years Gets Started

Richberg Appears Before Committee of House

WASHINGTON, May 20.—Declaring himself in full sympathy with the ideas of the Senate to limit codes, Donald R. Richberg, chairman of the National Industrial Recovery Board, today opened his fight for a two-year extension of the act before the House Ways and Means Committee.

A two-year extension is absolutely necessary to carry out the plans of the NRA, he declared, foreseeing chaos if it is not granted. He also attacked the Senate exemption from code requirements of businesses wholly intrastate, declaring it unworkable.

While the House committee was hearing Richberg, Senator Nye of North Dakota, at the other end of the Capitol, unleashed an attack upon the "caravan" coming to Washington

(*Continued on page* 14)

Defy Threatened For Giveaway Ban

Independent exhibitors in the local area will defy Campi and the New York grievance board in the event either body attempts to put an end to giveaways, Melvin Albert of Quinn, Weisman, Allen & Spett, attorneys for the I.T.O.A., yesterday told a code appeal body. Albert represented Harry Brandt, operator of the Audubon, in a

(*Continued on page* 14)

Phila. Men Favor Two-Day Giveaways

ATLANTA, May 20. — The I.E.P.A. of Eastern Pennsylvania, which recently affiliated with Allied, is seeking to regulate premiums by narrowing the practice to two days a week.

A letter has been sent to John C. Flinn for an interpretation of the

(*Continued on page* 14)

Revive Rumors Over F-P Canada Control

TORONTO, May 20.—In spite of the fact that Paramount trustees in New York have received court authority to subscribe to 18,256 of the 18,940 additional common shares for issue to shareholders as of June 1 by decision of the board of Famous Players

(*Continued on page* 15)

Television Is SMPE Topic As Meet Opens

HOLLYWOOD, May 20.—Consideration of commercial television highlighted the opening session today of the annual convention of the Society of M. P. Engineers at the Roosevelt Hotel here. The place of television in the industry was outlined to the approximately 300 delegates by Dr. Alfred N. Goldsmith, past president of

(*Continued on page* 15)

Studies Dropping of Publix Unit Trustee

An application for a discharge of Irving Trust Co. as trustee in bankruptcy for Publix Enterprises was taken under advisement yesterday by

(*Continued on page* 15)

Legal Ban on Loew Chicago Move Sought

ATLANTA, May 20.—Allied of Illinois is endeavoring to choke off M-G-M's proposed theatre entry into Chicago through the legislative mills now grinding at Springfield, Ill., it became known at the national Allied convention here today.

Representative Granata is the author of the measure, House bill 970,

(*Continued on page* 6)

FWC's Realignment Complete, Skouras

Reorganization of Fox West Coast, a unit of National Theatres, is now complete, Spyros Skouras, executive vice-president of the holding company,

(*Continued on page* 14)

Theatre Projects Booming Here; Nine Are Now on Tap

New theatre building in the local area is taking an unprecedented spurt with plans now on tap for nine houses, six of which will be located in the Bronx and two in Brooklyn. The ninth project is in Manhattan.

The two Brooklyn projects are planned by Victor Salzi. One of them will be a 1,600-seat theatre at Myrtle Ave. and Fresh Pond Rd. The other site hasn't been selected as yet. Both

(*Continued on page* 10)

Chicago Invasion Gains In Attention as Code Interest Recedes

By RED KANN

ATLANTA, May 20.—Confident its organized compaign to end block booking through the Pettengill Bill is forging steadily ahead and that widespread dissatisfaction with the code will result in a new NRA ruling exhibition out because of its intrastate nature, Allied, on a basis of indications tonight, will make most of its noise and concentrate its principal fire on M-G-M and its invasion of Chicago.

Allied leaders regard the issue as not merely one typified by M-G-M, but which may extend to other national producers whenever their sales departments cannot get together with their customers. There is some talk of a boycott. Several leaders do not like the sound of the word but one high in their councils has been known to remark "murder is illegal, too, except in self defense."

Whatever attitude is struck and whatever decision is reached will result from a thorough exploration of facts. This much today was prom-

(*Continued on page* 6)

Fox Met Plan Gets Tentative Approval

Modifications in the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Metropolitan Playhouses which were suggested at the time the plan was given tentative

(*Continued on page* 10)

Say Pennsylvanians Oppose Open Sun.

ATLANTA, May 20.—Four hundred Pennsylvania exhibitors are opposed to the Sunday local option law, spokesmen for the I.E.P.A. of Philadelphia and the M.P.T.O. of Western

(*Continued on page* 10)

Advertises Houses Of His Competitors

KANSAS CITY, May 20.—Managers of three local downtown first runs received the surprise of a lifetime when The Tower came out with a newspaper

(*Continued on page* 10)

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Menches Made Head Of I. T. O. at Akron

AKRON, May 20.—Robert Menches, Liberty manager, has been named president and chairman of the board of the reorganized Akron Independent Theatre Owners' Ass'n. The organization has been dormant for several months.

Other officers named are: First vice-president, Willard Hart; second vice-president, Charles P. Stalder; treasurer, A. P. Botsum; secretary, J. G. Deetjen; directors, in addition to Menches, Hart, Stalder, Deetjen and Park Belden.

Fox Men to Head East

HOLLYWOOD, May 20.—Gabe Yorke, Fox publicity head; Jack Dillon, Los Angeles exchange manager, and Herman Wobber will leave May 26 for the Fox convention in Chicago which starts May 30.

S. S. Crick, managing director for Fox in Australia, is here. He will go through to New York for conferences with Clayton Sheehan before the convention.

Schine Chain Dividend

The Schine Theatres, Inc., has declared a dividend of 75 cents per share of its $3 preferred stock, payable June 1 to stockholders of record May 20.

Guaranteed-Tower Deal

Exclusive distribution rights to the entire group of 11 Tower productions for the foreign market have been acquired by Guaranteed Pictures Co.

Purely Personal

FRANK J. NEUBERT, well known for 15 years in the industry, is now associated with the Reilly Electrotype Co., New York division of Electrographic Corp. He will form a film and theatrical department within the Reilly organization, with the idea of developing a coast-to-coast plate and mat service for producers and exhibitors.

•

JOHN W. HICKS, JR., head of Paramount's foreign department, and his assistant, GEORGE WELTNER, return today from Paris on the *Majestic.* They have been abroad attending the first Paramount international sales convention in Paris.

•

JOSEPH I. BREEN, production code administration head, arrived from the coast yesterday and will sail for Europe tomorrow for a six weeks' vacation at Carlsbad.

Mailbag

Editor, MOTION PICTURE DAILY:

Why do you allocate Mox Shabbus' contributions (?) under the heading of "Quips"? All he does is carp, cavil, censure, complain, and "crechtz." Perhaps you should relegate him to "Squawk of the Day" dept. ond make him editor.

You describe him as a Hollywood exhibitor on the fringe of the town. To me he sounds like a Hollywood exhibitor on the brink of despoir. I'll lay six, two ond even thot he looks like a "before toking" Sal Hepatica ad.

You ore contributing to a complete demorolizotion of the chorocter and morale of the industry if you continue to print such "Shabbissina" (o swell pun but neither you nor Mox will get it).

The right of free expression being sofeguarded by the lote Constitution of the U. S., I suggest thot Mr. Shobbus' remarks be confined to the issue of Oct. 29, the anniversory of the Woll Street crash when the whole country mourns ond Mox's remarks would be in keeping with the notionol mood.

Yours for the sweet and the gentle in life,

ALI GAGA

(who still thinks that a woman's place is in the home and that Mox Shabbus' place is in front of his theatre so thot he can scare the trade over to the opposition.)

SAM SONIN and WILLIAM LANDOW, two prominent local exhibitors in the sick bay, are coming along nicely and expect to be around again within the next few weeks.

•

W. RAY JOHNSTON and his wife are due today from Pleasantville, O., having been delayed a day due to bad flying weather.

•

HORACE JACKSON has arrived on the coast to write the screen play for "There's Always Juliet" for Paramount.

•

MRS. EDWARD GOLDEN and daughter, RUTH, have left for the coast.

•

DAVE BLUM is moving to a new domicile.

E. E. BLAIR of the State, Ehrichsville, O., and JERRY STEELE of Forum, Norwalk, O., left for home last night after attending a code appeal hearing in which they were the complainants on clearance and zoning matters.

•

AL SELIGMAN, Columbia accessory sales manager, left yesterday for a business trip to Seattle, Portland, San Francisco, Los Angeles, Salt Lake City and Denver. He'll be away five weeks.

•

L. H. FRANCIS, eastern theatre representative for Haywood-Wakefield, is back from a country-wide business tour.

•

EDWARD GOLDEN, sales manager of Republic, was in Washington yesterday attending the opening of SAM FLAX's new exchange.

•

TYREE DILLARD, JR., returned yesterday from Washington, where he conferred with DEPUTY ADMINISTRATOR WILLIAM P. FARNSWORTH.

•

AL FRIEDLANDER, who is making a tour of First Division exchanges, is in Buffalo. Last week he was in Albany.

•

LEO JUSTIN returned yesterday from a week-end in Philadelphia where he spent most of his time on the golf links.

•

JOSEPH BERNHARD and the missus were week-end guests at RALPH BUDD's dude ranch at Wallpack, N. J.

•

ED KUYKENDALL is due in town tomorrow from the middle west for a stay of several days.

•

MAE GIETZ of the Monogram office is mourning the loss of her younger brother.

•

EVA LE GALLIENNE will play the Capitol beginning Friday in "The Open Door," the ALFRED SUTRO play.

•

WILLIAM R. FERGUSON is in St. Louis and is expected back the end of the week.

•

J. ARTHUR HIRSCH is in from Toronto for a few days.

Schwalbe Passes at 60 in Atlantic City

PHILADELPHIA, May 20.—Harry Schwalbe, 60, died in Atlantic City late this afternoon, according to word received here tonight. He had been ailing for some time and had been brooding over the death of his wife. He leaves two married daughters.

At his death Schwalbe still retained an interest in the Stanley Co., of Philadelphia, of which he was the organizer. He had been associated with J. D. Williams in the organization of First National, serving as secretary-treasurer of the company for eight years. For 30 years he operated theatres and exchanges.

Schwalbe was treasurer of the Novelty Amusement Co. and president of the Grand Co. and the Lyndhurst Co., both theatre operating firms of Baltimore. He was also director of numerous theatrical enterprises.

Nomination Contest Staged in Local 306

With approximately all of the 1,800 members voting, a spirited contest for nominations of officers of Local 306 was staged last night and early this morning at Mecca Temple. In many instances three and four names were suggested for posts.

George E. Browne, president of the I.A.T.S.E., supervised the nominations. He was slated to attend the S.M.P.E. convention on the coast, but instead had Thad Barrows, head of the Boston local, proxy for him. A discussion of progress of the local under the international's supervision since the resignation of Harry Sherman as president was held.

Local 306 is now back on a local autonomy basis. Harland Holmden of the I.A.T.S.E. has been guiding the activities of the union for the past year. In a recent move to spread employment, all working card members were put on a four-day week schedule.

Elections will be held next Monday.

Thalberg Will Have 13 on M-G-M's List

HOLLYWOOD, May 20.—Irving Thalberg plans to make 13 pictures on M-G-M's 1935-36 program. They will be:

"No More Ladies," with Robert Montgomery, Joan Crawford, Edna May Oliver and Charles Ruggles; "China Sea," with Clark Gable, Jean Harlow and Wallace Beery; "Mutiny on the Bounty," with Charles Laughton, Gable and Robert Montgomery; "Marie Antoinette," with Norma Shearer and Laughton; "The Good Earth;" the Marx Brothers comedy; "Maytime," with Jeannette MacDonald and Nelson Eddy; a Grace Moore musical; "The Prisoner of Zenda," with William Powell and Myrna Loy; "Forty Days of Musa Dagh"; "Riff Raff," with Jean Harlow; "Loyalty," with Joan Crawford and two Norma Shearers.

William Shapiro Here

William Shapiro, president of Franklin Pictures, arrived from the coast over the week-end. While in Hollywood he conferred with coast interests on his production plans. Shapiro expects to wind up the details of his venture here and return to the coast in about a week.

"Cyrano" for Laughton

LONDON, May 20.—"Cyrano de Bergerac" has been selected as the next picture Charles Laughton will make for Alexander Korda. The latter plans to start production late next month at his local studios. United Artists will release the film in America.

RFC Hits Saenger Fees

NEW ORLEANS, May 20.—The Reconstruction Finance Corp., objecting to the payment of attorney fees, etc., of Saenger, Inc., has intervened here in the Federal Court on the ground the bonds should be paid first.

Cantor Is in Hospital

HOLLYWOOD, May 20.—Eddie Cantor was in the Good Samaritan Hospital today for a minor operation. He is expected to be out in three days.



JOAN CRAWFORD



CLARK GABLE



NORMA SHEARER



GRETA GARBO



WALLACE BEERY



ROBERT MONTGOMERY



JEAN HARLOW



WILLIAM POWELL



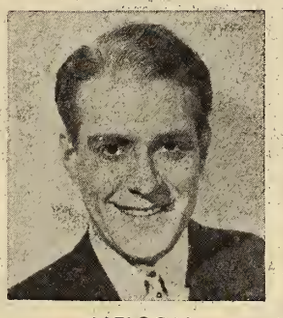
MYRNA LOY



CHARLES LAUGHTON



JEANETTE MACDONALD



NELSON EDDY



LAUREL & HARDY



FREDDIE BARTHOLOMEW



CLIFTON WEBB



JACKIE COOPER



JACK BENNY



MARX BROTHERS



LIONEL BARRYMORE



SPENCER TRACY

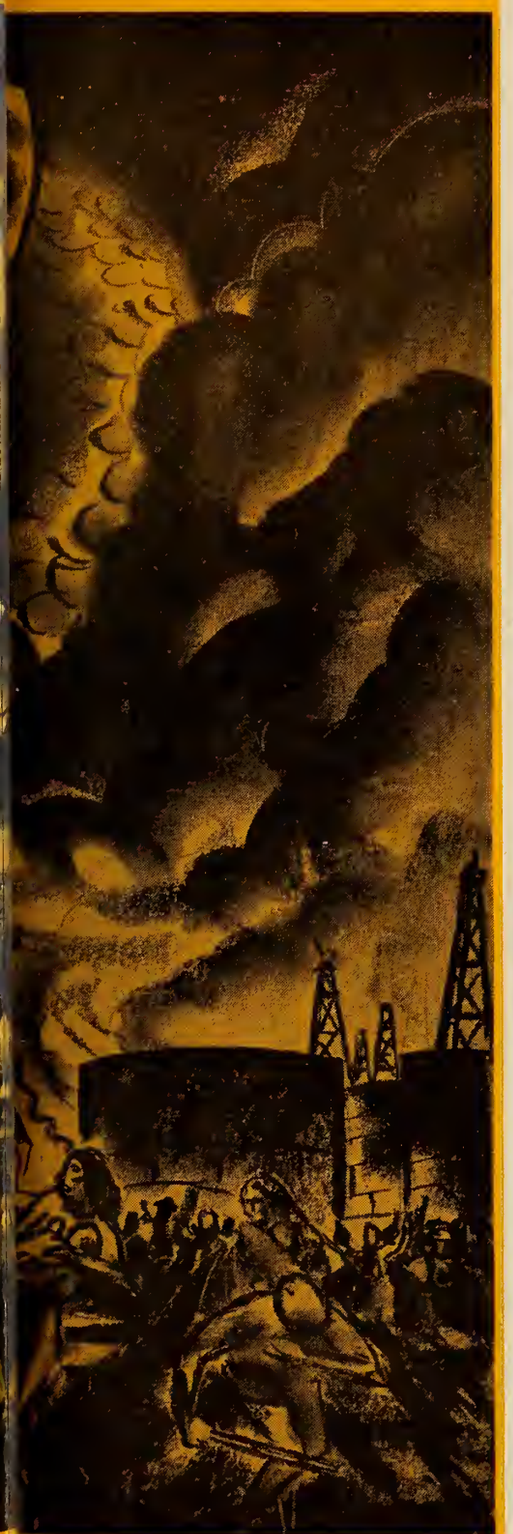
"It's Smart to be LIONIZED!"

THE PRODUCERS OF "G-MEN" INVADE THE FORBIDDEN FRONTIERS OF THE LOST EMPIRE!



THUNDER ROCKS THE SCREEN AS THE SLEEPING GIANT OF THE EAST AWAKENS!

FROM THE WORLD'S DANGER ZONE COMES A BLAZING NEW DRAMATIC SENSATION!



Warner Bros. Present

OIL FOR THE LAMPS OF CHINA

Directed by Mervyn LeRoy with a huge cast starring

PAT O'BRIEN • JOSEPHINE HUTCHINSON

JEAN MUIR • LYLE TALBOT • 1000's More

A Cosmopolitan Production • A First National Picture

BRINGING TO VIVID LIFE THE BOOK THAT RAISED THE VEIL OF THE EAST!

Allied Meet Aims Attack Upon M-G-M

(Continued from page 1)

ised by Allied's president, Sidney E. Samuelson of Newton, N. J.

Aaron Saperstein, president of Allied Theatres of Illinois and pivotal figure in the Chicago situation, is here. He has with him copies of a bill introduced a few days ago in the Illinois legislature by Representative Granata seeking to make it unlawful for any distributor to threaten to build or lease directly or indirectly any competing theatre for the purpose of coercing or intimidating any exhibitor.

The measure is aimed at M-G-M and the Chicago situation. Just as obvious is its sponsorship. Saperstein also has brought south with him a word picture of the trouble spot. Here is the canvas he painted today:

Won't Be Dictated To

"We maintain no distributor has a right to tell us what to play on Sunday. We have no argument with M-G-M on its sales policy, although we do not agree with it.

"That's no reason why M-G-M should threaten to build. No other distributor in Chicago gets his product played on preferred time and percentages. Why should M-G-M? The issue goes beyond.

"If we accept M-G-M's terms, what would prevent other major companies from following the same selling plan and how could we turn them down? By the same token, we are compelled to fight M-G-M on the so-called theatre invasion for the identical reason.

"Wouldn't it be a fine state of affairs if every major decided to build in Chicago merely because he couldn't get together with his customers on terms? We don't say M-G-M is wrong, but we certainly are not saying we are wrong either.

"M-G-M is entitled to try to sell its product any way it likes. We reserve the right to buy or not to buy, but we can't see how failure to close a deal gives M-G-M the right to walk into Chicago with a lot of plans or maybe it's just talk about theatres."

Aside from B. & K. houses, Saperstein added, M-G-M product is not playing a single Windy City house. "And I don't see that anyone has missed them either," he concluded.

M-G-M Loses Reported

Pre-convention talk which is centering largely around the Chicago impasse credits M-G-M with having been compelled to remain out of 200 theatres this season at a loss of revenue variously estimated at from $3,000 to $5,000 weekly.

Unconfirmed, but persistent, is the rumor M-G-M's flexible selling policy for next season was induced by a desire to have sufficient leeway territorially to meet strained situations such as now prevails in the Windy City.

Also unconfirmed is the report that M-G-M has offered Saperstein's members, as well as Essanness Theatres, which are grouped with the former in this fight, a deal by which percentages would be agreed to "in principle" but arranged so that film rentals would cost the insurgents no more than they do at present.

At any rate, M-G-M and Chicago rapidly are becoming headline material here. This is not to indicate the convention will ignore its well-defined stand on block booking. Allied leaders have been lining up signatures favoring the Pettengill measure.

Samuelson is confident that block booking, which is described by various Allied men as the one chronic and basic disease of the industry eventually will be stamped out legislatively.

"You know major reforms take from 10 to 15 years to clear through Congress. We have been at this only since 1928 when first the Brookhart Bill was introduced. This campaign is gaining in momentum and impetus and inevitably it will be enacted into the law," Samuelson told Motion Picture Daily.

Insofar as Allied's third major war cry, the code, is concerned, organization spokesmen are going naive by inquiring: "Is there a code?" Privately, and not so privately, they are expressing their pride in Abram F. Myers by pointing out that like a voice in the wilderness it was Allied's general counsel alone in the industry who voiced his opinion months ago that the code did not apply to intrastate industry. They compare this early opinion with widespread current Washington legislative opinion including Donald R. Richberg's that the NRA in its new form may be expected to embrace only the industries which definitely are interstate.

Registration by late afternoon tallied 150 with more anticipated. Arrivals had time on their hands all day, the only scheduled event being the president's reception at the Piedmont tonight.

The day was given over to rump conventions in the lobby where delegates from far removed points swapped notes, complaints and theatre experience.

Directors met early this evening and appointed working committees for the convention. Policy is in the hands of Walter B. Littlefield, Massachusetts; Aaron Saperstein, Illinois; Morris Wax, Eastern Pennsylvania, and Sam Borisky, Tennessee. To advise the president there was named a convention committee on committees composed of Martin Smith, Ohio; H. M. Richey, Michigan; Fred Herrington, Western Pennsylvania; Abe Stone, Upper New York; Ike Katz, Georgia.

Hinting at what is believed to be a cooperative insurance plan submitted to Allied and to be discussed here was a third committee comprising Smith, Henry Lazarus, Louisiana; C. H. Olive, Washington, D. C.

The committee on policy also set this program for Tuesday's business session:

Code to be discussed by Abram F. Myers; distributor practices, David Barrist; affiliated theatre practices, H. A. Cole; film carriers, James Clark; block booking, Littlefield; Ascap, Myers.

Additional committees also will be named and Wednesday's agenda set up. The second session will be marked by continuation of the opening day, while Thursday, which is the final day, will see Allied's presentation of its solution of various problems. At least this is what is promised.

Legal Ban on Loew Move To Enter Chicago Sought

(Continued from page 1)

described as "an act relating to the suppression of unfair competition and monopolistic practices in the motion picture business in this state." The bill would make it unlawful for any distributor to build or lease theatres when the purpose of the move is demonstrated to be coercion or intimidation of any existing exhibitor, and provides a series of fines from $200 to $2,500.

Conceivably construable as applicable to other distributors who may elect to build or acquire theatres in any city in Illinois, the measure, nevertheless, appears to be aimed at and to have been inspired by the indicated M-G-M sales difficulties and theatre plans in Chicago. The text of the measure follows:

"Section I—As used in this act, distributor shall mean (A) any natural person, partnership, unincorporated association, or corporation, which engages or contracts to engage in the distribution of motion pictures and (B) any natural person, partnership, unincorporated association, or corporation, in which or with which any of the parties named in clause (A) above have any interest whatsoever, whether direct or indirect, and (C) any natural personal partnership, unincorporated association, or corporation, which has any interest whatsoever, whether direct or indirect, in or with any of the parties named in clause (A), and (D) any officer, director, agent, employe, partner or associate of any of the parties named in clauses (A) or (B) or (C) above.

"As used in this act exhibitor shall mean any natural person, partnership, unincorporated association, or corporation, engaged in the ownership or operation of theatres for the exhibition of motion pictures.

"Section 2—It shall be unlawful for any distributor to threaten to or to commit any overt act evidencing an intention to, or to build, lease or otherwise acquire directly or indirectly any competing motion picture theatre, or to exhibit any motion pictures in any competing motion picture theatre in which it has any interest for the purpose of coercing or intimidating any exhibitor into entering into any proposed contract for the exhibition of motion pictures.

"Section 3—Any corporation or foreign association exercising any of the powers, franchises or functions of a corporation in this state, upon conviction of a violation of this act, shall be thereafter prohibited from continuing in business in this state. The secretary of state shall upon notice of such conviction revoke the certificate of authority of a foreign corporation so convicted to transact business in this state. The attorney-general, on notice that a domestic corporation has been convicted of a violation of this act, shall begin proceedings for the dissolution of such corporation.

"Section 4—Any exhibitor may enjoin any distributor from continuing such threats to, or from continuing to commit any overt act evidencing an intention to, or from proceeding to build, lease or otherwise acquire directly or indirectly any competing motion picture theatre, or from exhibiting or continuing to exhibit any motion picture in any competing motion picture theatre in which such distributor has any interest whatsoever when any of the above unlawful acts are done for the purpose of coercing or intimidating such exhibitor into entering into any proposed contract for the exhibition of motion pictures.

"Section 5—Any distributor who violates any provision of this act shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined not less than $200, nor more than $1,000 for the first offense and shall be fined not less than $500 dollars nor more than $2,500 for each separate and subsequent offense, and in addition to the fines provided above he shall also be imprisoned in the county jail not less than 60 days nor more than one year for each offense. Each day upon which the acts herein prohibited are done or continued shall be deemed a separate and distinct offense."

Photophone Has Big Exhibit at Atlanta

Atlanta, May 20.—RCA Photophone, virtually blocked out of theatres controlled by major companies and admittedly, therefore, concentrating on independents has sent eight sales executives and seven engineers plus a lavish equipment display to the Allied convention here.

E. M. Hartley, sales manager; Lawrence B. Morris, vice-president and general counsel; J. D. Cook, treasurer; and Ed Auger, assistant to Hartley, are all here from New York representing RCA Manufacturing Co.

Neil Blount, New Orleans district sales manager, and J. W. Sims, occupying a similar post in Charlotte, are others concentrated here to augment Jack Dumestre, Atlanta district sales manager, and Harry Leighlery, Atlanta district service manager.

The engineering crew out of New York includes Mike Yahr, Charles Herbst, Charles Swinney, Jack Faulstick, David Gould, P. Reed and Al Ramsey.

Photophone is displaying PG32 High Fidelity equipment as well as a public address system for small houses and a Sonotone hard of hearing device which it sells but does not manufacture and also a portable 16-mm projector.

The loud speaker system in the convention hall is Photophone installed as a company beau geste towards Allied.

Jed Buell with Capitol

Hollywood, May 20.—Jed Buell has signed as publicity director of the newly formed Capitol Pictures with headquarters at the Mascot studios here.

Sten and Goldwyn Part

Hollywood, May 20.—Anna Sten's contract with Samuel Goldwyn has been terminated by mutual consent.

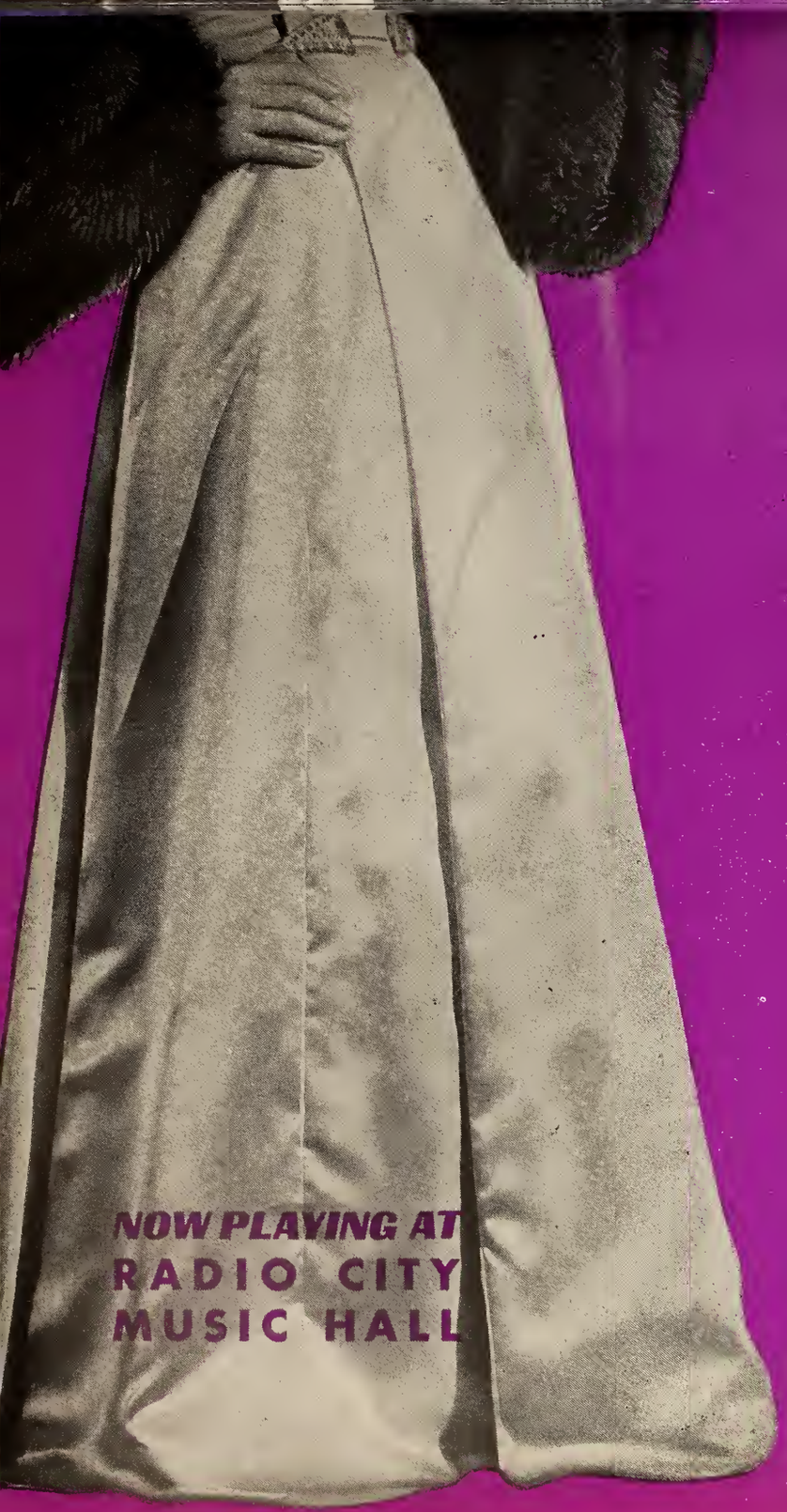
"Nell Gwyn" Ready

"Nell Gwyn" will be released early next month through United Artists.


MONOGRAM PICTURES
EXTEND BEST WISHES
TO PRESIDENT
SIDNEY E. SAMUELSON
and the Allied Theatre Owners
FOR A SUCCESSFUL CONVENTION and RECOMMEND
THE NEW MONOGRAM
PICTURES FOR A SUCCESSFUL SUMMER SEASON
MONOGRAM PICTURES
GENE STRATTON PORTER'S
The KEEPER OF THE BEES
with
NEIL HAMILTON
and BETTY FURNESS
Directed by Christy Cabanne
A Wm. T. Lackey Production • Screen Play by Adele Buffington • Additional Dialogue by George Waggner
THE HEALER
with
RALPH BELLAMY
KAREN MORLEY
MICKEY ROONEY
Directed by Reginald Barker
Suggested by the novel by Robert Herrick
Adaptation by James Knox Millen and John Goodrich • Continuity and dialogue by George Waggner
NEIL HAMILTON
and
IRENE HERVEY
in
HONEYMOON LIMITED
Directed by Arthur Lubin
A Mrs. Wallace Reid Production
Based on the novel by Vido Hurst • Screen Play by Dorothy Reid and Betty Burbridge

A LOVE STORY...
TOLD IN BOX-OFFICE LANGUAGE!





HEPBURN *aflame! . . amazing! . . glorious! . . A 1935 heroine . . gorgeously gowned by the fashion wizard of "Roberta"! . . BOYER! . . The new heart thrill for women! Masculine . . magnetic . . romantic dynamite! . . Together in the surging drama of a love as sweeping as the tides of human emotion!*

KATHARINE

HEPBURN

CHARLES

BOYER . . .

in

BREAK OF HEARTS

with JOHN BEAL . . . JEAN HERSHOLT

Directed by Philip Moeller . . . Jane Loring, Asso. Director Pandro S. Berman Production

RKO RADIO PICTURE

NOW PLAYING AT
RADIO CITY
MUSIC HALL

Fox Met Plan Gets Tentative Approval

(Continued from page 1)

approval by the Federal court were submitted to Federal Judge Julian W. Mack in chambers yesterday and an order to show cause why the plan as modified should not be found "fair and equitable" by the court was asked.

If the order is signed by Judge Mack a date for a final hearing on the fairness of the Schenck plan will be set.

Under the amendments in the plan Fox Theatres' representation on the board of the new Fox Met company will be reduced to two members, instead of the original three, and Keith-Albee-Orpheum Corp., which is given a 10 per cent participation in the Schenck plan, will be entitled to fill the vacancy thus created. It is believed that either Herbert B. Swope, KAO chairman, or Leslie E. Thompson, president, will be named to the board, replacing Samuel S. Allan, attorney.

Say Pennsylvanians Oppose Open Sun.

(Continued from page 1)

Pennsylvania declared today. Their opposition is based on the belief that the additional operating day might prove more costly than profitable and film may not be available.

They realize they have a fight on their hands, because large segments of the public favor Sunday shows, although a substantial church element is reported to be opposed.

Both of these Allied groups will be represented at a public hearing on the measure in Harrisburg Tuesday when objections will be registered.

Hand on the Stand In Electrics' Suit

WILMINGTON, May 20. — Stanley Hand of Chicago, general manager of Erpi's Central division, testified for Erpi, Western Electric and A. T. & T. in the General Talking Pictures anti-trust trial here today. He elaborated on previous testimony by E. M. Loew, New England exhibitor, and Edward G. Levy, associated with the M.P.T.O.A. of Connecticut.

Hand denied telling Loew that he would be foolish to take DeForest equipment when the company was going to get out of the business and he as a result would be unable to secure parts. He also denied making a statement to Loew that Western and Bell Laboratories were in a position to change recording in studios whereby film would not be able to be used on any equipment except Erpi; and that Western and Bell made, or contemplated changing, recording so that film produced with Erpi sound could be shown on Erpi equipment only.

He said he never told Loew that DeForest exhibitor licensees were not "going to get along," because DeForest equipment was using "bootleg patents," which belonged to Erpi and Western and that exhibitors would be liable for infringement.

Hand denied knowing or having met Levy who testified he had visited Hand with New England exhibitors to have Erpi service charges canceled or reduced.

Theatre Projects Booming Here; Nine Are Now on Tap

(Continued from page 1)

will be built of cork and steel by the Corkansteel Co. of New York.

The half dozen plans which have been filed in the Bronx include a theatre at Mount Eden Ave., east of Walton Ave., which is reported leased to Consolidated. Eli Maran plans to construct a new house at 167th St. and Sheridan Ave. Brennan & McCarthy have filed blue prints for a structure at 183rd St. and the Grand Concourse. An unnamed sponsor is behind a project at 182nd St. and Grand Concourse. Springer & Cocalis have plans filed for a theatre at Boston Road and Fish Ave. and the last theatre will be built at Fordham Road and Grand Concourse by an unnamed backer.

RKO is reported to have taken a lease on one of the Grand Concourse projects. The circuit has the Fordham on Fordham Road, east of the Concourse. Loew's has the Paradise and the Grand in the same neighborhood.

Harry Mandel is fighting in court to secure a license for a house at Madison Ave. and 79th St. License Commissioner Moss refused a license after hearing protests of surrounding property owners. Argument on Mandel's petition for a writ of mandamus to compel issuance of the license was postponed yesterday by Supreme Court Justice John F. Carew until next monday.

Sell San Mateo Theatre

SAN MATEO, May 20.—The San Mateo which burned last year and has been dark since has been sold for a consideration reported to be $100,000. Purchasers are the San Francisco and San Mateo Amusement Co., a Fox West Coast enterprise. The theatre was formerly owned by Ben Levin. Harry Seipel, manager of the Baywood, San Mateo, is to be the new manager.

Reopen Milwaukee Strand

MILWAUKEE, May 20. — Standard Theatres Co. has reopened the Strand, local 1400-seater, with a 15-cent top to 6 P. M. and 25-cent top to closing. The house will alternate between first runs and extended runs on outstanding films. Harry Miller, former Racine manager, is in charge.

Athens Theatres Formed

KANSAS CITY, May 20. — Athens Theatres, Inc., has been formed to take over operation of the Hollywood June 1. The house will be renamed the Roxy and operated in conjunction with the Princess and Regal in Kansas City, Kan. All are theatres for colored. Louis Sutter, the operating head, said the Hollywood would be completely remodeled.

Incorporate in Missouri

JEFFERSON CITY, Mo., May 20.—Trade Amusement Co. has been incorporated here for $25,000 to engage in the general amusement business and "to dispose of indoor and outdoor amusement devices." Incorporators are M. W. Reinke, Kansas City, president; William C. Cole, St. Joseph, Mo., vice-president, and James F. Shelby, St. Joseph, secretary. This corporation will operate the Broadway Capitol in Detroit, which was recently reopened. Reinke also is one of the operators of the Tower, Kansas City.

Schreiber Closes Another

DETROIT, May 20.—Jacob Schreiber has closed the Blackstone No. 1, long a landmark on Michigan Ave. The building will be dismantled. The Blackstone was the first of the Schreiber circuit, which included the Blackstone No. 2, Colonial, Majestic, Forest and Fine Arts. Schreiber recently closed the Fine Arts upon expiration of his lease.

Rushing St. James Work

ASBURY PARK, N. J., May 20.—Walter Reade is rushing work on the St. James and hopes to have it ready for opening May 30. The 1,800-seat house is being completely remodeled at a cost of $125,000.

Form Waterbury Concern

WATERBURY, Conn., May 20.—Waterbury Amusements, Inc., has been formed here to operate theatres. The incorporators are Lena R. Sirica, Frederick Quatrano and William A. Sirica, all of this city.

Jefferson City Gets Two

JEFFERSON CITY, May 20.—The Jefferson and Mueller theatres have been leased to the Gregory Circuit of Chicago.

Rejuvenating Empress

Joe Rosenzweig is having the Empress, Washington Heights, completely rejuvenated. The work will be done by Joe Hornstein, Inc., without interruption of shows.

Portland Prices Change

PORTLAND, Ore., May 20.—A minimum price of 25 cents has been set by subsequents here. United Artists has gone back to its old scale of 25-40-55 cents. Other first runs are expected to follow suit shortly. The strike affecting the lumber and allied trades is in its third week, with 40,000 workers out in three states.

Plan 2nd Poster Meet

Second annual convention of the National Posters Service Protective Assn. will be held the middle of June. Location and date are not yet set.

Within the next two weeks directors will meet in New York to discuss the session. A meeting was held last week, when preliminary plans were talked over.

Johnston Is Re-Signed

HOLLYWOOD, May 20.—Julian Johnston, who recently completed three years as head of the Fox story department, has been signed for an additional two years. At present Johnston is working on next season's material prior to his departure for the company's convention in Chicago May 30.

Derr Is on Way East

HOLLYWOOD, May 20.—E. B. Derr, former production head of Pathe, is on his way east.

NVA Fund Gets Aid Of 2,500 Theatres

Approximately 2,500 theatres, with practically every major circuit in the country included, joined yesterday in donating 10 per cent of their gross receipts for the day to the N.V.A. Fund.

The money raised will be used to maintain the organization's sanitarium in upper New York State and the various hospital beds located in practically all the large cities in the country. It was estimated yesterday that over $200,000 will be received and in several quarters the figure was raised to $500,000.

At the monster benefit staged at Madison Square Garden Saturday night, the likes of which this jaded town has never seen before, it was estimated that $10,000 was taken in at the box-office. The figure is not final, since the money for most of the seats is coming in by mail and has not yet reached N.V.A. headquarters. The Madison Square Garden affair was staged in conjunction with the Associated Masonic Clubs of New York, which organization will also share in the proceeds.

Particularly high praise has been heaped upon the broad shoulders of Boris Morros, managing director of the Paramount Theatre, for the manner in which he staged the show. He and his entire production staff worked for days and far into the night Saturday to stage the production. The entire show went off without so much as one small hitch. Peculiarly enough, Morros served on the committees and as production director as a Mason, and not as a member of the N.V.A., as might have been expected, since he is directly connected with the theatre.

Final returns of the complete amount raised by the drive are expected at N.V.A. headquarters in about a week or 10 days.

Advertises Houses Of His Competitors

(Continued from page 1)

ad calling attention to competitive theatres and attractions.

Appended to the Tower's opening day insertion of 500 lines in the *Kansas City Star* was a three-column box announcing "outstanding entertainment downtown this week," with "downtown" stressed. Then followed: "Unusually good attractions at all first run downtown theatres. Enjoy them all!" Below were listed the theatres and attractions: Newman, "Goin' to Town"; Midland, "Les Miserables"; Mainstreet, "G Men"; Tower, "Mr. Dynamite."

S. Bernard Joffee, the Tower's manager, explained it is an infrequent occasion when superior entertainment is present simultaneously at all downtown first runs, and since the opportunity presented itself he thought the public should be made aware of the fact.

The consensus of comment of the other managers was: "A splendid idea and a fine gesture."

$4,000 for "Night at Ritz"

"A Night at the Ritz" wound up with about $4,000 for the week at the Mayfair last night. "A Shot in the Dark," a Chesterfield picture, is now current.


Specialists Make
Your PICTURES
...Specialists Make
CONSOLIDATED
CERTIFIED PRINTS
Director, designer, cameraman and technical genius—these are the specialists who put showmanship into your negative. But still another specialist is required to give that showmanship expression—the specialist in film printing. For twenty-two years Consolidated has specialized in establishing film printing on a scientific basis, developing a product recognized today as the world's finest medium for screen showmanship.
CERTIFIED PRINTS
"MADE BY SCIENCE TO EXPRESS YOUR ART"
CONSOLIDATED FILM INDUSTRIES, INC.
NEW YORK
HOLLYWOOD

Ontario Exhibitors Stymied in Tax Row

TORONTO, May 20.—The 275-odd exhibitors and theatre managers of Ontario appear to be stymied, following the blunt declaration by Premier M. F. Hepburn that the breath-taking amusement tax increases would be collected, regardless of what theatres said or did, in order to raise a further $1,500,000 during the next 12 months as compared with $9,500,000 which was the total revenue from this source in 1934. The deputation which waited upon the Provincial premier got absolutely nowhere in its arguments or suggestions.

"We didn't conceive of any government, two weeks after the close of Parliament, attempting to raise $1,500,000 through one industry, without giving that industry the courtesy of an interview," declared Oscar Hanson of Toronto, general manager of Allied Exhibitors of Ontario.

A committee of exhibitors has been appointed to deal with the situation, but what can be done is a moot question. This committee comprises Mayor P. J. Nolan of Ottawa; Mayor H. E. Wilton of Hamilton; Simon Meretsky of Windsor; Gordon Filman of London, president of Allied exhibitors of Ontario; Harry Alexander of Toronto; R. O. Hanson; J. O. Scott of Weston, secretary of the Independent Theatre Owners of Canada; E. S. Meeghan of Lindsay; Tom Ross of Bowmanville, past president of Ontario Allied; Gordon Miller of Peterboro, and J. L. Murray of Renfrew. These men represent practically the whole province.

Several suggestions have been made. It is proposed that the theatres open a second box-office in their lobbies for the sale of amusement tax tickets separately from the regular admission tickets in order to compel all patrons to realize that they are paying a heavy tax to the Government. One suggestion has been made in this connection that the sign "Hepburn's Nuisance Tax" should be placed over the second wicket.

Fla. Tax Bills Reappear

TALLAHASSEE, Fla., May 20.—Amusement taxes bobbed up again last week in the Florida legislature. Representative Hill of Lafayette County presented an amusement tax bill, designed to finance an old age pension. Under the terms of his bill, the state would levy a tax of one cent on each 20 cents or fraction of that amount, on each admission. Charges of five cents or less would be exempt.

Representative Buchholz of Alachua County presented a bill to raise funds for schools by a general sales tax of two per cent on all retail sales. Under the terms of his bill professional services would be exempt, but he included the tax on theatre tickets and restaurant meals.

Seeks Ticket Tax Repeal

WASHINGTON, May 20.—Taking advantage of the presence in Washington of the circus, Representative Truax of Ohio today introduced his bill into Congress to repeal the admission tax.

Revive Lottery Bill

BOSTON, May 20.—The lottery bill has been revived by the House, 108-101. A modified bill is to be presented tomorrow. It is figured it would raise about $12,000,000 for the state.

A special commission has been named to investigate marathons and exhibitors hope restrictions will be drastic.

N. H. May Have Lottery

CONCORD, N. H., May 20.—The idea of a legalized lottery is gaining force here, due to the state's budget problems. Gov. H. Styles Bridges is strongly opposed to the plan, however.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Air Hawks"

(Columbia)

HOLLYWOOD, May 20.—Packed full of dramatic action and thrills, this is a new kind of air picture, depicting the war for the leadership of the commercial air lines.

The unusual story concerns the attempt of Consolidated Air Lines to put a smaller company out of competition to cinch the Government mail contract. Ralph Bellamy is cast as the head of the Independent Air Line and is teamed with Tira Birell. The latter is used by Douglas Dumbrille, night club owner and Consolidated agent, to bring Bellamy to the club to talk over the sale of his company. Bellamy refuses to sell and Consolidated then hires Dumbrille and his unscrupulous scientist to build a death ray machine which will shatter planes in the air. Three Independent planes are brought down in flames by the ray with the papers headlining the crashes, hinting at inferior equipment. As the Government grounds the Independent planes pending an investigation, Bellamy, to offset the unfavorable publicity, announces his plans for a cross-country flight to break the record.

Just before the takeoff Bellamy links Dumbrille with the death ray plot and tricks him into flying over the route where the death dealing machine is located. Fearing for his life, Dumbrille confesses and Bellamy blows the death ray apparatus to pieces. Meanwhile, at the airport, one of Bellamy's pilots disobeys orders and persuades Wiley Post to make the record breaking flight and all ends well with Independent winning the mail contract as the conspirators are exposed.

This is sure-fire box-office if exhibitors exploit the melodramatic action of planes exploding in mid-air with the unusual story and news headline tieup with Post.

The cast also includes Robert Allen, Billie Seward, Geneva Mitchell, Ed Van Sloan, Victor Kilian, Robert Middlemass, Joseph Sauers and Wyrley Birch.

Reviewed without production code seal. Running time, 65 minutes. "G."

"Under the Pampas Moon"

(Fox)

HOLLYWOOD, May 20.—Warner Baxter, a gaucho, and Ketti Gellian, a singer, here unite in a romance of a South American cowboy and a French songbird.

An airplane grounded on the prairie brings Miss Gellian, John Miljan and Ann Codee, the former's companion, to gaucho land. Baxter, planted as a lady's man and the gaucho leader, wins a pampas horse race even though Jack La Rue cuts his saddle to make him fall.

Baxter forgets the other pampas queens for Miss Gellian while Miljan pays La Rue to steal his horse. Seeking his steed, Baxter tracks down Miljan in Buenos Aires, wins money at the races, renews his romance with Ketti and brings his mother, Soledad Jiminez, to town, giving rise to romantic and comic situations. Outwitting Miljan, Baxter re-steals his horse and rides back to the pampas with Miss Gellian and his mother.

James Tinling directed from an original by Gordon Morris and Ernest Pascal's and Bradley King's screenplay with additional dialogue by Henry Johnson. Buddy De Sylva produced.

Baxter gives a dashing, romantic and humorous portrayal while Miss Jiminez adds much to the comedy element. Rita Cansino, in a bit dance, suggests possibilities.

The production is enjoyable and the backgrounds interesting. The gaucho song and a solo by Miss Gellian intersperse the action with a tango by Veloz and Yolanda, a show stopper. It's good, clean entertainment, although mild.

Production Code Seal, No. 848. Running time, 80 minutes. "G."

Appeal Erpi-Para. Order

An appeal from Federal Judge Alfred C. Coxe's order approving the terms of Erpi's $1,200,000 claim settlement with Paramount Publix is being taken by William Yoost, Paramount bondholder, and is scheduled for hearing in the U. S. Circuit Court of Appeals here June 3. Yoost is opposed to the new recording agreements between Paramount and Erpi provided for in the settlement.

Wider School Use of Film Here Is Urged

Recognition of the sound film as a mechanical aid to learning as important as the telescope and the microscope is urged by James Marshall, a member of the Board of Education, in a report to the board made public yesterday.

He recommended the experimental use of educational sound pictures in schools of all grades to test the value of audio-visual instruction in technical, classical, academic, fine arts and scientific courses.

"The school system must use the most modern facilities to enrich the experience of its pupils," Marshall said, "and if children are to comprehend the complexities of a highly technical industrial age, the school system must utilize modern techniques. Just as the illustrated textbook amplified the printed word after the invention of photography, so now the sound film must be used to make the symbolism of words more graphic."

Bavetta to Brazil; Harley to Paris Job

Carlos Bavetta, former managing director for Fox in France and recently appointed head of the South American office, leaves for his new post on June 15 after attending the company's annual sales convention in Chicago the latter part of the month. Bavetta is now in New York on a vacation. He is being succeeded in France by F. L. Harley of the Brazil branch.

Arriving on the *Statendaam* next Monday will be three Fox foreign heads in addition to Clayton and Mrs. Sheehan. Carl Nielsen, Scandinavian district manager; F. S. Horan, managing director for Spain; P. M. Brinch, managing director for Germany, are on the liner to attend the yearly sales conclave. They will remain her for about two weeks.

Cleveland Session Called on Doubles

CLEVELAND, May 20.—A general meeting of the Cleveland M. P. Exhibitors' Assn. has been called for June 4. It is anticipated that the local committee on double features will offer the association a plan to take the place of the single feature plan which expires July 8. A modified plan, allowing a limited number of dual changes per week, instead of total abstinence from duals, is expected to be discussed. The threatened influx of premiums, giveawavs and business builders and methods of control will also come up for discussion.

Glen M. Quick Dead

ALLIANCE, O., May 20.—Glen M. Quick, 49, assistant manager of the Columbia, died at his home from a heart attack. He was formerly with the Morrison and at the time of his death was publicity director for the Tri-Theatres of Alliance. His widow, mother and a brother, all of Alliance, survive. Burial was held today.

Thomas E. Green Passes

CLEVELAND, May 20.—Judge Thomas E. Green, alternate impartial member of the grievance board, is dead of a heart attack. His successor has not as yet been named.

FASTER

MUCH faster than regular Eastman Super Sensitive "Pan" under tungsten light. Faster even than that famous film is when *hypersensitized.* That is half of the news about Eastman Super X Panchromatic Negative. The other half: Eastman Super X shows no increase in grain size over Super Sensitive "Pan"... in fact, the tremendous gain in speed in this latest Eastman film has been achieved without sacrificing or impairing any valuable characteristic. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

"G-Men" Hits $9,700, High Seattle Take

SEATTLE, May 20.—"G-Men" turned out to be a sensation here. It ran up to $9,700, over average by $3,700, at the Orpheum.

"My Heart Is Calling" was strong in its second week at the Blue Mouse, getting $4,200. "Naughty Marietta" also had a good second week, with a take of $7,700 at the Fifth Avenue.

Total first run business was $33,850. Average is $31,000.

Estimated takings for the week ending May 17:

"MY HEART IS CALLING" (Gaumont British)

BLUE MOUSE—(950). 25c-40c-55c, 7 days, 2nd week. **Gross:** $4,200. (Average, $4,000)

"NAUGHTY MARIETTA" (M-G-M)

FIFTH AVENUE—(2,500). 25c-40c-55c, 7 days, 2nd week. **Gross:** $7,700. (Average, $7,000)

"EIGHT BELLS" (Col.) "HOLD 'EM YALE" (Para.)

LIBERTY — (1,800). 10c-15c-25c-35c, 7 days. **Gross:** $3,750. (Average, $4,000)

"CARDINAL RICHELIEU" (U.A.)

MUSIC BOX—(950). 25c-40c-55c, 7 days, 2nd week. **Gross:** $3,600. (Average, $4,000)

"G-MEN" (F. N.)

ORPHEUM—(2,450). 25c-35c-50c, 7 days. Vaudeville headed by Wally Vernon & Co. **Gross:** $9,700. (Average, $6,000)

"CASINO MURDER CASE" (M-G-M)

PARAMOUNT — (3,050). 25c-35c-40c, 7 days. Vaudeville and Jules Buffano's Band. **Gross:** $4,900. (Average, $6,000)

Wall Street

Columbia Rises 3½ on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1)	63¾	58½	61½	+3½
Consolidated	4	3⅞	4	.....
Cons., pfd (1¾v)	15⅝	15	15⅝	+ ⅜
Eastman	141½	141	141	−1
Eastman, pfd	153	151½	153	+1
Fox "A"	14⅞	13½	14½	+1⅛
Loew's	39⅞	39¼	39⅞	.....
M-G-M, pfd	27⅜	27⅜	27⅜	.....
Paramount	3¼	3	3¾	+ ¼
Pathe	¾	¾	¾	.....
Pathe "A"	10	10	10	-- ⅜
RKO	2¼	2⅛	2⅛	+ ⅛
Warner	4	3½	3⅞	+ ⅜
Warner, pfd	24¾	23¼	24½	+2

Curb Issues Show Gain

	High	Low	Close	Net Change
Columbia (c1)	62½	60	62½	+ 17
Technicolor	19⅞	19	19⅞	+1⅛
Trans-Lux (.10K)	2⅝	2½	2½	+ ⅛

Warner Bonds Up 2

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	12⅝	10⅞	12⅜	+1⅝
Loew's 6s '41 ww deb rights.	104½	104⅜	104⅜	.....
Paramount F. L. 6s '47	89	87½	89	+2½
Paramount Publix 5½s '50	90½	90	90½	+2¼
RKO 6s '41 pp	40	39⅞	40	.....
Warner Bros. 6s '39 wd	65½	63¼	65¾	+2

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 20)

John Carroll Recovers

ALLSTON, Mass., May 20.—John Carroll, manager of the M. P. Publix Capitol, has recovered from a recent operation and is back at his desk.

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Defy Threatened For Giveaway Ban

(*Continued from page* 1)

complaint filed by Loew's 175th St., which was up for the second time.

"No matter what this board or the local board rules, New York independents will continue giveaways," Albert told the committee, consisting of E. C. Grainger and William Yoost. John C. Flinn attended the meeting.

"Independents must continue the practice," he said, "because of the poor run of product. Exhibitors playing third, fourth, fifth and sixth run are paying nearly as much as the circuits for film and must give patrons something in addition to the pictures to get them in," he stated.

Albert started a debate on the giveaway section of the code with Irving Greenfield, attorney for Loew's. He asserted that exhibitors giving premiums to "Lucky" winners were not violating the code. He added that previously the Audubon had been giving away money as prizes, but discontinued the practice and is now handing out gifts.

Greenfield declared that giving prizes to 45 winners of a "Lucky" contest was discriminatory and that it was a code violation unless certain classes were given articles, such as dishes to all women, or special articles to all men.

He added that the tendency to distribute articles to a select few was discriminatory.

Albert, in rebuttal, stated that the giving away of prizes did not reduce admissions, but as a matter of fact increased the value of the ticket.

"Despite Loew's threat to start a premium war, I do not believe the circuit will go through with it," the I.T.O.A. counsel concluded.

The local grievance board today reconvenes to act on the discussions held last Tuesday on giveaways and chance games. At that meeting 50 representatives of independent and major circuits attended.

Albert yesterday told MOTION PICTURE DAILY that if Code Authority or the local board tries to stop distribution of premiums, he will file injunction papers which he said he has already prepared.

Phila. Men Favor Two-Day Giveaways

(*Continued from page* 1)

giveaway clause in the code. Speaking for the I.E.P.A., David Barrist said today Flinn would discuss this situation with Campi and the NRA in Washington.

If partial regulation of premiums is held within the code, the independent organization will then conduct a vote for 75 per cent approval, which is necessary under the code.

John C. Flinn stated yesterday that he had just received the communication from the I.E.P.A. and would place the matter before Campi's legal committee on Thursday. The committee consists of Nathan Yamins, Austin C. Keough and John Robert Rubin.

Flinn would not venture an opinion on the regulation of giveaways, stating it was a matter for the legal committee of the code to decide.

Fight to Keep NRA 2 Years Gets Started

(*Continued from page* 1)

Wednesday to demand a two-year extension.

Nye declared that the address, telephone number and officers of the "Industry and Business Committee for NRA Extension" which is sponsoring the movement are the same as those of the code authority of the Silk Textile industry.

The North Dakota senator showed the Senate some 300 cards he had received from retailers in his state, distributed by some unknown body, on which the business men were asked to note whether they favored extension of the law and send them to their Congressional delegation. Out of this number, he said, only six favored continuation of the NRA. Senator Vandenberg of Michigan also showed similar cards, only four favoring and 360 opposing, while Senator Dickinson of Iowa showed 494 cards, only 12 of which favored the NRA.

RKO-Century Appeal Up

A Campi appeal committee today will devote the entire afternoon to a hearing of additional testimony and a review of the Century clearance and zoning complaint against RKO on Long Island. Mitchell Klupt will represent Century and Louis Nizer the major circuit.

The local clearance and zoning board devoted more than 30 hours to the case some time ago. It handed down a split decision, declaring that the RKO theatres in Far Rockaway were not competitive to the Fantasy, Rockville Center, while the RKO Alden in Jamaica was in competition. Both sides appealed.

Tonight another Code Authority committee will hear an appeal on the clearance and zoning complaint of the Regent against Springer & Cocalis' Apollo. Both houses are in Brooklyn. Benjamin Rich will represent S. & C., while Melvin Albert will appear on behalf of the Regent. The hearing is slated to begin at 8 P. M.

FWC's Realignment Complete, Skouras

(*Continued from page* 1)

stated yesterday upon his arrival from the coast where he conferred with his brother, Charles.

The 10-year joint operating contract with National, Chase National Bank and Fox has not yet been signed, Skouras added. He had left the coast Thursday by plane, but due to bad weather was grounded at Albuquerque. After a night at Albuquerque he flew to Kansas City where he took a special plane to New York.

E. L. Alperson and E. J. Peskay did not return with Skouras, remaining on the coast for additional conferences.

Vaudeville Back in N. O.

NEW ORLEANS, May 20.—Vaudeville has been brought back here by United Theatres for its 10 suburban houses. Al Durning is doing the booking. Radio bands and night club entertainers are being used.

Television Is SMPE Topic As Meet Opens

(Continued from page 1)

the society, in a paper read by Homer G. Tasker, S.M.P.E. president.

Goldsmith said that producers and theatre managers must seek constant improvements, using whatever ideas may spring from television. A superior or indifferent attitude toward the art and its improvement might prove its ultimate oblivion, he added. Goldsmith held that with natural advantages, a forward-looking attitude and initiative theatres should be able to hold the public confidence and maintain their prosperity.

Television came in for further discussion in a paper presented by H. R. Lubcke of the Don Lee Broadcasting System of Hollywood.

Lubcke asserted the theatrical possibilities of television lie in the future. He said "the possibility of television engulfing and destroying the film industry is remote."

"Television through the agency of broadcasting," he said, "is adapted to reproduce a few events for many individuals in small groups to reach the public in the home, but the motion pictures and theatres are adapted to reproduce a few events to many individuals in a few large groups or to entertain the public in a theatre. We shall look to television as a source of news and timely presentations and to the theatre for highly artistic productions of the classics. The great need of television is to bring sight to radio just as sound was brought to the films."

Says Projector Perfected

It was declared by Lubcke that "the television projector for transmitting motion picture film has been brought to the highest state of perfection of any transmission device and positive prints can be sent countrywide for simultaneous release." He added that successful tests of costuming, makeup and lighting have been made, and that radio, the screen and stage will contribute to and be drawn upon by television.

"Television," Lubcke said, "will become a new entertainment industry and as such cannot be considered a destroyer of existing entertainment enterprises."

Color photography, which promises to be another important subject of discussion at the convention, was touched upon today in a paper by L. Mannes and L. Godowsky of Eastman Kodak entitled "The Kodachrome Process of Amateur Cinematography in Natural Color."

The importance of a closer tie between the S.M.P.E. and the I.A.T.S.E. and "a common understanding of the aims of each other" was stressed by George E. Browne, head of the latter group, in an address read at luncheon by Thad C. Barrows, president of Local 182, I.A.T.S.E., Boston.

Browne said the problem regarding "the place occupied and the rights enjoyed by each" had been solved by "the pressing need for results, good results, in both studios and theatres."

"I can conceive of no good reason for either group endeavoring to exert undue influence within the domain of the other," Browne added. "The responsibility in either instance must not be divided by any hazy line but must be clearcut and decisive, for only in this way shall we ever realize maximum efficiency by either group."

Other speakers at the luncheon were Howard Green, Paramount writer; Kenneth MacGowan, Radio associate producer. The delegates were welcomed at the luncheon by Major N. Levinson, chairman of the research council of the Academy, and Emery Huse, executive vice-president of the S.M.P.E., with President Tasker responding.

Reports of various committees were presented during the day.

In the evening the conventioneers visited the Walt Disney studio.

Tuesday's program follows:

9:30 A.M. Studio Session.
Report of the Committee on Standards and Nomenclature, E. K. Carver, Chairman.
"Process Cinematography"; J. A. Norling, Loucks & Norling, New York.
"Calibrated Multi-Frequency Test Film"; F. C. Gilbert, Electrical Research Products, Inc., New York.
"Some Background Considerations of Sound System Service"; J. S. Ward, Electrical Research Products, Inc.
"Modern Methods of Servicing Sound Motion Picture Equipment"; C. C. Aiken, RCA Manufacturing Co., Camden, N. J.
"Technic of Present-Day Motion Picture Photography"; V. E. Miller, Paramount Studios, Hollywood.
"Engineering Technic in Pre-Editing Motion Pictures"; M. J. Abbott, RKO Studios, Hollywood.
"The Analysis of Harmonic Distortion in a Photographic Sound by Means of an Electrical Frequency Analyzer"; O. Sandvik, V. C. Hall, and W. K. Grimwood, Eastman Kodak Co.
"Make-Up for Motion Pictures"; M. Firestine, Max Factor, Inc., Hollywood.
1:30 P.M. Luncheon and Studio Visit.
Luncheon on the lot, and inspection of Warner Studio; courtesy of the electrical department, under the direction of F. Murphy, Chief Studio Engineer. Admission by registration card only; buses leave the Hotel promptly at 1:00 P.M.
8:00 P.M. Meeting of the Technicians Branch of the Academy of M. P. Arts and Sciences.
Mr. K. MacGowan presiding. Members and guests of the S. M. P. E. are cordially invited.
"The Technicolor Process"; J. A. Ball, Technicolor M. P. Corp., Hollywood.
"Psychology of Color"; Natalie Kalmus, Technicolor M. P. Corp., Hollywood.
"Some Problems in Directing Color Motion Pictures"; R. Mamoulian, Hollywood.
Feature in Color: "Becky Sharp."

Studies Dropping of Publix Unit Trustee

(Continued from page 1)

Oscar W. Ehrhorn, referee in bankruptcy. Allowance of the application will mark the formal close of the bankruptcy of the former Paramount theatre holding company.

A final dividend of 30 per cent on the allowable claims against the company, which aggregate $5,061,894, is available, according to the trustee, and will be paid to the creditors if the court approves. The bulk of the dividend will be paid to Famous Theatres Corp., Paramount's new theatre company, which acquired the Publix Enterprises' assets late in 1933. The assets included numerous theatre properties in all sections of the country.

Complete dissolution of Publix Enterprises is expected to follow the discharge of the trustee in bankruptcy. Its operations have already been transferred to Famous along with the assets. Publix Enterprises went into bankruptcy in Jan., 1933, at the same time that Paramount consented to an equity receivership.

Revive Rumors Over F-P Canada Control

(Continued from page 1)

Canadian Corp., the rumor has been revived in Toronto financial circles of the possibility of control of Famous Players' chain coming to Canada at the instigation of N. L. Nathanson, president. Linked with this is the gossip that the Canadian company may yet be linked with British film interests.

Back in 1929, Famous Players shareholders had an offer of $75 per share from Gaumont British Pictures Corp., but instead they exchanged their holdings for Paramount Publix stock despite the protests of Nathanson, who was then general manager. Nathanson withdrew from the company as a result, but has since become president. The new issue is being sold to stockholders at $10 per share. Incidentally, Nathanson has said he would like to see the company under Canadian control.

Paramount officials who were asked to comment on the Toronto report yesterday described it as "ridiculous," pointing out that control of Famous Players Canadian could only pass from Paramount through a sale of the stock held by the latter and that if Paramount had any intention of disposing of the stock it would not now be subscribing to an additional 18,256 shares.

Harry Goetz on Coast

HOLLYWOOD, May 20.—Harry Goetz arrived here today for conferences with Edward Small of Reliance.

"Bride" Gets Big $24,600; Detroit High

DETROIT, May 20.—"Bride of Frankenstein" led a remarkable pickup here last week. It ran up to $24,600, over normal by $9,600, and was moved to the Adams for a second week.

"Les Miserables" reached $14,600, over the line by $4,600, at the United Artists. "G-Men" was something of a sensation at the Michigan, getting $25,400, above the average mark by $5,400.

Total first run business was $88,300. Average is $70,000.

Estimated takings for the week ending May 9:

"MR. DYNAMITE" (Univ.)
"EIGHT BELLS" (Fox)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $3,200. (Average, $5,000.)

"BRIDE OF FRANKENSTEIN" (Univ.)
FOX—(5,100), 15c-55c, 7 days. Stage, Everett Marshall and vaude. **Gross:** $24,600. (Average, $15,000.)

"NAUGHTY MARIETTA" (M-G-M)
"WEST POINT OF THE AIR" (M-G-M)
FISHER—(2,975), 10c-40c, 7 days, 2nd run. **Gross:** $3,300. (Average, $5,000.)

"G-MEN" (Warners)
MICHIGAN—(4,100), 15c-55c, 7 days. Stage, Venita Gould and vaude. **Gross:** $25,400. (Average, $20,000.)

"MARK OF THE VAMPIRE" (M-G-M)
"SHOT IN THE DARK" (Chesterfield)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $3,800. (Average, $5,000.)

"LES MISERABLES" (U. A.)
UNITED ARTISTS—(2,070), 15c-55c, 7 days. **Gross:** $14,600. (Average, $10,000.)

"LET'S LIVE TONIGHT" (Col.)
BROADWAY-CAPITOL—(3,448), 10c-40c, 7 days. Stage, Rubinoff and vaude. **Gross:** $12,400. (Average, $10,000.)

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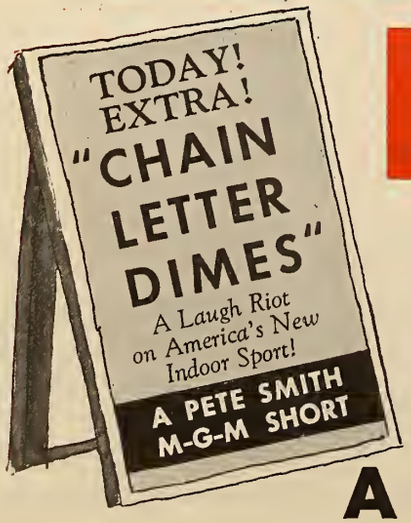
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VOL. 37. NO. 120 NEW YORK, WEDNESDAY, MAY 22, 1935 TEN CENTS

Code Mauled as Allied Speakers Get Underway

Cole Charges Texas Move Is Leveled at Independents

ATLANTA, May 21.—A preconceived movement, using Texas as a demonstration ground either to force independent theatres out of business or make them pay tribute to a national booking combine, was charged today in an address before the opening Allied session by Harry A. Cole, Allied standby and head of its Texas affiliate.

Tracing circuit development, which he asserted had its genesis in Atlanta with S. A. Lynch and Paramount as partners and then spread rapidly into Texas, Cole hurdled a span of many

(*Continued on page 6*)

Augments "Aggressions," They Say—3-Point Program Offered

By RED KANN

ATLANTA, May 21.—Because it was declared to have failed to give independents the break they sought, because it presumably added to the advantages of major companies, because it did nothing about ending alleged evils of compulsory block booking, the code was pilloried, castigated, mauled and blamed for augmenting "aggressions" of distributors throughout the United States as Allied's first business session came to a close at the Piedmont late today.

Abram F. Myers, Allied's general counsel, delivered a 35-minute history of the past, present and future of the NRA pact, again striking the organization's well known stand that independents had been "sold down the river."

Higher and higher rentals, despite lower negative costs, as well as the distributor practice of failing to protect old accounts over new ones and a three-point program, including a buyers' strike for bringing to independents a better break were expounded by David Barrist, representing the

(*Continued on page 4*)

Columbia Asks Curb Listing For Its Stock

Makes Application to SEC For 177,933 Shares

By CLARENCE LINZ

WASHINGTON, May 21.—Application for registration on the New York Curb Exchange of 177,933 shares of no par common stock, all issued, has been filed with the Securities and Exchange Commission by Columbia Pictures.

No information regarding salaries or finances accompanied the registration statement.

The application shows that Columbia has 100 per cent interest in Columbia Pictures Corp. of California, William Horsley Film Laboratories, Inc., Columbia (British) Products,

(*Continued on page 8*)

Quigley-Milliken Back from England

Martin Quigley and Carl E. Milliken, secretary of the M.P.P.D.A., returned to New York yesterday on the *Majestic,* following conferences in London with the Film Producers Group of the Federation of British Industries.

It is learned that the proceedings of the conferences have been summarized in a letter which has been addressed to Will H. Hays which is expected to be made public shortly.

Boylan Is Named as "U" Scenario Editor

HOLLYWOOD, May 21.—Malcolm Stuart Boylan succeeds Leonard Spiegelgass as Universal's scenario editor. Jerry Sackheim remains as story editor. It is expected Boylan, who was former publicity head of the studios, will take over his new post June 1, although no contracts have been signed as yet.

Another change in studio personnel has Henry McRae succeeding Milton Gaetzert as serial producer, with the latter remaining until the finish of the last Buck Jones picture now in work.

Irving Trust Upheld As Trustee for RKO

The U. S. Circuit Court of Appeals in a decision handed down yesterday affirmed the appointment of

(*Continued on page 2*)

Missouri 1% Tax Is Passed By the Senate

JEFFERSON CITY, May 21.—The Missouri Senate today passed the compromise one per cent sales tax bill by a vote of 22 to 11. The House reconvenes Thursday to consider the measure.

If it passes the House, it will be signed immediately by Governor Park, as it has his personal approval. The tax base is very similar to that of the recent one-half of one per cent law, but must be passed along to the consumer. It applies to tangible personal

(*Continued on page 6*)

Hicks Pleased by European Business

Optimistic over the company's business in Europe and Scandinavian countries, John W. Hicks, Jr., vice-president and general manager of Paramount International, yesterday returned on the *Majestic* from a six-week trip abroad where he conducted

(*Continued on page 8*)

Admission Taxes Up Over One Year Ago

WASHINGTON, May 21.—Admission tax collection in April totaled $1,157,970, it was reported today by the Internal Revenue Bureau. This compares with collections of $1,283,595 in March and $969,210 in April, 1934.

306 Men Ask For Extended IATSE Rule

A petition asking for the continuance of I. A. T. S. E. management of Local 306 was signed by 1,000 members of the local yesterday to verify the stand taken at a membership meeting late Monday night when invitations to nominate new officers of the local were met with demands for continuance of I. A. T. S. E. supervision. Additional signatures to the petition are expected, officials of Local 306 said yesterday.

Monday's meeting was attended by more than 1,800 members of the local,

(*Continued on page 8*)

Laemmle-Grainger Agree on New Pact

Carl Laemmle and James R. Grainger negotiated a new long term contract for the latter to continue as Universal's general sales manager over the teletype yesterday.

Grainger's present two-year pact expires in June. Laemmle has been

(*Continued on page 2*)

No Decision Made On Giveaways Here

Although the local grievance board is unanimously in favor of discontinuing giveaways and chance games in the local areas, it could not come to a decision yesterday on a resolu-

(*Continued on page 8*)

Myers Calls Ascap Group "Racketeers"

ATLANTA, May 21.—The American Society of Composers, Authors and Publishers and the Copyright Protection Bureau today were painted as "racketeers" by Abram F. Myers,

(*Continued on page 6*)

Sees Booking Crux Of All Complaints

ATLANTA, May 21.—Eliminate compulsory block booking and complaints of independents will be over, Walter B. Littlefield, New England regional vice-president of Allied, told the con-

(*Continued on page 4*)

British-1st Division Deal Is Abandoned

Negotiations looking toward a reciprocal distribution deals between First Division and the new Anglo-American Renters' Co. have been

(*Continued on page 8*)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Hearing Is Delayed On Para. Properties

Los ANGELES, May 21.—Attorneys representing Paramount Properties, Inc., yesterday told Federal Judge Paul J. McCormick that approximately 46 per cent of the creditors have agreed to the reorganization plan under the Federal Court's supervision. The attorneys also gained a postponement of a hearing until June 17 to obtain the sanction of other creditors at which time Judge McCormick is expected to approve the plan with the stipulation there will be no reduction in par value or lowering of interest in the company's outstanding $2,750,000 first mortgage six per cent bonds and no change in ownership or control.

"U" Forms Spanish Producing Division

HOLLYWOOD, May 21.—Universal has organized a Spanish department to produce Spanish films. Christy Cabanne will direct the first picture for the new division. It will be "Storm Over the Andes." The balance of the program has not yet been outlined.

"U" Men Go East Soon

Los ANGELES, May 21.—A. J. O'Keefe, local Universal exchange manager, leaves shortly for the Universal Chicago convention accompanied by W. H. Heineman, district manager. Following the Chicago meeting, Heineman plans to journey to Manhattan for conferences with James R. Grainger regarding F.W.C. booking of Universal product.

Purely Personal

SARI MARITZA (MRS. SAM KATZ), arrived on the *Majestic* yesterday ill from the crossing. She said she planned to leave for the coast today by train and is through with pictures. NOAH BEERY, JR., who appeared in a Gaumont British film, was a passenger on the same liner. He left at 4 o'clock for the coast by plane.

•

BILLIE BURKE, accompanied by her daughter, PATRICIA ZIEGFELD, and MARY ROGERS, daughter of WILL, arrives today on her first visit from the coast in three years. MISS ROGERS will go on to Skowhegan, Me., for summer stock.

•

BRUCE GALLUP, president of the Ampa, will hold a closed session tomorrow and assign duties to various members. He plans to hold a big open session next week.

•

ALFRED SAK of the Sak Amusement Co., Texas, arrived yesterday for a three-day visit. He recently opened an independent exchange in Los Angeles.

•

BORIS MORROS receiving congratulation for his handling of the N. V. A.-Masonic Clubs benefit at the Garden last Saturday night.

•

ABE LASTFOGEL of the William Morris Agency left yesterday for the coast for a short visit.

•

JOE SEIDELMAN is due in from the coast today.

Laemmle-Grainger Agree on New Pact

(*Continued from page* 1)

busy of late on the new production schedule and Grainger is rushing details of the sales convention. When the "U" president brought up the matter yesterday in the course of the usual exchange of business messages the terms were agreed upon in a few moments and identical copies were signed on each coast.

Irving Trust Upheld As Trustee for RKO

(*Continued from page* 1)

Irving Trust Co. as trustee of RKO in reorganization.

The appointment of the trustee had been contested by Edward L. Garvin, attorney for RKO debenture holders, as an irregular procedure because RKO's petition for reorganization under Section 77-B of the new bankruptcy law had been certified one day prior to the enactment of 77-B. Garvin also contended that the RKO board, which filed the petition, was without authority to direct officers of the company to sign his petition.

Federal Judge Alfred C. Coxe dismissed the Garvin action after a district court hearing and the dismissal was affirmed by the Circuit court.

3 Plants in Europe Planned by Kalmus

Three foreign laboratories are planned by Technicolor, one in London, another in Paris and a third in Berlin, Herbert T. Kalmus, president, stated yesterday. He sails May 29 on the *Bremen* for Europe where he will spend a month negotiating the deals. Mrs. Kalmus will accompany him.

Kalmus asserted Technicolor's aim is to establish plants abroad where distributors can have color prints made at the same cost as in America.

One of the deals pending in England is with Sir Adrian Baillie, Bombay producer representing British capital, Kalmus said. He added the nature of the deals was indefinite at this time. Technicolor may form its own subsidiaries and build its own plants with company finances and local interests operating or make deals with outside companies for financing and building of the laboratories.

The Technicolor head declared he has already closed contracts with M-G-M for three-color process work in approximately 40 per cent of the shorts to be released during 1935-36. In this group are 10 FitzPatrick Travelogues and six two-reel subjects. Other deals include 13 Leon Schlesinger cartoons, 13 Harmon-Ising cartoons, 13 cartoons for Columbia and 13 animated subjects for Paramount.

A deal is in process of negotiation with RKO Radio for 13 color cartoons. Fox and Universal are expected to close for color in shorts shortly, he said.

Due to the success of Kodachrome, a color process combining Technicolor and Kodak patents for 16mm use, Kalmus said that eventually all 35mm films will be made along the same lines. He added this is some time off. Kalmus explained that Kodachrome eliminates the three-layer process in 16mm work, but as yet has not been developed sufficiently for 35mm films.

Limited Stays for Aliens Is Proposed

WASHINGTON, May 21.—Continuation of the free entry of alien actors, but with a requirement that they leave the country as soon as their engagements are terminated, will be offered by Representative Kramer of California as a substitute for the bill placing foreign talent under the contract labor provisions of the Immigration Law.

Under the amendment to be offered by Kramer the stay in this country of alien actors would be strictly limited to the period of their engagement and they could not come in on a six months' permit renewable an indefinite number of times as at present. At the same time no difficulties would be placed in the way of actors American producers desired to use.

Senate Bars Reels

WASHINGTON, May 21.—Newsreel cameras will be barred from the Senate Wednesday when President Roosevelt delivers his message on the soldiers' bonus legislation, as a result of a ruling made today by Speaker Byrns.

Botsford to Hospital

HOLLYWOOD, May 21.—A. M. Botsford, executive assistant to Henry Herzbrun at Paramount, goes to the Good Samaritan Hospital Wednesday for an appendicitis operation.

Color Films Chief Topic Of S.M.P.E.

HOLLYWOOD, May 21.—Color photography was the chief attraction at the convention of the Society of M. P. Engineers here today. A session devoted exclusively to this subject was held tonight under the sponsorship of the Academy of M. P. Arts and Sciences at the Carthay Circle, where Technicolor shorts were screened and the new three-color process was demonstrated.

Papers discussing the latest developments in color photography and its prospects for the immediate future were presented by Technicolor engineers at the session, at which Major Nathan Levinson, chairman of the technicians' branch of the Academy presided.

Natalie Kalmus, who with her husband, Herbert T. Kalmus, head of Technicolor, has been a leader in the development of color photography, discussed the psychology of color, while J. A. Ball, a member of her staff, explained the new process. Problems confronting the director of pictures in natural tints were the subject of a talk by Rouben Mamoulian, who directed "Becky Sharp," the first feature to be made in the new three-process Technicolor.

It was voted to hold the annual convention in Hollywood every other year.

Wednesday's program follows:

9:30 A.M. Laboratory Session.
"The Argentometer—an Apparatus for Testing for Silver in a Fixing Bath"; W. Weyerts and K. C. D. Hickman, Eastman Kodak.
"Motion Picture Film Processing Laboratories in Great Britain"; I. D. Wratten, Kodak Limited, London.
"A Continuous Printer for Optically Reducing a Sound Record from 35-Mm. to 16-Mm. Film"; O. Sandvik, Eastman Kodak Co.
"Optical Printing"; L. Dunn, RKO Studios, Hollywood.
"Non-Uniformity in Photographic Development"; J. Crabtree, Bell Telephone Laboratories, Inc., New York.
"A Dynamic Check on the Processing of Film for Sound Records"; F. G. Albin, United Artists Studios, Hollywood.
"New Agfa Motion Picture Film Types"; W. Leahy, Agfa Ansco Corp., Hollywood.
"Some Sensitometric Studies of Hollywood Laboratory Conditions"; H. Meyer, Agfa Ansco.
2:30 P.M. Studio Visit.
A Visit to the Fox Hill Studio, under direction of W. J. Quinlan, Chief Studio Engineer. Admission by registration card only; buses leave the Hotel promptly at 2:00 P.M.
7:30 P.M. Semi-Annual S.M.P.E. Banquet
The semi-annual banquet and dance of the Society will be held in the New Supper Room of the hotel. Addresses by eminent members of the industry. Tables reserved at the registration desk, for 8, 10, and 12 persons.

Ellis Funeral Services

HOLLYWOOD, May 21.—Funeral services will be held here Wednesday for Robert J. Ellis, art director at the Pathe studios, at the Hollywood Cemetery Chapel. Ellis died Monday at the Hollywood Hospital.

M-G-M Men in Frisco

SAN FRANCISCO, May 21.—M-G-M will hold a regional sales convention here late this week or early next week with R. W. Carmichael, Los Angeles exchange office manager, and Jack Jacobs, from Hollywood, attending.

"EXCUSE ME FOR POINTING—"

SHOWMEN'S TRADE REVIEW
May 18, 1935

PUBLIC HERO No. 1

MGM **DRAMA** **88 mins.**

G-MEN HIT; ROMANCE, THRILLS, COMEDY THIS ONE IS THE TOPS; WILL CLICK AT B.O.

Cast: Lionel Barrymore, Jean Arthur, Chester Morris, Joseph Calleia, Paul Kelly, Lewis Stone, Paul Hurst, George E. Stone, and Sam Baker Screenplay by Wells Root from a story by J. Walter Ruben and Wells Root. Director, J. Walter Ruben.

Plot: Morris, Department of Justice operative, becomes a cell mate of Calleia's in order to get information. They make a daring escape and Calleia leads Morris to his hide-out. Morris goes for the gang's doctor, Barrymore, since Calleia was wounded badly in the getaway. During a storm, Morris meets Calleia's sister, Jean Arthur, who is unaware that her brother is a criminal. Morris saves Calleia's life in a blood transfusion, then is kicked out for taking sides with Jean in trying to get him to go straight. Calleia escapes and the nations join in the hunt for him. Morris advertises in the personal column, promising financial aid and Calleia calls on Jean, who is cashier in a picture house. He is lured into the theatre and killed as he tries to get out of the trap on his way out. Jean tries to get out of her brother Morris is wounded but Jean forgives him as both ride away on a honeymoon.

SUMMARY: So long as these G-Men pictures remain good they will prove a tremendous B.O. draw. This one is the tops. It has all the thrills, surprises and hair-raising episodes the most rabid fan can wish for. In addition, it is chuck full of amusing scenes; has a delightful romance and abounds in all of the so-called box-office ingregients. Chester Morris, Jean Arthur, Lionel Barrymore and Joseph Calleia carry off foremost acting honors. J. Walter Ruben scores a real triumph because he not only co-authored the story but is deserving of highest praise for his brilliant and clever direction. In exploitation don't overlook the fact that it is about the "G-Men"—play this up. The cast has pull power. Hold a preview for police and city officials, obtaining endorsements. If your locality has unsolved mystery speculate solution with "G-Men." Tie-up with classified ad department. Arrange displays any crime technical aids. Also interesting articles taken from prisoners. Arrange finger print machine for lobby. Make use of Dillinger capture, old newspaper headlines, etc., for window or lobby. Use card throwaways "Follow This Man (Chester Morris) through prison dungeons, hideouts, secret chambers and the most unusual romance ever screened." In all exploitation don't overlook the romance and comedy. For street stunt, use public address system "Calling all Citizens" public Tie ups (Stills available,) Buick cars and Royal typewriters.

JOE BLAIR, Hollywood.
(FAMILY)



Everybody's Saying It!

"PUBLIC HERO NUMBER 1 *is the* TOPS!"

Code Mauled As Allied's Meet Starts

(*Continued from page* 1)

I.E.P.A. of Eastern Pennsylvania, which is Allied's latest affiliate.

H. A. Cole, vice-president from Texas, narrated at some length the alleged aggressions of circuits in his territory and intimated what was going on there was part of an organized movement either to wipe independents out of business or make them bend the knee in tribute to a potential national booking combine.

Walter B. Littlefield, regional vice-president representing New England, deplored the evils of compulsory block booking and blind buying and sounded a war cry for the Pettengill Bill, which he declared would eliminate both practices and pave the way toward a better day for independent theatre operation.

Myers, braving the dangers of a repeat performance on the same bill, attacked both Ascap and the Copyright Protection Bureau as "racketeers." The chair was occupied by Sidney E. Samuelson, president of the national organization, who provided the piece de resistance by announcing from the rostrum that Wednesday will see and hear the Chicago situation and M-G-M's theatre plans for that city paraded before the assembled conventioneers.

Lauds Allied Cooperation

Exactly how all of these various Allied issues might be traced to the code might not have been apparent to those in attendance, but it was Samuelson who did the blaming, and there it was. In his address, Myers described Allied and its leaders as apostles of cooperation. The organization always has been for it, he said. He cited as evidence the 5-5-5 deliberations which ran over a period of many months and how Allied had been misguided in the belief that the men it had been talking to had the authority to act until "their principals ran out." He said further: "I am denying in advance the inevitable charge which will be made that Allied is not cooperative, but destructive and radical."

Without benefit of label, but unmistakably clear nevertheless, Myers declared he had been temporarily dissuaded from his original legal opinion that Congress had no right to regulate an intrastate industry such as exhibition by Sol A. Rosenblatt, who, according to Myers, led independents into the belief major industry ills would be solved through the code whether interests mostly affected wanted them or not. He charged Calvin Bard of Nebraska and Judge Roy Walker of Texas with damaging independents' chances for a better code break when both split ranks and signed a copy of the draft which ultimately went to the White House in face of a decision of independents as of that time to withdraw from the code deliberations.

A lesson from the past, Myers concluded, was that "lions could not lie down with lambs" and that in the future in any negotiations in which he may take part, independent exhibitors must be represented by independent exhibitors alone and should not negotiate with other branches of the industry unless appointed delegates were men who could be relied upon. Myers was accorded substantial applause at this point. Delving into the present NRA status, he said he views as entirely feasible the possibility the NRA may pass out entirely with June 16, the expiration date of the original law, pointing out the Senate and the House had locked horns on the new form recovery legislation might take.

Even if the new law rules out businesses such as exhibition on the ground Congress cannot regulate intrastate enterprises, Myers charged bureaucratic lobbying in Washington will seek to have the film code continue to apply to exhibition as it now does. The biggest lobby agitation for NRA continuance, he stated, was the 2,500 employes now on the NRA payroll in the Capital. As he assumed charge of the session, Samuelson told the delegates this was to be an action convention and the millenniums will not be dropped into their laps, but must be made by the organization itself.

Declaring he realized a "sacred obligation" had been handed to him by those "who bled for Allied" an early gesture took the form of recognition from the chair of former organization presidents, including Myers, W. A. Steffes, Minnesota, and James C. Ritter, Michigan.

Mayor James L. Key of Atlanta left a sick bed to deliver a few words of welcome, his remarks being preceded by Sam Borisky, who opened the session, and then by Ike Katz, president of the G.F.T.A.; N. H. Walters, regional vice-president, of Birmingham, Mrs. Alonzo Richardson, secretary of the local Board of Review, who predicted the brightest days for the industry were dawning.

Rev. William Hanlon, brother of the late James Hanlon, M-G-M exchange manager here, delivered an invocation.

Cal. ITO Approves of Allied

The I.T.O. of Southern California, by mail, expressed sympathy for Allied aims and pledged formal association with the national organization when its own financial condition allows. A message in similar vein was received by wire from J. B. Fishman, president of the M.P.T.O. of Connecticut, which, despite the name, is not affiliated with the national M.P.T.O.A.

It is obviously a case of independents vs. affiliated interests insofar as Allied is concerned, Samuelson said.

"Affiliated exhibitors and distributors are all the same to us; we can't see how the vest can be separated from the pants," was the way he put it.

If any doubt prevailed about the sponsorship of the Pettengill Bill, Littlefield cleared up the point when he stated the measure had its inception as a result of collaboration between the M. P. Research Council, Columbia University and Myers. In addition to the signed approval of national organizations, including the National Ass'n. of Parents and Teachers and the Knights of Columbus, the measure has the personal approbation of the President's mother, Mrs. James Roosevelt, he stated.

Wednesday, aside from the barrage to be laid down on M-G-M, will be devoted to preliminary reports of committees and discussion from the floor of issues sounded today. Thursday has been announced as the day on which Allied's method of meeting the issues confronting it will be divulged.

Tonight's social activities were concentrated on a barn dance at the Peachtree Gardens and fraternizing, as usual around the hotel.

Salutes Papers

Atlanta, May 21.—Sidney Samuelson, Allied head, handed the trade papers a compliment of a sort at the opening business session of the convention today saying: "I urge you to read the trade papers. It would be well in return for such courtesy of such a large trade paper delegation to show courtesy by reading what they have to say, although I presume some of it will not be complimentary."

Sees Booking Crux Of All Complaints

(*Continued from page* 1)

vention at the opening session today. Coupled with block booking, he linked as handmaiden blind booking.

Littlefield hit compulsory buying blocks on three counts. Firstly, he said it was economically unsound. It eliminates from the exhibitor the right to be able to run product best suited for his theatre, he said. It hurts theatre business, robs customers and injures producers of better pictures because the exhibitors' playing time is booked, he continued. Denying it was uneconomic, Littlefield pointed out playdates would remain a constant figure with only the resulting issue from elimination of compulsory block booking a question of what producers would get available dates.

Secondly, he said, the practice strikes at the exhibitor right of local autonomy by compelling him to run product which he knows is not suited for his clientele. One direct result of the current system, he maintained, was the continued public resentment and encouragement of movements for reform like the legion of decency. The third argument revolved around his belief that compulsory block booking placed the greatest of all monopoly weapons in the hands of the majors.

"What would you do with a picture if you made one? You would have to sell it to one of the large companies at their price. If you did not, but decided to market it yourself you know very well you would not find a single affiliated theatre willing to give you playing time. If, then, you came to us independents you would find us without playing time because we are compelled to book all our available dates at the outset of each season."

Littlefield also stated all troubles were traceable to insufficient product supply. If 350 more pictures were thrown into the market, his thought was, there could be no problem about forcing short sales with features or about preferred playing time or protection, because the exhibitor on this basis would not have to depend upon a handful of producers from which to draw his supply.

Blind buying was described as a "pig in a poke." Littlefield maintained salesmen were refusing to furnish data on product and that they were strictly adhering to numbers sans details as to stars, directors and synopses. With this as background, Littlefield cited the Pettengill Bill as the answer, concluding with a flat denial a statement charged to women's clubs' representatives allegedly in the employ of the Hays organization that the proposed measure would mean national censorship.

Buying Strike Urged As One Of Allied Aims

Atlanta, May 21.—A buyers' strike, the marshaling of public opinion, and legislative activity today were offered Allied conventioneers as a three-point program to combat what were described as aggressions of distributors.

David Barrist, representing the I.E.P.A. of Eastern Pennsylvania, was advocate as one of the speakers at the opening business session this afternoon. He deplored absence of elaborate product announcement books on the ground that whereas their use at least once outlined stars, directors, synopses of stories in each succeeding year's program, distributors today furnish no background information, thus making it impossible for exhibitors to know what product offered is suitable for their theatres.

Rentals are higher, yet negative costs are lower and producers are piling up unheard of surpluses and are demanding even higher prices, he averred, adding the exhibitor who protests is immediately stamped as 'a Bolshevik or radical. He added that distributors make no efforts to protect old customers, citing Philadelphia, where, he said, garages and bowling alleys are being renovated at slight cost and are being serviced with film by distributors without question.

Cites Philadelphia Example

In expounding the three-point program, Barrist said a buyers' strike to be expedient need not be national. He stated 18 months ago in Philadelphia exhibitors tried it and won. He claimed in hundreds of spots competitive exhibitors today are forgetting their competition in order to band against a common enemy and prevent themselves from being driven out of business.

Amplifying his second platform, which he labeled public opinion, Barrist said the natural advantages rested with independents since they were a home industry and "rooted deeply in the soil of public affection," further declaring "18 months ago in Philadelphia we had a situation. We used trailers on screens. Word came in less than 24 hours that if we pulled the trailers we could get together. We did and we won."

Legislatively independents had it all their way, he went on, pointing out major companies could not face the battle of such calibre on 20 or 30 fronts at the same time. Barrist made his best impression in conclusion when he expressed himself as for a resolution to end all resolutions.

Clearance Protests In L. A. Up to Nine

Los Angeles, May 21.—Exhibitor protests on the local clearance and zoning schedule now total nine with hearing on all complaints set for May 27. John C. Flinn is expected here over the week-end to sit in at the hearing.

John C. Flinn has not decided when he will leave for the coast. He is anxious to attend the coast hearing on schedule protests and will probably fly out Saturday.

"When I mark a man 'personal'—he stays that way! . . . . And when I tell you I'm going to give those 'G-Men' figures a run for New York's money starting Friday at the Capitol, I mean every word I say!"



BETTE DAVIS

The girl from "Bordertown" and "Of Human Bondage" heads for the heights in Warner Bros.'

"THE GIRL FROM 10TH AVENUE"

With Ian Hunter, Colin Clive, Alison Skipworth. Directed by Alfred E. Green. A First National Picture

MPTOA Head Urges Allied To Cooperate

Restating M.P.T.O.A.'s position on leading exhibitor and trade problems of the moment, Ed Kuykendall, M.P.T.O.A. president, calls upon Allied States in the monthly bulletin of his organization released yesterday "to really do something for the theatre owners by indorsing these sane and sensible proposals."

The M.P.T.O.A. bulletin apparently is timed to make its appearance concurrently with the convention of Allied in session at Atlanta this week. Outspoken criticism of the Allied organization and its aims is peppered throughout the message, side-by-side with liberal commendation of M.P.T.O.A. and its activities.

The more important principles and reforms advocated by M.P.T.O.A. which the bulletin cites include organized self-regulation for the industry under an NRA code; a fair and uniform exhibition contract; local arbitration of trade disputes; local clearance and zoning plans; abolition of the music tax and score charge; local option and majority rule on double feature and giveaway policies; reasonable cancellation and abolition of designated play dates.

Sees Chance to Aid Exhibitors

By indorsing these same policies, Kuykendall writes, Allied "has an opportunity to forget its jealousies and blind prejudices and really do something for the theatre owners. Will they (Allied) bend their efforts towards accomplishing these worthwhile things, or spend their time on indiscriminate denunciations, passing lurid resolutions, chasing rainbows and trying to run the other fellow's business for him? Their announced (convention) program gives no serious consideration to the business of managing a motion picture theatre. Perhaps that is unimportant."

Kuykendall reviews M.P.T.O.A.'s position on the code and states that while the organization is prepared to work with the rest of the industry in the drafting of "a much better code, based on over a year's experience with the present one," it is "useless" to make proposals until Congress has settled NRA's future. He observes that the main line of attack being employed by NRA opponents is to have codes applying only to businesses engaged in interstate commerce and concludes that, if this were to be done, production and exhibition would not have codes.

"Distribution," Kuykendall writes, "could have a code of its own, written entirely by distributors. What good do you think such a code will do an exhibitor?" he asks. "In our opinion, the death of NRA would mean the loss of our greatest opportunity to remove abuses in this business."

Maxwell May Not Come

LONDON, May 21.—John Maxwell, chairman of the B.I.P. board, may not go to New York after all. He has to be on hand May 25 when the company puts out a $3,000,000 stock issue, which is all underwritten. The next boat sails May 29 and he is undecided whether he will leave at that time.

Cole Charges Texas Move Is Leveled at Independents

(*Continued from page* 1)

years and brought the picture to date as he saw it by declaring circuits now are operating in Texas towns with populations as low as 2,500.

They control all towns of 10,000 and over and there are only 10 towns of 5,000 population and less where independents now remain, he added. Where circuits are not in they exact booking fees from those who are, he charged. Cole alleged the circuit method was to call Dallas exchanges and demand product for towns in which independents operate, regardless of the fact circuits themselves have no operation there.

Independents have no way out, he asserted, and so find themselves compelled to turn over four per cent of their gross for booking service which does nothing for them. There are 20 spots to date which have been forced into such situations and already three directors and 25 or 30 members of his association have been lost to it in the last 90 days, Cole continued.

"I see no reason why the circuits cannot continue this indefinitely," he added. Without mentioning Interstate by name, other than to describe it as a Paramount affiliate, Cole charged Hoblitzelle interests with either attempting to stifle independents or compel them to close through exaction of film contracts which prevent any neighborhood theatre from running any picture under 25 cents which first plays Interstate houses at 40 cents top at night.

"Many of these neighborhood houses get only 15 or 20 cents and some less, yet under this arrangement they must raise prices to a quarter or lose 200 pictures, representing the cream of product. If it is 25 cents today, what is there to prevent it from jumping to 35 or 50 cents tomorrow? Yet some of the pictures denied neighborhoods play downtown at 15 cents matinee.

"The theory that competitors can set your prices places your business in their hands. The power is never used leniently, at least in this business. This may mean a price hike beyond attainment of independents."

Cole admitted he did not know the answer and that he himself was threatened with extinction as an exhibitor. Recognizing his statement as serious, he also made a flat charge the Government had "deliberately traded us off." General Johnson, he continued, had stated in his memoirs the day of the small business was over. "I am compelled to believe it. The Deputy Administrator who sold us out is still in Washington in a bigger job and at a bigger salary."

Myers Calls Ascap Group "Racketeers"

(*Continued from page* 1)

general counsel of Allied, in explaining what Allied has been endeavoring to do to curtail collections from exhibitors by both of those groups.

It developed Allied was favorably inclined toward Senate Bill No. 2465, introduced by Senator Duffy of Wisconsin, which seeks to revise the existing copyright laws. While not representative of all Allied wanted, Myers said, the measure represented great improvement over anything now available. He added that a perfect status would be a law eliminating any mention of penalties for violations.

He took an emphatic poke at the Copyright Protection Bureau, which he described as "an extorter" of money from theatre men and charged efforts to collect unauthorized holdovers were unjust in that such activity made no attempt to ascertain if the exhibitor so charged had committed a violation in innocence of what he had done. At the same time Myers declared the Duffy bill had little chance of consideration at this session in view of the heavy program of legislation which confronts Congress.

Missouri's 1% Tax Is Passed by Senate

(*Continued from page* 1)

property sold at retail amusements, recreations, entertainments, various services, advertising and ticket sales, etc., and will prevail until Dec. 31, 1937. The bill is expected to raise $10,000,000 annually.

The Senate also passed a bill permitting horse racing in Missouri and legalizing dog racing at St. Louis. The bill now goes to the governor for signature.

Big Crowd Argues on Penn. Sunday Shows

HARRISBURG, May 21.—In the most stirring hearing on any measure before the present session of the Pennsylvania legislature friends and foes of the Schwartz-Melchiorre-Barber Bill, the compromise local option Sunday film measure, argued for four hours this afternoon before the House Ways and Means Committee in the presence of 1,500 persons.

While five clergymen fought the bill, eight others were for it.

The bill would require every municipal subdivision to vote at the general election next November on the question of whether to permit film shows after 2 P.M. Sundays and the sentiment expressed at the hearing was so greatly in favor of the measure that its friends expressed confidence at the end of the long session that it not only will be reported favorably by the committee, but that it will pass both branches of the Legislature.

The bill has already been reported favorably by the committee, but, by vote of the House, was referred back to the committee to permit the hearing held today.

Film men failed to maintain a solid front. Miss Jeannette Willensky, Philadelphia, representing the I.E.P.A., declared she represented 110 rural and neighborhood exhibitors. She said she was opposed to the bill because it was backed by 250 circuit theatres who sent their money to New York and did not spend it in Pennsylvania.

Among the advocates of the bill, although he did not address the committee was Mort Blumenstock, head of publicity and advertising for Warner theatres.

Mexican Suggests Production There

Mexico put in its bid as a new production locale and successor to Hollywood with the extolling of the country's advantages for producers by Eduardo Villasenor, consul general of Mexico, in an address at the M. P. Club luncheon forum yesterday.

"Pictures can be produced in Mexico for one-third their production cost in America," the official said. "In addition, weather conditions are ideal and a wide variety of scenery is available within short distances. Mexico already is the leading film producer of the Spanish speaking countries and has as many as two premieres a week of Mexican-made films," he said.

Consuls general of eight Latin-American nations were guests at the luncheon, at which Harry M. Warner presided as chairman, and Louis Nizer as toastmaster. Former Ambassador James W. Gerard was guest of honor.

Pleas were made by the South and Central American representatives for improved casting, typical Spanish dialogue and more judicious story selection in films sent to their nations.

"National pride is affronted by unwise casting and story selection and leads to the restrictions placed on American films by foreign countries," said Jose Camprubi, publisher of *La Prensa* and other South American newspapers.

The "tremendous power" politically of films and of the newsreel in particular was cited by Gerard, who suggested that it could be used at the present time against inflation propaganda and Communism and for the stabilization of currency. He advised against the publicizing of "enormous" salaries of film stars and advised that, in casting, all "villains shouldn't be natives of friendly countries."

Joan Lowell, authoress, recommended to producers the Latin-American countries and their native stories and legends as fresh sources of material for films.

C. C. Pettijohn, M.P.P.D.A. aide, observed that after the admonitions of the foreign visitors, "Americans will be the only ones machine-gunned in films from now on."

Electrics Defended In Wilmington Suit

WILMINGTON, May 21.—Two of Erpi's vice-presidents, a Fox Film executive, several former employes of Duovac Radio and exhibitors took the stand for the defendants, Erpi, Western Electric and A. T. & T., in the General Talking Picture anti-trust action before the trial recessed late today until next Monday morning.

William J. Kupper of Jackson Heights, New York, who is western sales manager for Fox, testified that his company had made every effort to distribute to every theatre irrespective of the type or make of equipment.

Herbert M. Wilcox and Harry G. Knox, Erpi vice-presidents, testified briefly.

Exhibitors to testify were A. Joseph DeFiore, Wilmington, president of the Independent M.P.T.O. of Delaware and Eastern Maryland; Benjamin Shindler, manager of theatres in Wilmington and West Grove, Pa.; Daniel Katlen, Philadelphia; Richard Griffith, Oklahoma City, and George F. Weilland, Germantown, Pa., operating theatres in Atlantic City.

THEY'LL LIKE HIS NERVE!

It took plenty of brass to break his wedding date and leave his fair bride in the lurch at the altar...but thats how the daring young man earned the price of his honeymoon.



It hums with excitement ...as it bubbles with laughter!

The DARING YOUNG MAN

A *FOX* SPRING FESTIVAL HIT





JAMES DUNN
MAE CLARKE
NEIL HAMILTON

Produced by Robert T. Kane
Directed by William A. Seiter

Screen play by William Hurlbut. Additional dialogue by Sam Hellman and Glenn Tryon. From a story by Claude Binyon and Sidney Skolsky.

FOX

306 Asks Extended Rule by IATSE

(*Continued from page* 1)

of whom about 30 appeared to be alone in favoring a return to 306 of its local autonomy. At the meeting were George E. Browne, I. A. T. S. E. president; Harland Holmden, vice-president of the International, who has been in charge of Local 306 since the resignation of Harry Sherman 10 months ago, and Lou Krouse of International headquarters. It is understood that the parent organization was prepared to turn back management of the local to the membership if the meeting had requested it. No meetings have been held during the Holmden regime and Monday's session was called in response to criticism of this and as a result of what was believed to be strong sentiment in favor of a return to local autonomy.

Holmden submitted a 10 months' report showing a balance of more than $100,000 in the local's treasury which, it was said, was empty when the organization was taken over by the I. A. T. S. E.

Holmden criticized the tendency of the members to rush into court with their grievances, declaring that $171,000 had been expended in legal fees during the Sherman regime and $32,000 during the past 10 months.

"There is a big fight ahead to organize New York and we need to keep our organization together," Holmden said.

Independents Fight New Scale

Local independents plan to protest the new operators' wage scale as proposed by Compliance Director Sol A. Rosenblatt at the public hearing in Washington on June 4. Exhibitors claim the new plan is much higher than they can afford.

Century and Springer & Cocalis circuits have contracts with Empire State Union which have three years to run. Under these pacts, the scales are lower than the terms provided in Rosenblatt's plan.

Reports were current last night Rosenblatt has been retained by the I. A. T. S. E., starting June 16 when he leaves the NRA.

WASHINGTON, May 21.—Compliance Director Sol A. Rosenblatt today denied reports he had been retained by the I.A.T.S.E.

Harris Renamed as Variety Clubs Head

PITTSBURGH, May 21.—John H. Harris, founder of the Variety Club, was re-elected chief barker at the annual convention of the Variety Clubs of America held here over the week-end. James G. Balmer, also of Pittsburgh, was named treasurer for another year and the new first and second assistant chief barkers will be Duke Clark of Columbus and John Maloney of Pittsburgh.

It was voted to hold the next convention in Columbus in April, 1936, and Omaha and Des Moines were granted charters, running the total number of tents to 16.

Canvasmen for 1935-36 will be Allan Moritz, Cincinnati; Earl Sweigert, Philadelphia; Eddie Rubin, Minneapolis; J. E. Kirschner, Detroit; Louis Rome, Washington, and Mark Wolf, Indianapolis.

Hicks Pleased by European Business

(*Continued from page* 1)

the first annual international sales meet with Fred W. Lange, Continental European general manager. The three-day session was held in Paris with about 125 in attendance. George Weltner, assistant to Hicks, also returned on the *Majestic*.

Hicks announced at the convention that 62 English features would be released abroad in addition to eight to 12 French-made films. Eight of the French films have been completed, having been made by outside producers at the Joinville studios. The 62 figure does not necessarily mean that this number will be released in America next season, since some of the films announced are lapovers from the current season. Shorts were not taken up.

No changes in personnel were made, Hicks added, and no new theatres are contemplated, he said. He will make a report on the foreign meet at the company's annual sales meet at the Waldorf June 13-16. While abroad, Hicks and Weltner visited London, Paris, Berlin, Czechoslovakia, Hungary and Austria.

Appeals Committee Hears Century-RKO

Because of the split decision by the New York clearance and zoning board, an appeal committee comprising Paul Burger of U. A., Nathan Vinegrad, independent exhibitor, and William Jaffee, Columbia attorney and chairman, yesterday heard the RKO appeal of the Far Rockaway situation in the Century-RKO dispute in Long Island.

Another meeting will be held this afternoon to listen to additional testimony and arguments in the Century appeal on the Jamaica portion of the decision. Louis Nizer and John O'Connor represented RKO yesterday while Mitchell Klupt and Tom Murray represented Century.

The session this afternoon will not interfere with the golf game being sponsored by Campi at the Lakeville Country Club, Great Neck, L. I.

No Decision Made On Giveaways Here

(*Continued from page* 1)

tion for stopping the various forms of reduced admissions.

As a result, the meeting was adjourned after two hours until Friday, during which time each member of the board will formulate an opinion for curtailing the practices. The various opinions will be merged into one agreement which will be adopted Friday.

Determination of the interference of lease complaint filed by Leon Rosenblatt of the Maplewood, Maplewood, N. J., against M. G. Felder also was delayed until Friday.

Members of the board are George F. Thompson, impartial man and chairman; Myron Sattler, Paramount; John O'Connor, RKO; Louis Geller, independent exhibitor; Jack Bellman, Hollywood Exchange.

Roxy Beats Coliseum

The Roxy nine yesterday beat the Coliseum baseball team, 16 to 7.

Wall Street

Most Gain on Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	62½	61¼	61¼	— ¼
Consolidated	4	3⅞	3⅞	— ⅛
Cons, pfd (1¼v).	15⅝	15½	15⅝	.....
Eastman	142	141½	142	+1
Eastman, pfd	152	152	152	—1
Fox "A"	14¾	14¼	14⅜	— ⅛
Loew's	41⅜	39⅞	41⅜	+1¼
Loew's, pfd	106¾	106½	106½	.....
Paramount	3⅝	3⅜	3½	+ ⅛
Pathe	⅞	¾	¾	.....
Pathe "A"	10	9⅝	9⅝	— ½
RKO	2¼	2⅛	2¼	+ ⅛
Warner	4⅛	4	4	+ ⅛
Warner, pfd	26½	24½	25½	+1

Technicolor Up ⅛ on Curb

	High	Low	Close	Net Change
Technicolor	21	20	20	+ ⅛
Trans-Lux (.10K)	2⅜	2⅜	2⅜	— ⅛

Keith Bonds Gain

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	12⅞	12½	12½	— ⅛
Keith B. F. 6s '46	78	77¾	78	+1⅜
Loew's 6s '41 ww deb rights..	104⅜	104⅜	104⅜	.....
Paramount B'way 5½s '51	55⅛	55⅛	55⅛	+ ⅛
Paramount F. L. 6s '47	89⅛	89⅛	89⅛	+ ⅛
Paramount Publix 5½s '50	90½	90⅜	90½	.....
Warner Bros. 6s '39 wd	66¾	65½	66	+ ¾

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 21)

Warner, Einfeld Off For L. A. Sales Meet

Albert L. Warner and S. Charles Einfeld, advertising and publicity chief, leave today for the coast to be on hand for the start of the Warner sales convention in Los Angeles on June 9. It will continue through the 13th.

Preliminary arrangements have been practically completed by Hal B. Wallis, associate executive in charge of production during the absence of Jack L. Warner in Europe. The New York contingent will leave on June 5 for St. Louis where it will connect with a special train for the coast. Harry M. Warner will also go along.

Marion Davies, who is president of Cosmopolitan Prod., will be official hostess for the studio entertainment, and a reception committee will include all the company's stars. An automobile will be presented to the salesman who has made the best record during the year.

A. W. Smith, Jr., eastern and Canadian sales manager, and Gradwell L. Sears, western and southern sales manager, will have charge of the convention.

Al Schwalberg and G. R. Keyser of the home office staff leave for the coast May 29.

Milder Sailing for U. S.

LONDON, May 21.—Max Milder, managing director of Warners in England, and Dave Griffiths, managing director of First National in England, sail tomorrow on the *Berengaria* for New York, where they will remain for about four days before heading for Hollywood and the sales convention.

Jack L. Warner has passage booked on the same boat, but may switch to the *Normandie*, which sails later.

Columbia Asks Curb Listing For Stock

(*Continued from page* 1)

Ltd., Columbia Pictures of Louisiana, and Columbia Pictures Distributing Co.; 50 per cent interest in Screen Gems, Inc., and wholly-owned subsidiaries to operate in England, France, Germany, Mexico, Cuba, Denmark, Sweden, China, India, Argentina, Brazil, Chile and Colombia.

The stock structure consists of an authorization for 300,000 shares of no par common, of which 177,933 shares are outstanding with a liability of $2,219,294, and 25,000 shares of $3 cumulative preference stock, of which 17,261 shares are outstanding with a liability of $517,830.

Holders of 10 per cent, or more, of any class of stock were shown to be: Harry Cohn, A. H. Giannini and Jack Cohn, voting trustees; 169,856 shares of common, or 95.46 per cent; Harry Cohn, voting trust certificates for 47,632 shares, or 28.04 per cent, and Jack Cohn, voting trust certificates for 25,078 shares, or 14.76 per cent.

Officers of the company holding stock, including Harry Cohn, A. H. Giannini and Jack Cohn as voting trustees with 169,856 shares of common, are: Harry Cohn, president, 51,301 voting trust certificates and 995 shares of common; Jack Cohn, vice-president, 995 voting trust certificates and 314 shares of common; Nathan Burkan, director, 25 shares of common, and S. J. Briskin, assistant secretary, two voting trust certificates.

Shalit Heads a Col. Division

DETROIT, May 21.—Carl H. Shalit, Columbia's local branch manager, has been made manager of the newly created sales division, which includes his territory, by Abe Montague, general sales manager.

Say Col. May Pick Chicago

CHICAGO, May 21.—Columbia is understood considering holding its convention here the end of next month. It is said the three-day meet will start June 27.

No official date or place has been set for the Columbia convention, it was stated here yesterday.

British-1st Division Deal Is Abandoned

(*Continued from page* 1)

abandoned without an agreement being reached, it was learned yesterday.

The deal would have involved distribution here by First Division of Anglo-American product in return for British and European distribution of First Division pictures by Anglo-American. It is understood that abandonment of the negotiations has revived First Division interest in a similar reciprocal distribution deal with Associated British Film Distributors which was originally discussed in March during the visit here of Reginald Baker of the British firm.

A meeting of the First Division board, scheduled for tomorrow, will probably be postponed a second time. Indications are, however, that Amos Hiatt will be continued as treasurer.

HOLLYWOOD, May 21.—Henry Hobart is enroute to New York for conferences with Nicholas M. Ludington and William M. Fiske, 3rd, of First Division.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Allied Will Seek Hays' Aid to End "Aggressions"

Para. Election Going Over to Late in June

Conferences Required on Makeup of New Board

Election of officers of reorganized Paramount may not take place until mid-June or later, it was indicated yesterday following a meeting of the present Paramount board and creditor representatives.

The election of officers, it was pointed out, would be preceded by conferences on the subject by the new board, which will be formally installed on June 3. The election, according to present plans, would be held at the first meeting of the board thereafter, and because of the necessity for the intervening conferences and present uncertainty concerning their duration, no date has yet been set for the meeting next following the June 3 installation. It is regarded as unlikely, however, that it would be held prior to June 12.

Yesterday's board meeting approved final changes in the new Paramount

(*Continued on page* 8)

Extension Planned On Para. Theatres

Agreements extending for three months all Paramount theatre operating contracts which expire June 27 have been prepared by the Paramount Publix trustees and are being submitted to the operating partners for their signatures, it was stated by a spokesman for the trustees yesterday.

The extensions are being made in order to provide time in which the new Paramount management, which will not be definitely constituted until the

(*Continued on page* 8)

Predict a Roxy Net Of About $150,000

Net profits of the Roxy for the year ending June 15, after taxes, charges for improvements and interest on receivership certificates, are expected to approximate $150,000, it is stated. June 15 also marks the first year Howard S. Cullman has been

(*Continued on page* 8)

Dent Deal for Astor Called Off, He Says

Arthur Dent, vice-president and general manager of British International Pictures, stated yesterday that his plans to take over the Astor for

(*Continued on page* 6)

British Agree to Comply With Production Code Here

An agreement to aim for full compliance with the American Production Code on British pictures intended for distribution here was reached in London as a result of conversations carried on between Martin Quigley and Carl E. Milliken and representatives of the film section of the Federation of British Industries.

British producers hail the exchange of views as a means of developing trade relations between the two countries.

One concrete proposal resulting from the talks is a suggestion from Charles Tennyson, chairman of the F.B.I. film group, to Will H. Hays that a New York branch of the Production Code Administration be set up to facilitate the handling of British scripts and pictures submitted to it for criticisms and suggestions. This would eliminate delays that would be caused by shipment to the coast.

For some time American scripts have been submitted in advance of production to the British Board of Film Censors in London.

The conferences were held as a result of a request from F.B.I. representatives to Will H. Hays, so that British producers could obtain a clear understanding of production standards required in this country. Hays was unable to make the trip and so asked Quigley to represent him. Milliken was assigned to attend the conferences as secretary of the M.P.P.D.A. Both returned to New York Tuesday afternoon on the *Majestic*.

Results of the proceedings are summarized in a letter from Tennyson to Hays.

After expressing appreciation for the way in which the Production Code Administration had been "carefully and meticulously" explained to his group, Tennyson says that "the principles animating both systems (English and American) are identical, and that both are founded upon the necessity of avoiding in motion pictures any element calculated to debase public morals, but the methods of achieving these ends differ slightly in the two countries."

He points out that American producers have found it desirable and useful to present their scripts to British

(*Continued on page* 6)

Gaumont Meet Here To Draw About 100

About 100 home office men, branch managers and salesmen are expected to attend the first annual sales convention of Gaumont British set for the Hotel Warwick May 27, 28 and 29, according to George W. Weeks, general sales manager.

Home office personnel scheduled to attend includes Arthur A. Lee, vice-president; C. M. White, assistant

(*Continued on page* 6)

Denies Hearst Reel Will Go to Warners

Reports current for some time that Hearst Metrotone News would switch from M-G-M release to Warners starting the first of next year were denied yesterday by Edgar B. Hatrick,

(*Continued on page* 6)

Laboratories Lead SMPE Discussions

HOLLYWOOD, May 22.—Laboratory problems held the attention of the Society of M. P. Engineers at its convention here today, with Emery Huse, executive vice-president of the society, presiding.

"A Dynamic Check on the Processing of Film for Sound Records" was the topic of F. G. Albin of United Artists, while Lynn Dunn of the RKO

(*Continued on page* 6)

Mexican Producers Hit by Tax Demand

By JAMES LOCKHART

MEXICO CITY, May 22.—Mexican producers and distributors have been hard hit by the insistence of the Minister of Finance that they pay an im-

(*Continued on page* 6)

Agrees on Committee to Confer; May Appeal To Justice Dept.

By RED KANN

ATLANTA, May 22.—Allied today unanimously voted to send a committee to New York to demand from Will Hays and the "powers that be" that distributor "aggressions" in the theatre field end and justice be meted out to injured exhibitors. If such effort comes a cropper it was determined to dump the issue in the lap of the Department of Justice for possible prosecution under the anti-trust laws.

It was Al Steffes, second president of Allied and for years its fire eater, who stepped from almost complete retirement in Allied affairs long enough to whoop it up as of yore and swing the convention to this decision. Once he got going his pyrotechnics stirred other delegates from their lethargy and paved the way toward unfoldment of stories from other exhibitors who charged distributor tactics were crowding them out of business.

Steffes built his fireworks around the address made Tuesday by Col. H. A. Cole of Texas, who had charged affiliated circuits with an organized attempt to either force independents out of business or compel them to pay tribute to what he envisioned as a potential national booking combine.

"This is a lousy convention," was Steffes' opening bon mot. "I've been here two days and what has been accomplished? This is no reflection on the national officers. They are here to

(*Continued on page* 4)

Try Code Test in Loew Chicago Row

CHICAGO, May 22.—Exhibitors here are turning to the code in their fight to prevent Loew's from making good its threat to invade Chicago.

Essaness has filed a complaint with the local grievance board under those provisions of the code which forbid

(*Continued on page* 8)

Frisco Houses Hit In Bank Night Suit

SAN FRANCISCO, May 22.—A $25,000 infringement suit will be filed Thursday against approximately 100 theatres here on behalf of Affiliated Enterprises, Inc., which owns and

(*Continued on page* 8)

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Schwalbe's Funeral Will Be Held Today

PHILADELPHIA, May 22.—Funeral services will be held here Thursday for Harry Schwalbe from his home, 27 City Line, Bala. Schwalbe, who was 60, died Monday at Atlantic City.

Columbia Club Elects

HOLLYWOOD, May 22.—Officers of the Columbia Club have been elected for the coming year at the studio. Those chosen are: Irving Briskin, president; G. P. Sully, first vice-president; Grace McKee, second vice-president; R. J. Ashbire, treasurer; Francis Kaufman, secretary; T. C. Pontier, assistant treasurer, and Marguerite Cohen, assistant secretary.

Zanuck Returns Home

HOLLYWOOD, May 22.—Darryl F. Zanuck, production head of 20th Century, returns here tomorrow from a three weeks' hunting trip in Alaska. He is scheduled to start production early next month on "Sing, Governor, Sing."

Rosenblatt Talk Denied

CHICAGO, May 22.—George Browne, president of the I.A.T.S.E., today denied reports in New York that Compliance Director Sol A. Rosenblatt had been retained by the international.

B. F. Keith Meet Routine

Directors of B. F. Keith Corp. yesterday held a routine meeting. Policy and other theatre operation details were discussed.

Purely Personal

JOE PENNER says he will leave for the coast either July 3 or July 4, to begin work on the second Paramount film, "Collegiate," under his two-picture contract. He goes off the air on June 30 and intends to return to radio broadcasting after the film is completed.

•

RUTGERS NEILSON now has his own private baseball game every afternoon when the Music Hall and Radio squads practice on the roof under his window. It takes nothing short of a home run to make Neilson turn to the window, however.

•

ED FINNEY is acquiring that summer tan a bit early this year. That explains his continual turning around in the sun. His own version is "he wants to be toasted even on all sides."

Quip of the Day

George Brent, waxing familiar, asked an extra girl on a Warner set:

"How are you today, Miss Barrymore""

"Very well—and you, Mr. Chatterton?", was her equally sugary rejoinder.

EDWARD GOULDING helping GRETA NISSEN feed her pet rabbit in all the popular night spots. GOULDING is official custodian of the bunny's lettuce.

•

CHARLES KOERNER, RKO Boston district head, arrived in town yesterday to practice up on his golf for the company tournament today at the Fenimore Country Club.

•

WILLIAM GAXTON is suffering from a stomach ailment and even has a doctor around while he does his part in "Anything Goes" every night.

•

DEPUTY ADMINISTRATOR WILLIAM P. FARNSWORTH came in from Washington yesterday to attend the legitimate theatre code authority meeting.

•

HELEN O'TOOLE, New York secretary of M.P.T.O.A., is recovering from an appendicitis operation at Mercy Hospital, Wilkes-Barre, Pa.

•

WILL H. HAYS, FREDERICK HERRON and PHIL REISMAN spotted dining at the Cloud Club yesterday noon with ARTHUR DENT of B. I. P.

•

SAM and JAKE FLAX, Washington Republic franchise holders, and HERMAN RIFKIN of Boston, were in town yesterday.

•

FELIX A. JENKINS, general counsel at Fox, will take in the convention at Chicago the end of the month.

•

HERB BERG busy organizing fishing trips to Sheepshead Bay and thinking about getting his own boat.

•

JOHNNY CONSENTINO, special representative for Spectrum Pictures, has left on a tour of the mid-western territory.

•

TIM McCOY is around town attracting attention with his 10 gallon hat and high heel boots.

•

WILLIAM A. SCULLY returns from a trip of M-G-M exchanges under his supervision tomorrow.

•

JOSEPH SEIDELMAN, Columbia foreign head, flew in from Hollywood yesterday.

•

HARRY H. THOMAS is in Atlanta. He's taking in the Allied convention while attending to First Division business.

•

IRWIN ZELTNER of Loew's is all in a dither. The reason: His son Edgar celebrates his first birthday today.

•

JOSEPH SCHENCK joining brother NICHOLAS and party daily at the latter's box at Belmont Park.

•

PAUL BENJAMIN has his right arm in a sling and he's off bowling for a while.

•

DAVID LOEW returned to his desk yesterday after being out one day with a bad cold.

•

A. C. BLUMENTHAL admiring the automobile salons on 57th St.

•

ED KUYKENDALL is due in town today for a Campi meeting.

•

DON DAVIS and ARMIDA headline the Roxy stage show starting today.

•

RUTH CHATTERTON plans to leave for the coast tomorrow.

•

JAY EMANUEL was in from Philadelphia yesterday.

•

SAM DECKER, independent exchange man in Detroit, is in town.

Wall Street

Trading Irregular on Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	61	58½	59⅝	—1⅝
Cons., pfd (1¼v)	15⅝	15⅜	15⅜	— ¼
Eastman	143¾	142½	143¾	+1¾
Fox Film "A"	14¼	13¾	14	— ⅜
Loew's, Inc.	41¾	41	41½	+ ⅜
Loew's, Inc., pfd	106¾	106¾	106¾	+ ¼
M-G-M, pfd	27½	27½	27½	+ ⅛
Paramount Publix	3⅝	3⅜	3½	.....
Pathe "A"	10	10	10	+ ⅜
RKO	2¼	2⅛	2⅛	— ⅛
Warner Bros.	4	3⅞	4	.....
Warner, pfd	25¾	24⅝	24⅝	— ⅞

Technicolor Off On Curb

	High	Low	Close	Net Change
Technicolor	20¾	19½	19½	— ½
Trans-Lux (.10K)	2⅜	2⅜	2⅜	.....

Paramount F. L. Bonds Gain ⅝

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	12¼	12	12	— ½
Keith, B. F. 6s '46	78	78	78	.....
Loew's 6s '41 ww deb rights	104⅜	104⅜	104⅜	.....
Paramount B'way 5½s '51	55	55	55	— ⅜
Paramount F. L. 6s '47	90	89¼	89¾	+ ⅝
Paramount Publix 5½s '50	91½	90¾	91¼	+ ¾
RKO 6s '41 pp	40	40	40	.....
Warner Bros. 6s '39 wd	66⅜	64½	64½	—1½

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 22)

Wing Quits Hospital Today; Wallace Out

KANSAS CITY, May 22.—Paul Wing, Paramount studio executive injured in the plane crash May 6 in Macon County, Mo., plans to leave Thursday for Hollywood accompanied by Toby Wing, actress, who is his daughter, and Mrs. Wing. He was among the most seriously injured.

C. G. (Pat) Drew, electrician with the original "Annapolis Farewell" unit, while improved, will remain in Samaritan Hospital at Macon for some time, according to physicians, but may be transported to the coast shortly if his condition continues to show progress. Drew suffered a badly mangled leg and it was believed amputation would be necessary, but staff doctors have been able to save it.

Richard Wallace, director, and Henry Sharpe, cameraman, have left the hospital for Hollywood by rail. Mrs. Wallace, John Miljan and a nurse were in the party.

Arthur H. Cole of the Paramount exchange in Kansas City, who has been in Macon looking after the interests of the injured since the wreck, has returned here.

Jubilee Film Gets New Title in U. S.

Following criticism on the point of fair practice of the British International picture, "Royal Cavalcade," this subject has been renamed "Jubilee Cavalcade" for the American market, according to Arthur Dent who is now in New York seeking releasing arrangements for a group of six B.I.P. pictures.

The picture, a collection of newsreel shots, when released in England under the title "Royal Cavalcade" was confused with the Noel Coward play, "Cavalcade," a reissue of which has been announced in the British market. The B.I.P. picture continues to be shown in England under the title of "Royal Cavalcade."

Elson Confers at RKO

William Elson, operating the President and 7th St. in Minneapolis, yesterday left for home after conferring with E. A. Reoch, head of the RKO real estate department. Elson operates the two Minneapolis houses under a percentage of profits arrangement with RKO and is understood to be angling for additional theatres. He would not comment yesterday on future acquisitions, stating that business is only fair. Elson arrived Monday.

Sarah Siegel Gets Post

Helen Ferguson has appointed Sarah Siegel her local representative to handle all eastern business of her publicity office located in Hollywood. Miss Siegel succeeds Lynde Denig, who is leaving to recuperate from a recent illness.

Miss Ferguson is now en route back to Hollywood after spending the past month here on business.

M-G-M Releases Durante

HOLLYWOOD, May 22.—M-G-M has released Jimmy Durante from his long-term contract.

$22,500 for 'Miserables'

The fourth week of "Les Miserables" at the Rivoli garnered approximately $22,500.



THE PICTURE OF THE WEEK

Having proved its outstanding drawing power by a pre-release opening in San Francisco to business 25% over record-breaking "G-Men" figures, **"IN CALIENTE"**, advertised as 'Warner Bros.' musical heat wave', joins the imposing list of that company's current successes. Its pre-eminence among the week's releases can be credited largely to the expert efforts of Pat O'Brien, Dolores Del Rio, Leo Carillo, Edward Everett Horton, Glenda Farrell, the De Marcos, Busby Berkeley's girls, and Director Lloyd Bacon. A First National Picture. Released May 25th.

Allied to Ask Hays to Stop "Aggressions"

(*Continued from page* 1)

follow your wishes. Yesterday Mayor Key spoke about weak-kneed politicians. Today I am positive he meant weak-kneed exhibitors. Your committee will pass a lot of resolutions and they won't mean a thing.

"We spent lots of money to come here and all you've heard is how big the national organization is. Why waste time running around after more members? We have enough. Yesterday you heard the pitiful statement made by Colonel Cole. Are you going to stand for that kind of treatment handed out to one of your pioneer organizers and a man who has worked for exhibitor interests for the past 20 years? May be we're getting too old. I know this, however, if Allied is not ready to go places today and not one or two years from now, there won't be any Allied.

"Trying to Pull Us Apart"

"Hays or someone—I don't know who— is trying to pull us apart. Where I come from it's an honor and a pleasure to be known as a Bolshevik and a Red. The day of conservatism, in this industry at least, is over. When exhibitors call a cop they are destructionists, but producers and distributors aren't afraid to. I guess you have noticed that.

"I declare now that unless this organization can do something for Cole I'll never pay another dime in dues because it won't be worth it. Let's yell our way clear into New York and demand Cole be allowed to stay in business. Let's get the hell out of Atlanta and demand a real break for him.

"The big companies think they are out of bankruptcy now and are beginning to try their ruthless methods all over again. Let's see if we have any strength. Let's call on Hays. I haven't spoken more than one or two words to the colonel, and I don't know whether he is lying or telling the truth. I don't care about that. It's enough for me that an Allied director is in trouble."

Steffes Starts Something

Steffes fired the convention into action. In quick order Fred Herrington, representing the M.P.T.O. of Western Pennsylvania; Cole himself; Abe Kramer, Cleveland exhibitor; Henry G. Sparks, Cooper, Tex., theatre owner; Rubin Frels. who operates houses in Victoria, Tex.; Mrs. F. L. Liggett, theatre owner in McRae, Ga.; W. Stopplemann and Morris Wax of the I.E.P.A. of Eastern Pennsylvania, advanced to the microphone which boomed the proceedings across the convention hall.

Herrington, long an Allied supporter, declared Steffes hadn't gone far enough. He endorsed Steffes' stand, made a plea for financial support of Allied "not because you have to but because you want to" and finished off with the statement Uncle Sam and Will Hays had merged in an effort to put independents out of the running.

Cole spoke briefly, confining his remarks to the history of a case before the Dallas grievance board, which, despite the presence on it of a member who was a partner of Publix, had voted him a supply of pictures, only for him to discover later that Campi in New York reversed the decision.

Kramer sounded off on a keynote of legislation in every state as well as in Washington for a tax on chains in what he thought would be a means of halting their expansion. Frels narrated briefly his tussle with the Jefferson Amusement Co. at Victoria, telling how the circuit built two theatres in opposition as part of his charge that Jefferson was seeking to drive him out of business. Jefferson built in four other towns in which he operated, added Frels, and this year had again brought 330 pictures, thereby making his own operation impossible.

Hinting at a development which he promised to divulge Thursday, this exhibitor charged the story of the Tuesday convention in the *Atlanta Constitution* made it apparent Allied had to develop its own method of getting word of its activities to the public. Whether or not he was referring indirectly to talk, closely held, that the organization planned a revival of *Allied Exhibitor,* its own defunct house organ, was not apparent.

Tells of Her Troubles

Mrs. Liggett told of her difficulties in small Georgia towns. Referring to "persecution" and "intimidation," she charged a "Fox salesman" had undermined her small circuit and in 1931 had succeeded in leasing her Community Theatre, Hawkinsville, followed two years later by the lease of her Eastman Theatre at Eastman by the same individual.

Distributors knew of this activity, she asserted. On threat he would not play Metro in his theatres, this individual was responsible for her losing that line of product, she continued. A way out was offered when she took the case to the grievance board which determined she might have 34 pictures sought by this man, if she met the terms and conditions under which he had originally contracted for them.

As a result of this "campaign," Mrs. Liggett charged, she could not get pictures younger than eight months, while many are as old as 18 months.

Last year, she averred, the same operator entered McRae with opposition to her National.

"I am not asking for anything, but merely hoping conditions will improve," she concluded.

Later, upon request, she named the Fox salesman as J. H. Thompson, who, she said, now was operating the Princess circuit under the corporate entity of All Amusements, Inc., with headquarters in Hawkinsville.

Proves a Comedian

Stopplemann proved more of a comedian than he counted. In a Texas drawl this Silbee Theatre owner took a flying jump at the Copyright Protection "Burdoo," as he called it, and excoriated it for attempting to collect on a holdover which he said was his by virtue of a verbal agreement with an exchange which he did not name.

In his serious moments Stopplemann inquired what would happen if a committee to wait on Hays failed to get results. While he may not have realized it, he sounded a note which later influenced Samuelson to instruct the committee first to confer with Abram F. Myers on procedure, if conciliation should fail.

Stopplemann's anecdotes and his manner of speech provided the day's chief amusement. He made a hit. By this time Steffes' stand called for action.

Herrington offered the motion for appointment of a committee which John Pillar, South Dakota, immediately seconded. The motion was passed without a dissenting vote, whereupon Samuelson named Steffes as chairman, with these three running mates—James C. Ritter, Michigan; Herrington; Aaron Saperstein, Illinois; N. H. Waters, Alabama; Henry Frieder, Hudson, N. Y.

Tonight the Allied president said he might add to the committee, with a definite decision on this point left hanging. Earlier, and as a contributing factor to Steffes' subsequent invectives, Saperstein told of the M-G-M Chicago situation, details of which he glossed over. He cited the Granata bill and drew the attention of the conventioneers to the fact its text had been published in Tuesday's MOTION PICTURE DAILY.

Wants Action Nationwide

"I hope the decision will be made to introduce a similar bill in every state and in Washington before the convention closes," he said in conclusion.

Other speakers included W. A. Sirmon, associate state director of FHA, who outlined the function of this Federal act and explained that a number of Georgia exhibitors already had taken advantage of it.

RCA Photophone staged a lengthy exhibit of its latest sound equipment under the direction of Charles Herbst, who was preceded and introduced by L. B. Morris, vice-president and general counsel of the RCA Manufacturing Co. Morris threw plenty of bouquets at Allied and all along the line thanked it for its cooperation.

Late tonight, and following a Negro show staged at the Bethel Church, various committees named by Samuelson during the session were meeting and framing resolutions for presentation to the convention at the final Thursday session. These committees and their personnel follow:

Code and the NRA—Col. H. A. Cole, Texas; M. B. Horwitz, Cleveland; L. Neuberry, New Jersey; C. Wilson, Troy; Bob Higgins, Grove City, Pa.; I. A. Roth, Morristown, N. J.; Frank Roach, Tennessee, and Fletcher Thornton.

Loew Chicago Situation—H. M. Ritchey, Detroit; Morris Wax, Philadelphia; Harry Hecht, Passaic; Benny Berger, Minneapolis; L. Bach, Atlanta; M. M. Osman, Covington, Ga., and Nate Ginsberg, Alabama.

Committee on Political Activities—S. S. Stevenson and Frank Lydon.

Anti-Compulsory Block Booking—Walter B. Littlefield, Boston; Roy Branch, Michigan; Nate Wolf, Illinois; Ike Katz, Atlanta; John Pillar, North Dakota; H. Fried, Pennsylvania; H. C. Sales, Florida; M. Batterson, Pittsburgh, and C. W. Neth, North Carolina.

Distributors' Sales Policies—Aaron Saperstein, Chicago; Sam Borisky, Tennessee; Fred McWilliams, Wisconsin; Glen Dickinson, Kansas City; Al. Yeomans, Mississippi; Henry Lazarus, New Orleans; W. G. Browning, Georgia; Charles Olive, Washington, D. C.; Henry Greenberger, Ohio, and David Barrist, Philadelphia.

Non-Theatricals—H. M. Ritchey, Detroit; C. E. Herman, Pennsylvania; F. Weiss, Savannah; Columbus Stamper, Pennsylvania; A. Kramer, Ohio; Richard Rubin, Saugus, Mass.; J. Gardner, New York, and C. L. Strozier, North Carolina.

Individual Grievances—Burt McWilliams, Wisconsin; R. Wilkins, New Jersey; Fred Harrington, Pennsylvania; F. Snyder, Michigan; Hascom Block, New Jersey; Rubin Frels, Texas, and Paul Scott.

Miscellaneous Resolutions—Martin Smith, Ohio; Herman Blum, Baltimore; C. W. Moss, Pennsylvania; Arthur Howard, Boston; W. J. Ray, Florida; Oscar Neufeld, Philadelphia; C. Walter, Florida, and James Ritter, Detroit.

Gaumont British gave a preview of "Loves of a Dictator" at the Rialto, after which the usual round of what might be termed "private conferencing" was resumed with vigor.

30 States There

Atlanta, May 22.—Conventioneers today greeted with applause the statement by President Sidney Samuelson that 30 states are represented here by delegates, not by proxy. Declaring this to be the greatest convention Allied has held in its history, he listed these affiliated states:

Alabama, Arkansas, California, District of Columbia, Florida, Georgia, Illinois, Kansas, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont and Wisconsin.

"It's quite a parade," remarked Samuelson, with obvious pride.

Wax Asserts M-G-M Wants Compromise

ATLANTA, May 22.—M-G-M realizes it cannot have its own way in Chicago but does not dare to admit defeat in its efforts to sell Windy City independents preferred playing time and percentage and therefore is willing to compromise, Morris Wax of the I.E.P.A., Allied affiliate in eastern Pennsylvania, told the Allied convention today. He said that Robert Lynch, M-G-M's Philadelphia manager, made these statements to him conversationally. Lynch has been handling negotiations for new theatres which his company has declared it will build in Chicago. Wax further declared Lynch told him M-G-M, while willing to compromise, was fearful of such a procedure because of the effect this might have on its sales policies in other territories.

Declaring that if M-G-M proceeds with its theatre invasion of Chicago the issue then would become national, Wax admonished the convention to pass resolutions urging all its units to condemn M-G-M for its stand.

Robert Lynch was en route from Chicago to Philadelphia last night and could not be reached for comment.

Ohio to Close Session with Tax Uncertain

COLUMBUS, May 22.—The General Assembly, which officially recessed for one week late Friday, has considered more bills affecting the picture industry than any previous session on record. The solons will reconvene for one day, or possibly two, Thursday, and then adjourn sine die.

The recently enacted bill increasing censorship fees from $1 to $3 per reel, which becomes effective July 16, will include newsreels, according to B. O. Skinner, censor board head. Newsreels have been exempt from censorship for the past 18 months.

Governor Davey, however, has indicated that he expects to call a special session in the fall to formulate additional tax programs to finance the $7,000,000 required for old-age pensions for the last half of this year, unless, by some miracle, a solution is found when the legislators get back on the job this week.

During the current session, a bill prohibiting designated playdates was passed, and, although declared unconstitutional by Attorney General John W. Bricker, it becomes a law July 6. Another bill passed raises censorship fees from $1 to $3 per 1,000-foot reel or fraction thereof. A bill banning endurance contests lasting longer than 12 hours was passed.

A bill to tax billboards and a state income tax bill still are on the legislative calendar awaiting action.

Bills defeated include restoration of the 10 per cent admission tax, legalizing of pari-mutuel betting on dog races and a proposed constitutional amendment legalizing state lotteries.

Just what is ahead of exhibitors in the way of taxation is anybody's guess.

Neb. Chain Levy Is Cut

LINCOLN, May 22.—The chain store bill being fought in the Conference Committee of the Nebraska Legislature today had some of its proposed levying power removed when the $3 for one up to $175 for more than 20 units was cut to $3 for one to $100 for five or more. The bill, one of the most bitterly fought in this session, takes in theatres.

Mass. to Have Race Vote

BOSTON, May 22.—Governor Curley has signed a bill providing for a statewide referendum in 1936 on pari-mutuel dog racing in Massachusetts. The bill calls for local option and is a compromise victory for the M.P.T.O.A. Dog tracks will operate this year and next in accordance with a referendum passed last year, although court action continues to block several projects.

Cal. Lottery Bill Defeated

SACRAMENTO, May 22.—The studio-backed lottery bill has been defeated by the Assembly.

Open Columbia House

COLUMBIA, Mo., May 22.—Commonwealth circuit's Uptown opened with film and theatre men from Kansas City and St. Louis in attendance. C. A. Schultz, circuit head, was host at a midnight party at the Tiger Hotel following the show.

Addenda from Atlanta

ATLANTA, May 22.—Everyone has troubles and it matters not what the exhibitors' affiliation—M. P. T. O. A. or Allied—may be.

* * *

There is, for instance, Moe Horwitz, always a stormy petrel among Cleveland's independents. He's mystified and not unworried because his Saturday business is off. On the accepted week's unit of 10 points—three for Sunday, two for Saturday and one each for the remaining five days—Moe says he's doing only 80 per cent of the anticipated Saturday gross. With matinees for kids included.

* * *

Interesting is the attitude of 400 Pennsylvania independents, as reflected principally by Dave Barrist of Philadelphia, on the Sunday local option law which had its public hearing in Harrisburg on Tuesday.

Barrist, speaking for members of the I. E. P. A. (Eastern Pennsylvania) and the M. P. T. O. (Western Pennsylvania) says these men are satisfied without a seven-day operation because they're fearful they won't do as well as with six. Film supply is given by him as another consideration. Yet, Barrist adds, the public is for Sunday shows. Which might make pertinent the service element which presumably figures in each theatreman's operating scheme and why these 400 want to be different.

* * *

Sid Samuelson, accompanied by his wife and his secretary, Sally Fisher, drove from Washington, and saw nothing playing theatres on the way but westerns and action films.

* * *

Harry G. Ballance, Southern district manager for Fox, and Paul Wilson, Atlanta manager, braved the dining room at the Piedmont for lunch, bedecked with Allied badges to boot.

* * *

Reg Wilson, assistant to Gaumont British George Weeks, is here shaking hands and spreading his company's gospel.

* * *

Abram F. Myers, Allied's general counsel, was out of his traveling clothes and into very fancy sports wear in a handful of minutes following his arrival.

* * *

Pete Wood is in, but may have to hop back to Columbus on Ohio tax matters any minute. He drove with his wife, who has been ill and is now in Florida recuperating.

* * *

Mo Wax of the I. E. P. A. has a German camera with a hair-trigger shutter. Between it and Wax's photographic urge, he is snapping everyone within and without range.

* * *

Harry Fried's plaid suit is something. Normally, Harry operates the Wayne at Wayne and the Seville at Bryn Mawr. Both Pennsylvania, of course.

* * *

Exhibitor Stamper has what might be described as an explorative first monicker. It is Columbus and this is no gag. He also has three houses in Philadelphia which are the Great Northern, Tioga and Windsor.

* * *

Nate Yamins will not be here. Which is a cause for disappointment among the conventioneers. Yamins' wife is passing through a critical operation at Fall River, Mass.

* * *

National Screen's delegation rivals and, in many instances, outdistances exhibitor representation for many areas. Herman Robbins, George Dembow, M. Van Praag and Ben Rosenberg pulled in late Monday afternoon. Dispatched earlier were Abe Brin, manager of the Ideal Sound Studio at Hudson Heights, N. J., where NSS does much of its trailer production; Frank Zucker, cameraman; Joe Clemons, his assistant; Edward Johnston, sound engineer, and John Holbrook, the NSS reporter. They have set up a sound studio in Parlor H, where trailers of all who show up will be made as a compliment. It was ditto with the M. P. T. O. A. crowd in New Orleans some weeks back.

* * *

"Snake" Richardson, district manager for First Division, turned out on deck early and cheerful for the handshaking business. Harry Thomas is due in. Almost any minute now.

* * *

Sartorial sights: Oscar Neufeld in blue jacket and white flannels; Sid Samuelson in natty gray; Aaron Saperstein, in blue complete from tie to socks; Pete Wood in something defying quick description, but leaning heavily to the sports side and snappy, too.

* * *

Following "Heaven Bound," play given at the Big Bethel Church, tonight, Gaumont British previewed "Loves of a Dictator" at the Rialto a dozen steps away from the hotel. Wilson and Jim Butner, the latter local manager for G. B., made the arrangement.

* * *

A. Jules Benedic is reporting the lighter side of the sessions via mimeographed bulletin which he calls "Allied Arrows."

Perpetual Motion

Atlanta, May 22.—When the paying public calls the shots and those shots mean dough at the till, that's something.

Herman A. Blum, Allied delegate from Maryland who operates the Little Theatre, Baltimore, is the lucky exhibitor passing through this experience. "Unfinished Symphony" was slated to be pulled after seven weeks. Only the public thought otherwise. And so the run was extended to nine which round out the end of this week.

Blum says he will play to 50,000 admissions by the termination of the engagement. The house seats 285.

Shaw to Be Honored

NEW HAVEN, May 22.—An informal dinner-dance will be tendered Harry F. Shaw, May 27, his first anniversary as division manager here for Loew's Poli New England Theatres. Erle Wright, Abe Mattes and Matt Saunders head the committee on arrangements. One hundred fifty reservations have been received.

"Manhattan," Bernie Smash Denver Hits

DENVER, May 22.—"Romance in Manhattan," with Ben Bernie and his band on the Orpheum stage for four days, just about exhausted the staff. Ropes were up most of the time and the take went to $16,000. Average is $5,500.

"Les Miserables" doubled the normal take at the Aladdin by getting $5,000. There were three holdovers. One of them, "Richelieu," took $2,500 at the Aladdin in three days. This is $1,000 over par for a week. "Bride of Frankenstein" took $3,000 in a four-day holdover at the Paramount, and "Naughty Marietta" had $1,200 in four days.

In spite of all this big business, "G-Men" ran up to $9,000 at the Denver. This tops average by $3,000.

Total first run business was $39,700. Average is $23,500.

Estimated takings for the week ending May 16:

"LES MISERABLES" (U.A.)
ALADDIN — (1,500), 25c-35c-50c-60c, 7 days. **Gross:** $5,000. (Average, $2,500)

"NAUGHTY MARIETTA" (M-G-M)
BROADWAY—(1,500), 25c-40c, 4 days after a good week at both the Broadway and Denver. **Gross:** $1,200.

"RICHELIEU" (U. A.)
BROADWAY—(1,500), 25c-40c, 3 days after two fine weeks at the Aladdin. **Gross:** $2,500. (Average for week, $1,500)

"STOLEN HARMONY" (Para.)
DENHAM — (1,500), 25c-50c, 7 days. **Gross:** $2,000. (Average, $4,000)

"G-MEN" (F.N.)
DENVER—(2,500), 25c-35c-50c, 7 days. Stage show. **Gross:** $9,000. (Average, $6,000)

"ROMANCE IN MANHATTAN" (Radio)
ORPHEUM—(2,600), 25c-35c-55c, 7 days, with Ben Bernie and band for four days. **Gross:** $16,000. (Average, $5,500)

"BRIDE OF FRANKENSTEIN" (Univ.)
PARAMOUNT—(2,000), 25c-35c-50c, 4-day holdover. **Gross:** $3,000.

"THUNDER IN THE EAST" (U.A.)
PARAMOUNT — (2,000), 25c-35c-50c, 3 days. **Gross:** $1,000. (Average, $4,000)

Dual Bill Is Only Grosser in Omaha

OMAHA, May 22.—Even the three remaining first runs failed to get enough business to stir any enthusiasm here last week. "People Will Talk" and "One New York Night," a dual, reached $7,600 at the Orpheum, but this was only $100 over par.

"Cardinal Richelieu" was weak at the Omaha.

Total first run business was $15,600. Average is $16,000.

Estimated takings:

Week Ending May 16:

"PEOPLE WILL TALK" (Para.)
"ONE NEW YORK NIGHT" (M-G-M)
ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $7,600. (Average, $7,500)

Week Ending May 17:

"CARDINAL RICHELIEU" (U.A.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $4,800. (Average, $5,000)

"THE CASE OF THE CURIOUS BRIDE" (F.N.)

"I'LL LOVE YOU ALWAYS" (Col.)
BRANDEIS—(1,200), 25c-35c-40c, 5 days. **Gross:** $3,200. (Average, $3,500)

Selznicks Reach Coast

HOLLYWOOD, May 22.—Myron and David Selznick arrived today.

Laboratories Lead SMPE Discussions

(*Continued from page* 1)

Radio studios spoke on "Optical Printing and Technique." Film processing laboratories in Great Britain were discussed by I. D. Wratten of Kodak, Ltd., of London.

Some of the other papers presented at the session were: "Sensitometric Studies of Processing Conditions for Motion Picture Film," by H. Meyer of Agfa Ansco; "Emulsions for Special Fields in Motion Picture Photography," by W. Leahy of Agfa Ansco; "Non-Uniformity in Photographic Development," by J. Crabtree, Bell Laboratories, New York.

A visit to the Fox Hill studio occupied the conventioneers in the afternoon.

The semi-annual banquet and dance of the society at the Roosevelt tonight brought the day to a close. Among the speakers were Frank Lloyd and Rouben Mamoulian.

Day's Program Listed

Thursday's program follows:

9:30 A.M. Projection and Studio Lighting Session.

Report of the Projection Practice Committee, J. O. Baker, Chairman.

Report of the Projection Screen Brightness Committee, C. Tuttle, Chairman.

"The Relation between Projector Illumination and Screen Size"; D. Lyman, Eastman Kodak.

"The Optical Efficiency of Mirror Guards"; W. B. Rayton, Bausch & Lomb Optical Co., Rochester, N. Y.

"The Photoelectric Cell and Its Use in Sound Motion Pictures"; M. F. Jameson, Bell Telephone Laboratories, Inc., New York.

Report of the Studio Lighting Committee, R. E. Farnham, Chairman.

"The Radiant Energy Delivered on Motion Picture Sets from Carbon Arc Studio Light Sources"; F. T. Bowditch and A. C. Downes, National Carbon Co., Cleveland.

"The Photographic Effectiveness of Carbon Arc Studio Light Sources"; F. T. Bowditch and A. C. Downes, National Carbon.

"Lighting for Technicolor Motion Pictures"; C. W. Handley, National Carbon Co., Los Angeles.

"A New Wide-Range Spot Lamp"; E. C. Richardson, Mole-Richardson, Inc., Hollywood.

"Sources of Direct Current for Non-Rotating High-Intensity Reflecting Arc Lamps"; C. C. Dash, Hertner Electric Co., Cleveland.

2:00 P.M. Sound and Standardization Session.

Interim Reports of Academy Committees on the Release Print and Screen Brightness; G. S. Mitchell, Manager, Research Council, Academy of M. P. Arts and Sciences.

"The Technical Aspects of Recording Music for Motion Pictures"; R. H. Townsend, Fox Film Corp., Hollywood.

"A Device for Automatically Controlling the Balance between Recorded Sounds"; W. A. Mueller, Warner Studio.

"Improvements in Play-Back Disk Recording"; G. M. Best, Warner Studio.

"The Projection Background Process"; F. Jackman, Warner Studio.

2:30 P.M. California Institute of Technology.

A visit to the Institute, under the direction of Dean F. W. Hinrichs, Jr.; inspection of the astronomical, aeronautic, and high-voltage laboratories. Admission by registration card only; buses leave the Hotel for Pasadena promptly at 1:30 P.M.—a beautiful scenic trip.

8:00 P.M. Studio Session

Report of the Sound Committee, P. H. Evans, Chairman.

"Newsreel Standardization"; J. A. Battle, Electrical Research Products, Inc.

"Non-Directional Moving-Coil Microphone"; F. F. Romanow and R. N. Marshall, Bell Telephone Laboratories, Inc., New York.

"Wide-Range Reproduction in Theatres"; J. P. Maxfield and C. Flannagan, Electrical Research Products, Inc.

"Optical Printing of 35-Mm. Sound Records"; G. L. Dimmick, RCA Manufacturing Co., Camden, N. J.

British Agree to Comply With Production Code Here

(*Continued from page* 1)

censors for a number of years, even though this does not insure that a completed picture will be accepted in whole or in part.

The British, he says, want to comply with the American code under a similar arrangement. To avoid delay and expense in doing this, because distribution is centered in New York and production on the coast, he suggests the establishment of a New York branch of the Production Code Administration. This should facilitate the distribution of British pictures in the American market, he says.

"Although it is true that the American code goes into considerably more detailed explanation than do the regulations of the British Board of Censors," Tennyson writes, "it is clear that such detailed explanation cannot in any circumstances be exhaustive and that a very great deal must always depend upon the treatment of individual incidents. Incidents which are not specifically mentioned either in your code or the B.B.F.C. regulations as being objectionable might easily become objectionable if unsuitably treated, while on the other hand incidents which are not mentioned as to be avoided might be unobjectionable if treated in a proper manner. There are also differences in national taste in different countries, an understanding of which it is almost impossible for a foreigner to ascertain except by special reference in each case."

Tennyson expresses the opinion that this would eliminate difficulties which British distributors have recently encountered in this country and "fear they may encounter in the future."

Old Selznick Staff Can Collect Checks

Eight former employes of the old Selznick Distributing Corp. may collect their 1924 salary checks now by applying to the office of Tobias A. Keppler, attorney.

Those whose checks await them are Josephine Gallo, Harry Germanio, Mary Goldberg, Miss G. Hutchins, Bertha H. Magid, Harold J. Sexter, Joseph J. Walters and E. W. Truog.

The Selznick company went into bankruptcy in 1924, yet its affairs only recently reached a stage at which it became evident that while creditors would receive nothing for their claims, former employes of the company would be able to collect something for salaries due them prior to the bankruptcy. Keppler was counsel for a group of about 50 of the former employes who had salary claims at the time of the bankruptcy. He has been able to locate and deliver checks to all but the above named eight.

Administration of the Selznick bankruptcy has outlived two court referees who supervised its affairs. They are the late John J. Little and the late Henry K. Davis. Irwin Kurtz is now referee for the estate.

Dent Deal for Astor Called Off, He Says

(*Continued from page* 1)

Previews is off and that the first six of the 12 pictures he brought over will be shown to specially invited audiences at the Waldorf-Astoria ballroom. "Abdul the Damned" with Nils Asther and Adrienne Ames will be the first picture on the schedule.

After the showings, Dent will negotiate a national distribution deal, following which he is planning to go to the coast for a vacation and to meet old friends.

Rivoli Nine Wins Again

The Rivoli Theatre's baseball team chalked up its fourth consecutive victory by trimming the Orpheum Theatre nine to the tune of 9 to 0. Today they play the Brooklyn Paramount ball team. Among the teams defeated by the Rivoli crew were: Orpheum, Capitol, and Coliseum.

Mexican Producers Hit by Tax Demand

(*Continued from page* 1)

post ranging from six to 13 per cent of gross receipts for last year.

The opposition of the industry has precipitated a situation similar to that which recently brought threats of the withdrawal of American distributors, who agree to liquidate last year's income tax, thereby bringing about a truce pending the government's checking of their books under an agreement with the Minister of Finance.

It is believed that the government has taken its present step against the native producers and distributors to force them to follow the example of American distributors in settling their 1934 income taxes.

It is said along film row that it is expected President Cardenas will legislate in a favorable manner toward all phases of the industry, native as well as American, concerning the July and August collections of taxes, which the government insists upon. These taxes, which will amount to approximately $30,000, have been the cause of latest dispute in film circles.

Wilbur Named Head Of Research Group

Dr. Ray Lyman Wilbur, president of Stanford University and former Secretary of the Interior, has been elected president of the M. P. Research Council, succeeding Mrs. August Belmont, who resigned last June.

Dr. A. Lawrence Lowell, former president of Harvard University, will continue as honorary president and Mrs. James Roosevelt, along with Mrs. Calvin Coolidge, will remain honorary vice-presidents.

Herbert S. Houston, chairman of the council's committee on information, has revealed that the council would transfer its national headquarters from here to San Francisco about June 1.

Wheeler, Woolsey Set

HOLLYWOOD, May 22.—"Rainmakers" has been tentatively chosen as Wheeler and Woolsey's next for Radio.

Gaumont Meet Here To Draw About 100

(*Continued from page* 1)

sales manager; A. P. Waxman, advertising counsel; C. MacGowan, comptroller; Charles Leach, secretary; C. Schwengeler, S. Krugman, J. R. Wilson and H. W. Fitelson. Weeks will preside.

Others expected are:

Albany—M. A. Mekelburg.

Atlanta—J. H. Butner, J. C. Whitlock.

Boston—John Scully, Ben Rogers, Nathan Ross, R. D. Marson, Sam Levine.

Buffalo—George Rosenbaum.

Charlotte—J. S. Carscallen.

Chicago—A. H. Fischer, Max Mazur, Harry Charness, Charles Lundgren.

Cincinnati—Rudolph Knoepfle, Herman L. Booth, Samuel Haber.

Cleveland—Harry Scott, Manning J. Glick, N. H. Gerson.

Dallas—J. L. Franconi, O. O. Flake.

Des Moines—Lee Durham.

Denver—Irving Jacobs, Able Davis.

Detroit—M. Harlan Starr, W. G. Sturgess.

Indianapolis—Fred Wagoner, Don Hammer.

Kansas City—Russell Borg, Rube Melcher, Guy Bradford.

Los Angeles—Paul de Outo, William Winship.

Milwaukee—W. R. Marshall, Sid Schuster.

Minneapolis—Fred Abelson, Robert Abelson, Louis Cohen.

New Haven—Harry D. Noble.

New York—Phil Meyer, Jerry Herzog, Charles Penser, Irving Gumberg, Irving Landes, A. Greenblatt, Sol Kravitz.

Oklahoma City—W. B. Wesley.

Omaha—John McCarty.

Philadelphia—Herbert Given, Joseph Singer, John Schaeffer.

Pittsburgh—Mark Goldman, Lou Engel, George Wheeler.

St. Louis—J. M. Harris, R. C. Mortenson.

Salt Lake City—C. F. Rose.

San Francisco—Kenneth Hodkinson, Jack Erickson.

Seattle—Walter Wessling, Tony Hartford.

Washington—Joe Kaliski, Walter Pratt, George Dillon.

Denies Hearst Reel Will Go to Warners

(*Continued from page* 1)

general manager of the Hearst film interests.

Last October a five-year deal, with a five-year option, was signed between M-G-M and Hearst, Hatrick pointed out, and there is no inclination by either party to abrogate the arrangement, he said.

Hatrick may attend the Warner convention on the coast. Warners are handling all Cosmopolitan pictures, which until recently were released by M-G-M.

Lightons Back on Coast

HOLLYWOOD, May 22.—Louis D. Lighton and Mrs. Lighton (Hope Loring), have returned from Annapolis where the Paramount associate producer supervised filming of "Annapolis Farewell."

About Aug. 1, Lighton joins M-G-M on a three-year pact.



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Para. Election Going Over to Late in June

(*Continued from page* 1)

company's by-laws and arrived at virtual agreement on the classification of the 16 directors as to the terms each shall serve, whether for one, two or three years. Settlement of final phases of this classification is being undertaken by a sub-committee which may complete the work within a few days.

Assurances that the subject of a new contract for Ernst Lubitsch to replace his present one, expiring June 15, would be among the first business to be taken up by the new board following its installation on June 3 were given following yesterday's board meeting. It was stated that both the trustees of Paramount and the outgoing board felt that Lubitsch's new contract was properly a subject that warranted action by the new board. The assurances were given, it is understood, as a result of inquiries made by Lubitsch concerning his new contract.

General sentiment among the leading Paramount creditor groups favoring a continuation of the present management headed by Adolph Zukor, which was reported in MOTION PICTURE DAILY of May 3, appears to be gaining strength daily. From present indications no change of great importance will result in the ranks of Paramount officers at the June election. With Zukor continued as president, the possibility arises that he may also be elected chairman of the board. According to reports there is also the possibility that the chairmanship may be left vacant for a time. The present sentiment within the creditor groups is to minimize the authority of a board chairman, in any event.

WASHINGTON, May 22.—The Securities and Exchange Commission is studying Paramount's reorganization plan, along with reorganization plans of other large companies, a spokesman for the S. E. C. said here today.

Extension Planned On Para. Theatres

(*Continued from page* 1)

middle of June, may negotiate permanent deals with the theatre partners. Operating contracts which expire June 27 and which will be extended to Sept. 27 include those of George Trendle, Detroit; Karl Hoblitzelle, Dallas; A. H. Blank, Des Moines, and Lucas & Jenkins. Although the extension agreements have not yet been signed by the partners, it is understood they have been informally approved.

Loew-Momand Delay Sought

A hearing on exceptions to the $10,000,000 anti-trust claims filed by E. M. Loew of Boston and A. B. Momand of Oklahoma against Paramount Publix was asked for June 5 before Federal Judge Coxe by the Paramount trustees yesterday. The request is being given consideration by the court.

Loew and Momand filed claims of approximately $5,000,000 each against Paramount, representing triple damages for anti-trust suits which are pending against the company. Special Master John E. Joyce, after a hearing on the claims several months ago, ruled that claims for triple damages could not be made against a bankrupt but that claims for actual damages might be allowed if provable. Both Paramount and the claimants, Loew and Momand, filed exceptions to the report and the hearing now being sought is to obtain a court ruling on these.

Looking 'Em Over

"Unknown Woman"

(Columbia)

Director Albert Rogell has here combined a mildly interesting story and several good character portrayals into an entertaining picture. The film has no outstanding qualities, but it should prove more than satisfactory on dual bills and in small towns.

The publicity now being given Federal investigators will probably help exhibitors in exploiting it, for it deals with a female government operator.

The yarn has Richard Cromwell, a young lawyer, entangled with Douglas Dumbrille and his gang and being used by the crooks as a means of hiding some stolen bonds. He meets Marian Marsh in a raid on Dumbrille gambling house and romance between the two blossoms. She tells him she is after some stock certificates Dumbrille had swindled from her father and thus enlists the unsuspecting youth's aid. In the end it is revealed Miss Marsh is a secret Federal agent, and in a smashing and comical finish all ends well.

Besides the three principals, Henry Armetta shines in a brief role. Arthur Hohl, George McKay, Robert Middlemass and Nana Bryant complete the cast.

Production Code Seal, No. 880. Running time, 60 minutes. "G."

Cal. ITO in Meeting

LOS ANGELES, May 22.—Approximately 125 exhibitors, or 90 per cent of the I.T.O. of Southern California members, today lauded the board of directors for its accomplishments in behalf of the organization at a meeting called by a special committee of members.

Besides complimenting the board the members requested the monthly dues be raised from $2 to $5. The group also discussed the local zoning and clearance schedule.

Arvid E. Gillstrom Dies

HOLLYWOOD, May 22.—Arrangements were being made today for the funeral of Arvid E. Gillstrom, 45, director and producer, who died yesterday. He had recently returned from England. His mother and two brothers survive. Gillstrom recently directed shorts for Paramount.

Baur Services Friday

HOLLYWOOD, May 22.—Funeral services for Francis X. Baur, 47, secretary of the M. P. Relief Fund, will be held Friday morning at the Blessed Sacrament Church. Baur died yesterday from illness following an influenza attack several months ago.

Dan Kelley Is Coming

HOLLYWOOD, May 22.—Dan Kelley, Universal casting head, left by plane for New York today in search of a leading man for "The Magnificent Obsession."

Cantor Is Operated Upon

HOLLYWOOD, May 22.—Eddie Cantor's condition was reported favorable today following a gallstone operation at the Good Samaritan Hospital.

Predict a Roxy Net Of About $150,000

(*Continued from page* 1)

operating the house as trustee. He was formerly receiver.

The bondholders' committee recently made an application to the RFC for a loan of $750,000 to reorganize Roxy Theatres Corp. Assessed valuation of the theatre is $4,000,000, of which $2,000,000 is allocated against the ground. Under reorganization plans no change in management is contemplated.

The local RFC bureau has approved the loan and has sent the request to Washington. The loan would amount to about 20 per cent of the assessed valuation of the entire property and less than 40 per cent of the ground value.

If, and when, the loan is granted, the $250,000 receiver's certificates would be liquidated as the first move in the reorganization plan. Cullman is expected to continue as operating head under the new setup, it is understood.

Century Appeal Delayed

Century circuit's appeal on the Jamaica angle in the Century-RKO clearance and zoning decision was postponed yesterday until next Monday. The Far Rockaway hearing was held Tuesday, but because Louis Nizer, representing RKO, was in court on another case yesterday, the second hearing was put off.

Portland Price Complaint In

PORTLAND, Ore., May 22.—A complaint alleging price discrimination was filed at a meeting of the clearance board today by the Capitol here. It was declared a protest would be filed in Washington if necessary. Al Finkelstein was chairman.

Bridge Party May 25

The National Board of Review will hold its seventh annual bridge party at the Hotel Pennsylvania Saturday, May 25. Mrs. Oliver Harriman is chairman of the affair, which is part of the annual membership drive staged yearly by the association.

Try Code Test in Loew Chicago Row

(*Continued from page* 1)

any action deliberately planned to injure the operation of a theatre and which specify that "no distributor shall threaten or coerce or intimidate any exhibitor to enter into any contract for the exhibition of motion pictures, or to pay higher film rentals by the commission of any overt act evidencing an intention to build or otherwise acquire a motion picture theatre for operation in competition with such exhibitor."

The board has taken the complaint under advisement and has continued it to Monday without going into a hearing.

Frisco Houses Hit In Bank Night Suit

(*Continued from page* 1)

operates bank night concessions, according to J. W. Ehrlich, local attorney for the concessionaire.

The defendants, Ehrlich said, will include the Golden State circuit, T. & D. Junior Theatre Circuit and various independents. The plaintiff will allege in its suit that the defendants use copyrighted methods in conducting bank night, even though calling it by various names.

Announcement of the contemplated action followed a conference here today between Ehrlich, Emmett Thurman of Denver, who is also counsel for the plaintiff, and Claude Ezell of Los Angeles, general manager of Affiliated Enterprises. The suit, it was said, will demand a general accounting which Ehrlich estimates should indicate damages of $25,000. The suit will be filed in Federal district court here.

Seek Court Aid on Nights

DALLAS, May 22.—Affiliated Enterprises, Inc., a Colorado corporation, has filed an application for injunction in Federal Court here to prevent the grievance board from interfering with theatres operating a bank night.

Plaintiff owns the copyright on "bank night." The petition sets out that the grievance board has issued cease and desist orders against a number of Texas theatres. The petition also sets out that the grievance board can prevent theatres from obtaining films necessary to their business. Power of the board under NRA is attacked as being an unauthorized attempt to delegate legislative authority.

Listed in the petition are the names of several hundred Texas theatres that have contracted for "bank night."

Loew Delays Giveaway Action

Loew's has deferred action on its plan to adopt giveaways locally on a wholesale scale until tomorrow when the New York grievance board will meet to formulate a plan on the issue as a result of the general meeting held last week.

The circuit's attitude is that it is being forced into the move unless independent exhibitors cease and desist. The local board is trying to figure out a way to stop the practice and will meet again tomorrow to merge the opinions of various members into one uniform plan.

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Allied Drops Hays Talk Idea; To Try Litigation

Allied Agrees on Aug. 5 for 25% Donation to a War Chest

Atlanta, May 23.—By unanimous vote at the Allied convention today Aug. 5 was set aside as "National Independent Allied Theatre Day," when 25 per cent of each Allied house's receipts will be forwarded to the national organization headquarters to fortify the exchequer with sufficient funds to wage court fights against major companies on perhaps as many as "100 fronts."

W. Stoepplemann, exhibitor of Silbee, Tex., who made the individual hit of the convention with his drawling humor, was the author of the suggestion, which went through wrangles and suggestion stages until a decision finally was reached. The executive committee will handle all details, including preparation of banners, which Allied members will be expected to string across the fronts of their houses that day. Trailers explaining the purpose of the drive are in contemplation and are planned, provided the cost does not work out at an excessive figure.

Practical to the end, it was James Minter, Flint, Mich., exhibitor, who asked Sidney Samuelson what about percentage bookings. "Don't play percentage on that day," shot back Samuelson.

Votes for Court Moves On "100 Fronts"; Session Ends

By RED KANN

ATLANTA, May 23.—Anticipating failure in any discussion with Will H. Hays and "powers that be" in obtaining relief from so-called distributor and affiliated theatre "aggressions" on independents, Allied in its closing session today voted to trust its future to court actions on perhaps as many as "100 fronts" and voted a war chest to aid its members to pursue their self determined objective.

Aug. 5 was named as national independent Allied theatre day on which those theatres enrolled in the organization, claimed to total approximately 5,000, will set aside 25 per cent of their receipts on behalf of the national treasury.

Policies sounded earlier in the con-

(Continued on page 12)

Plan Revived For Theatres Combine Here

New Proposal Is for Two Circuits—N. Y., N. J.

Plans for the formation of two large independent circuits, one in New Jersey and the other in New York, whereby exhibitors will pool their interests into one corporation for an exchange of stock, but retaining management, have been revived after being dormant several months. Full details have not been worked out.

Leon Rosenblatt is chairman of the committee behind the New Jersey proposal. Working with him on the plan are Julius Charnow, Harry

(Continued on page 9)

Theatres Cut from Nebraska Chain Tax

LINCOLN, Neb., May 23.—Theatres were clipped from the proposed chain store tax measure here today and the bill was sent back to a conference committee for a third time. As reported, the bill proposed a graduated tax of from $1 to $100 per unit.

It is understood that the measure will be piled high with strings that will hold up its consideration until adjournment Saturday, or insure its defeat as soon as it comes out.

Republic Switches Meeting to Frisco

Republic has changed its convention plans. Instead of three regionals, it will hold two. The Salt Lake City meeting has been called off and all eastern sales forces will meet in Cincinnati on June 7-8, while the western selling groups will gather in San Francisco. The latter date will be set today by W. Ray Johnston, president.

The Salt Lake session is being dropped because of objections by franchise holders.

Say Operator Raise Would Shutter 200

More than 200 theatres in the local area will be forced to close their doors if the operators' scale promulgated by Compliance Director Sol A. Rosenblatt is adopted after the public hearing in Washington on June 4, leaders of the I.T.O.A. and the T.O.C.C. declared yesterday.

Both independent units are preparing to send large delegations to the Capital hearing to protest the plan.

Openings and Building Gain In Many Spots

Theatre openings and new building, as well as incorporations in various parts of the country, are gaining momentum. Even Hollywood, where the theatre business has been hard hit, is about to have a new house, an 899-seater, to be built by Howard Sheehan and Joe Sinks.

A number of building projects are under way in Texas. In Milwaukee and Richmond new houses are under way. New York has eight under construction and another planned. Reports of plans for the construction of

(Continued on page 9)

Louisianans Refuse To Pay Ascap's Fees

NEW ORLEANS, May 23.—Some exhibitors here, believed to be led by Alex Dumestre, lawyer exhibitor, say they will refuse to pay their music tax licenses until Ascap representatives show they have paid for the licenses called for under a new state law. This tax is $5,000 a year in each parish where collections are made.

Ascap has replied by canceling Dumestre's license.

Tri-States Is Called Racket By Saperstein

ATLANTA, May 23.—A presumable second phase of implied efforts on the part of affiliated circuits to formulate a national booking combine was charged at the final session of the Allied convention today when Aaron Saperstein described Tri-States Theatres, Inc., as an "up to date modern racket" compelling exhibitors in the southeast to pay tribute in the form of booking fees starting at $15 weekly and up for "the privilege of buying their pictures of them."

The Allied leader asserted it was

(Continued on page 13)

IEPA Giveaway Idea Bumps a Code Snag

Plans by the I.E.P.A. of Eastern Pennsylvania to regulate premiums to two days a week will not develop, according to a ruling by Campi's legal committee yesterday.

The Pennsylvania independents recently requested an interpretation of the giveaway clause in this connection, but Code Authority yesterday ruled that there is nothing in the code pro-

(Continued on page 9)

Say Hays Ready to Talk to Committee

"Any delegation with constructive objectives will always be received by Mr. Hays," a spokesman for the M.P.P.D.A. head said yesterday in response to inquiries as to whether or not the Allied States' exhibitor committee delegated by the organization's Atlanta convention to protest "aggressions" against independents would be given a hearing by Hays.

"At least," the spokesman added, "that has always been Mr. Hays' policy."

Efforts to communicate with Hays directly for his comment were unsuccessful.

Kansas City's Dual Bans Being Relaxed

KANSAS CITY, May 23.—Local exchanges are progressively more disposed to meet independents' long-standing demands for dual bills and

(Continued on page 9)

Loew-Mayfair Deal Nearing Conclusion

Loew's is expected to close within the next 48 hours with Walter Reade on a 10-year lease for the Mayfair,

(Continued on page 9)

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New Telephone Cable Interests Film Men

Film men are viewing with interest the proposed installation of the new co-axial cable between here and Philadelphia, over which, it is claimed, 200 telephonic conversations and one television set of images may be carried simultaneously.

If the experiment is successful, it may be the forerunner to the establishment of a nationwide television system.

Already competition between television and pictures has developed in Europe with a cable similar to the new co-axial one. At Nice, France, last month, a conference was held to work out plans for the presentation on theatre screens of a "visual radio newsreel." No definite decision was reached, however, and no public demonstrations of the invention were given.

A spokesman for the newsreel companies here yesterday told MOTION PICTURE DAILY that the local companies were "sitting back and looking at various television experiments since it didn't cost them anything to look." The proposed sending of newsreel over television systems, in the manner recently tested in France, had been discussed, he admitted, but it was decided to do nothing at present.

Schulberg's First Set

HOLLYWOOD, May 23.—"Rich Men's Daughters," with George Raft in the cast, will be B. P.Schulberg's first film as associate producer for Columbia.

Purely Personal

PETER WITT, foreign manager for Anglo-American Renters, Ltd., now in this country to complete production and distribution deals, will leave for London today on the *Majestic*. CAPT. A. C. N. DIXEY, chairman of the board, and GULIO NICHOLAS, associate, will remain at the Warwick.

•

JOE HANLEY of Republic International Corp. is quite put out over the loss of his favorite pipe. His fellow office workers are commenting so forcibly on the clear atmosphere in the office that HANLEY is beginning to suspect it was all a plot.

•

PHILIP SCHEIB and DAVE OPPENHEIM are the author and composer, respectively, of "Five Little Reasons for Happiness," the theme song of Terry-Toons' "Five Puplets." It has just been published by the Sam Fox Publishing Co.

Quip of the Day

Harold Bareford suggests that Charlie O'Reilly be made president of Closed Theatres, Inc. O'Reilly objects because no candy concessions are involved.

BLANCHE YURKA and LENNOX PAWLE have been signed by M-G-M. They will leave immediately for the coast to work in "A Tale of Two Cities."

•

PAUL M. LAZARUS, western sales manager for United Artists, will not return here next week from that key city tour as originally planned. He'll go on to the coast instead.

•

E. ALEXANDER POWELL'S story based on the life of GARIBALDI has been bought by Paramount. No title has yet been selected for the yarn.

•

MARGARET SANGSTER'S serial, "Surgical Call," that is current in *The Delineator*, has been acquired by Columbia.

•

ROUBEN MAMOULIAN gets in from the coast early next month to direct a musical version of "Porgy" for the Theatre Guild.

•

DON CLARKE, formerly with M-G-M's publicity department and now a full-fledged author, is taking it easy at Venice, Fla.

•

TOM HAMLIN and the missus are going to take an auto trip to the coast. They'll leave any day now.

•

Marquis HENRI DE LA FALAISE ET LA COUDRAY has arrived in town from the coast. He's at the Warwick.

•

GEORGE MCCALL'S "Murder in Winter Quarters" has been bought by Monogram.

•

HARRY BUXBAUM is having the Fox New York exchange remodeled again

•

HAL ROACH returns from the coast early next month.

•

ROBERT ROSSEN'S play, "The Body Beautiful," has been bought by SIDNEY HARMON through the William Morris Agency for early fall production.

•

ESTELLE SCHROTT has been promoted to publicity director at G. B. She succeeds ARLINE DE HAAS, who resigned because of illness.

•

WILLIAM FERGUSON has delayed his return from St. Louis until next week because of the premiere of "Public Hero Number 1" at the State May 30.

•

NICHOLAS M. LUDINGTON is due from the coast on Monday. HENRY HOBART, production head for First Division Prod., is in from Hollywood.

•

PAULINE BROOKS is coming to attend the ROSS-MCLARNIN fight next week as the latter's guest.

Wall Street

Columbia Gains ⅞ on Big Board

	High	Low	Close	Net Change
Col., vtc (c1)....	60½	58¾	60½	+ ⅞
Consolidated	4	3¾	4	+ ⅛
Cons., pfd (1¼v).	15½	15¼	15¼	+ ⅛
Eastman 144½	143	144	+ ¼	
Fox Film "A"...	14½	14⅛	14⅜	+ ⅜
Loew's, Inc.	41¾	41⅜	41½	.....
M-G-M, pfd	27⅜	27⅛	27⅛	— ⅛
Paramount Publix	3½	3⅜	3⅜	— ⅛
Pathe	¾	¾	¾	.....
Pathe "A"	9¾	9½	9½	— ½
RKO	2⅛	2	2	— ⅛
Universal, pfd ...	35	35	35	.....
Warner	4	3⅞	4	.....
Warner, pfd	25¾	24¾	24¾	+ ⅛

Curb Issues Show Small Gain

	High	Low	Close	Net Change
Technicolor	20⅜	19⅝	20¼	+ ¾
Trans-Lux (.10K)	2½	2½	2½	+ ⅛

Loew's Bonds Up ⅛

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	12¼	11¾	12	.....
Loew's 6s '41 ww deb rights..104½	104½	104½	+ ⅛	
Paramount F. L. 6s '47	90	89¾	89¾	.....
Paramount Publix 5½s '50	91⅜	91⅛	91⅛	— ⅛
RKO 6s '41 pp..	40	40	40	.....
Warner Bros. 6s '39. wd	65	64	64	— ½

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 23)

About 150 RKO Men Mar Fenimore Links

Approximately 150 entrants slipped divots and blasted sand traps in RKO's golf tourney, held yesterday and far into the night at Fenimore Country Club, White Plains.

The event turned out to be one occasion when the boss didn't rank first. Prize for low net went to T. E. Derber and for low gross to Lou Miller. Mitchell May was runnerup, with other low scorers finishing in the following order: Ed McEvoy, Sol Dasanatie, Cresson Smith, H. J. Yates, Al Mertz and I. E. Lambert. The best the bosses could do was take some of the honors for their own foursomes. Sharing in the foursome prizes were Ned E. Depinet, L. E. Thompson, Smith, Bob Wolff, Lou Goodrow and James Cron. A booby prize went to Henry Holmes' 178, and the second booby prize to Richard Gavin. W. G. Van Schmus was given the guest prize. He didn't play.

Warners to Extend Meet for 13 Days

Warners have decided to extend the time allotted for the annual sales convention from three days to 13, from June 13 to June 23. Instead of rushing the company's sales executives and theatre men through a three-day meet devoted to sales talks and the screening of a few pictures, key men will be given an opportunity to study production problems from beginning to end. At the same time production executives will be able to familiarize themselves with sales and exhibition problems.

"We intend to take advantage of the presence in Los Angeles of the largest gathering of distributing and exhibiting forces in the history of the company," says Albert Warner, "to enable them to familiarize themselves with the entire process of production from selection of a story to editing and cutting. The presence of H. M. Warner also will afford an opportunity for a series of conferences with key men at which far-reaching policies will be debated and outlined."

The eastern delegation will get away June 5 and connect with a special train at St. Louis. Over 300 men from both the distribution and theatre departments will make the trip.

Delay Warner Board Meet

No meeting of the Warners' board of directors will be held on June 11, the session having been called off because of the company's annual sales convention which will be held in Los Angeles. At the May 14 session routine business was discussed. The annual stockholders meeting will be held the first Tuesday after the first Monday in December.

Study Plan to Ask U. S. Theatre Help

Proposals for asking Federal funds to aid in the development of three production centers, putting companies on the road and getting actors back to work will be considered Saturday by the Legitimate Theatre Code Authority.

Under the plan theatre owners and lessees, labor representatives and players would be grouped in branches of a central organization.

F. D. Board Meet Delayed

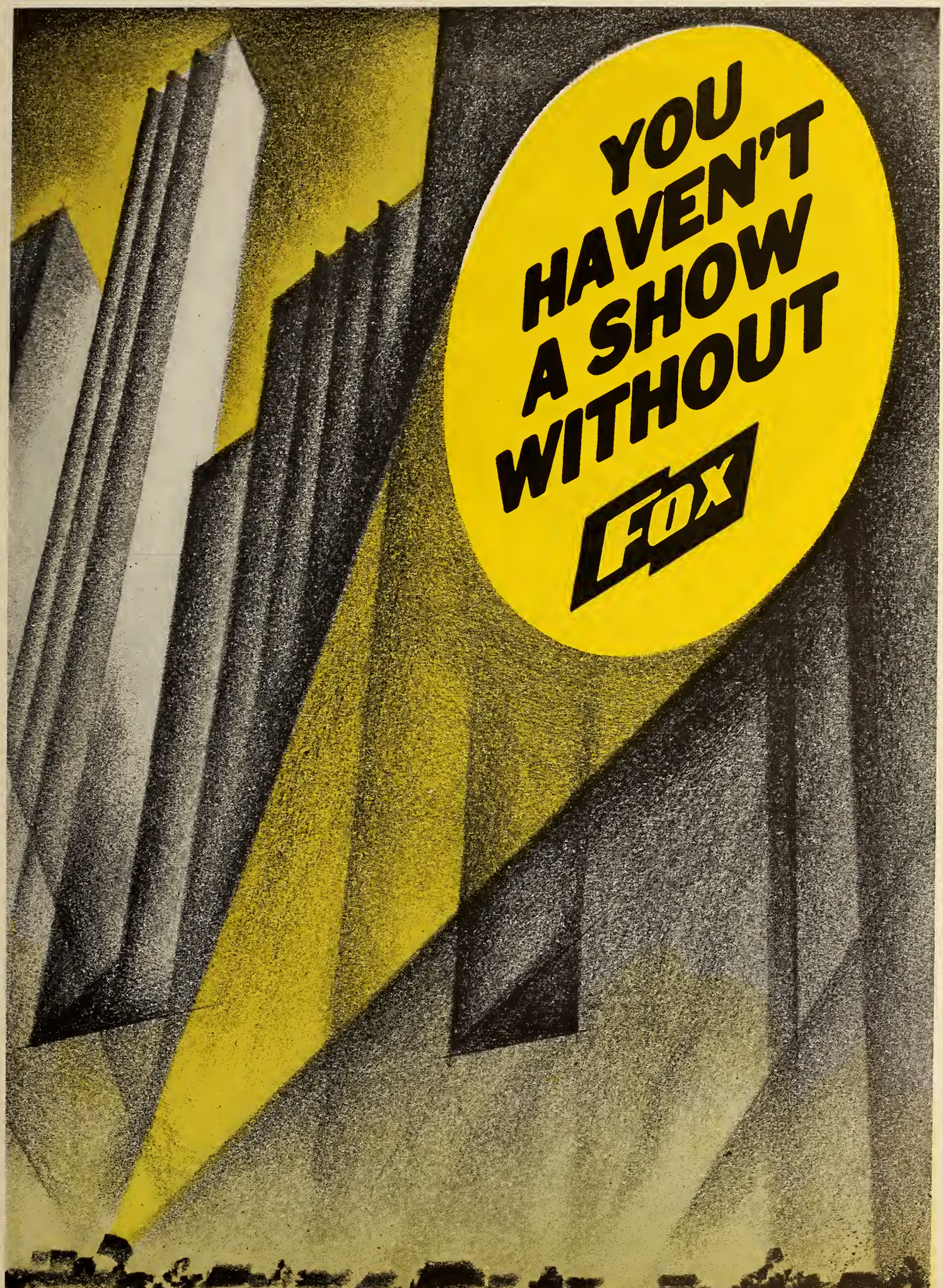
A meeting of the board of First Division scheduled for yesterday. was postponed to early next week. A definite date is to be set by Frank F. Kolbe, chairman, on his return to the city from a business trip. Kolbe's absence, together with that of Harry Thomas, F. D. president, who is attending the Allied States' convention at Atlanta, was given as the reason for the postponement.

Mrs. Yamins Recovering

FALL RIVER, Mass., May 23.—Mrs. Nathan Yamins has passed the danger point after a serious operation and is recuperating nicely at the Truesdale Hospital here.

Schlaifer to Rowland

L. J. Schlaifer, former general sales manager for Universal, has joined William Rowland Prod. as vice-president and general manager.


YOU
HAVEN'T
A SHOW
WITHOUT
FOX

THE BIG FOX PRESS BOOK CALLED THE TURN!

SECOND WEEK!

Shirley THEY WON'T LET YOU GO HELD OVER

held over OF COURSE!

HELD OVER! ...MORE DAYS

by PUBLIC DEMAND!

held over through.....

by PUBLIC DEMAND

You haven't a

HELD OVER

SECOND WEEK!

... EXTRA DAYS

Shirley they won't let you go HELD OVER

HELD OVER of course!

SHIRLEY TEMPLE

in her greatest picture

'Our Little Girl'

with

ROSEMARY AMES • JOEL McCREA

LYLE TALBOT • ERIN O'BRIEN-MOORE

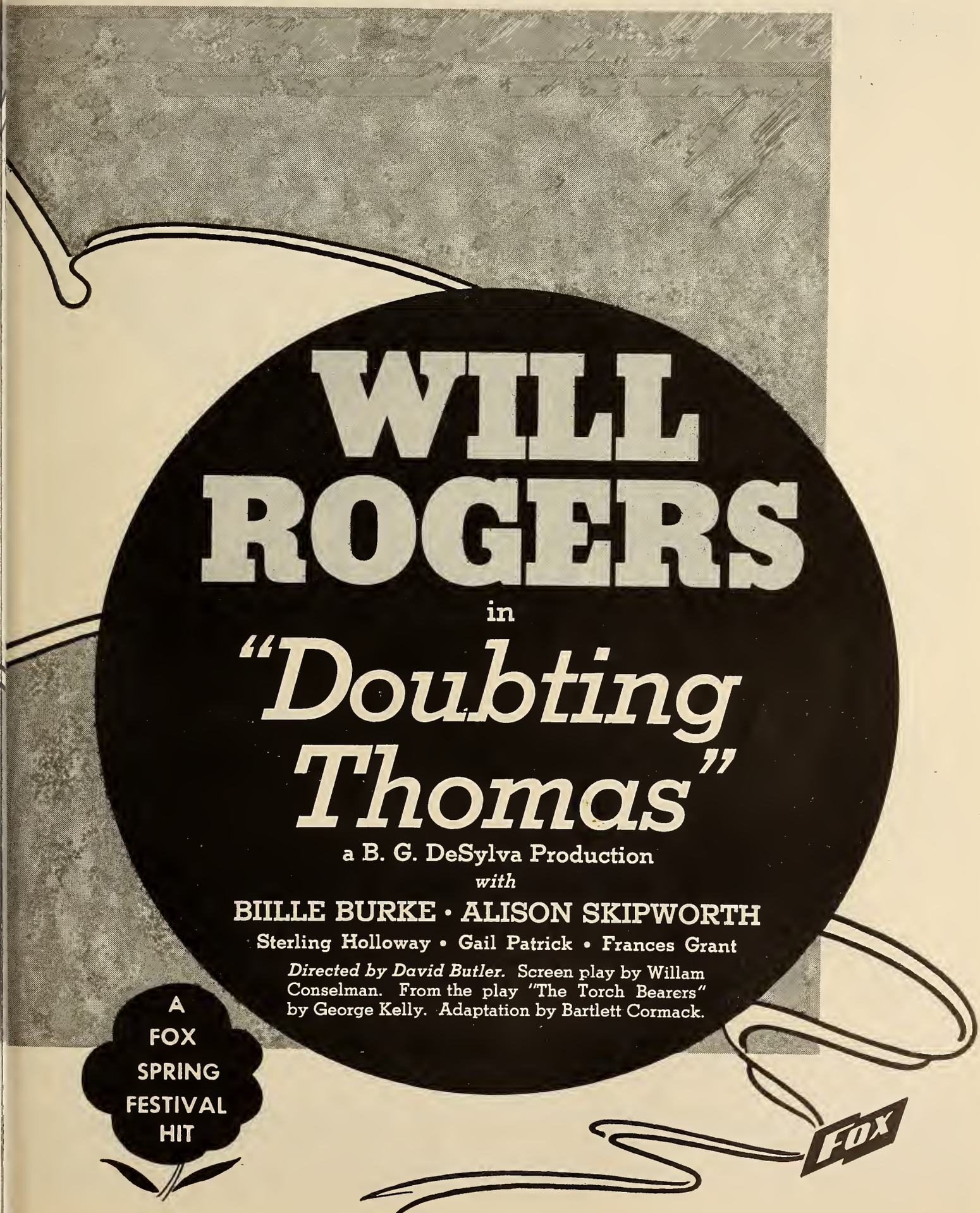
Produced by Edward Butcher
Directed by John Robertson
From the story "Heaven's Gate"
by Florence Leighton Pfalzgraf

A FOX SPRING FESTIVAL HIT

show without FOX

WHAT COULD BE SWEETER THAN "LIFE BEGINS AT 40"?

That's an easy one, teacher!
See the next page . . .


WILL ROGERS
in
"Doubting Thomas"
a B. G. DeSylva Production
with
BIILLE BURKE • ALISON SKIPWORTH
Sterling Holloway • Gail Patrick • Frances Grant
Directed by David Butler. Screen play by Willam Conselman. From the play "The Torch Bearers" by George Kelly. Adaptation by Bartlett Cormack.
A FOX SPRING FESTIVAL HIT
FOX

MEN HID THEIR DARLINGS WHEN *this* GAUCHO GREW ROMANTIC!

Warner Baxter in a role more dashing than his "Cisco Kid"... as the adventurous, reckless king of love... in the Argentine, where love is king. A gay charmer who met his match in a matchless beauty... the only woman who dared deceive him. Melting melodies! Moon-kissed nights! The fiery, fascinating Cobra Tango!



WARNER
BAXTER
KETTI
GALLIAN
in

UNDER the PAMPAS MOON





A *FOX* SPRING FESTIVAL HIT

a B. G. DeSylva Production
with
VELOZ & YOLANDA
Today's dancing sensations

Directed by James Tinling. Screen play by Ernest Pascal and Bradley King. From an original story by Gordon Morris.

You haven't a show without **FOX**

Plan Revived For Theatres Combine Here

(Continued from page 1)

Hecht, Louis Gold, Irving Dollinger, Jack Unger and Joseph Sicardi.

A secret session was held about two weeks ago by the New Jersey group in Newark at which time tentative plans were discussed. About 25 exhibitors already have agreed to the idea, it is said, and more than 75 more are expected to sign at the next session, which is slated to be held in 10 days. The committee is studying all legal phases of the plans before filing incorporation papers.

Only non-competitive and last run theatres are eligible to admittance in the New Jersey circuit, according to the outline. The limitation to certain houses in the to-be-formed group is said to be for two reasons. One is that where non-competitive houses are corralled into one unit distributors who do not compromise on selling terms will be out of those situations. The second is that all last run houses bunched together can demand certain terms from exchanges. It is figured that these types of houses are so much velvet to distributors, and if they are not sold, a corresponding decrease in revenue will be shown on the exchange's books.

Aroused by Product Forcing

Particularly nettling the sponsors of the two new circuit plans are the forcing of shorts, trailers and newsreels by salesmen. It is figured by the committee that if exhibitors have to continue buying the shorts when there is no room for them all, the theatre owner will be compelled to close.

Heading the New York contingent is John Benas, who last night met at the M. P. Club with Milton C. Weisman, Harry Brandt, Maurice Fleischman, Bernard Barr and Louis Shiffman.

During the past year members of both the I.T.O.A. and Allied of New Jersey have been sounded on the plan several times, but with no response. At one time the sponsors tried to get 150 exhibitors from both New York and New Jersey to pool their theatres into one company which would operate in both states. While the plan was along the same lines as outlined for the latest for New Jersey, no reservations were made as to competition and run. The proposal received a cold shoulder and had been dormant until it was revived in limited form a fortnight ago.

As a result of the meeting last night, it was decided to hold a general meeting of I.T.O.A. and non-affiliated exhibitors Monday afternoon, starting at 3 P. M., at the Astor. At that time the local plan is scheduled to be placed before those interested.

Abe Leff and Louis Meyers of the Leff-Meyers circuit in the Bronx also attended the M. P. Club session.

Goldwyn Signs McCrea

HOLLYWOOD, May 23.—Joel McCrea has been signed by Samuel Goldwyn for five years. His first assignment will be the leading role opposite Miriam Hopkins in "Barbary Coast."

Kansas City's Dual Bans Being Relaxed

(Continued from page 1)

in some instances are lifting restrictions imposed at the start of the current season.

With the exception of Columbia and Universal, the large distributors adopted an ironclad rule here this year that no feature playing a first run would be released for subsequent dualing. While that will apply to percentage pictures the balance of this year, some features sold on flat rental and considered too weak without support will be given a double bill classification by Warners and Paramount. For the present, Paramount is limiting the privilege to product turning in an unsatisfactory first run performance.

None of the bigger pictures will be cut loose for dualing by Warners, Paramount, Fox, M-G-M, Radio and United Artists. Quality considerations, percentage deals and first run obligations prevent the move. However, the Fox exchange is ready to meet subsequents' demands for more double bills provided exhibitors agree to run them behind single bill playdates in the same price category. Other companies still holding fast to original policies may follow suit later.

Hecht-MacArthur in Dicker with M-G-M

Paramount has not exercised its option with Ben Hecht and Charles MacArthur for a fourth picture. The independent producers made three pictures at the Astoria studios in accordance with the Paramount pact, which carried an option for an additional film. It is understood Hecht and MacArthur will make a series of six for M-G-M, negotiations now being made.

The three produced by the duo are: "Crime Without Passion," "Once in a Blue Moon" and "The Scoundrel." Jimmy Savo appeared in "Once in a Blue Moon" and is under contract to Hecht and MacArthur for 11 more films. The Savo film has been nationally released, but has yet to be shown in a New York house.

Film Exports Gain, U. S. Report Shows

WASHINGTON, May 23.—In a report issued by the Department of Commerce an increase is shown in the exportation of both negative and positive films, sound and silent, for the first quarter of 1935.

The report says that for the first three months of this year 50,235,150 feet were exported against 49,680,226 for the same period last year.

Isaac H. Lubin Passes

Isaac H. Lubin, father of Leo Lubin of the Morgan Lithograph Co., died Wednesday. Funeral services were held yesterday afternoon at the West Memorial Chapel. Lubin is survived by his widow and three daughters, Rose, Betty and Harriet, in addition to Leo.

Fox Theatre Fined $500

The Fox Theatre, Brooklyn, has been fined $500 by License Commissioner Paul Moss for permitting the appearance on its regular bill of four children under 16 years of age. The commissioner first suspended the license of the house for 24 hours, but then changed the sentence to a fine.

Loew-Mayfair Deal Nearing Conclusion

(Continued from page 1)

starting June 1. Reade is personally handling the negotiations for the Broadway & 47th St. Corp., which owns the theatre property on ground leased from an estate being handled by Chase National Bank, while Nicholas M. Schenck and Charles C. Moskowitz are negotiating for Loew's.

Both parties are drawing up contracts for the lease which will be merged into one agreement. Loew's steps out of the New York on June 2 and will continue the same policy it has at this house when it assumes operation of the Mayfair. The policy at the New York is duals with three changes a week. The Mayfair seats 1,778.

Reade has been booking the Mayfair on a picture-to-picture basis in anticipation of the deal. It is also possible that Loew's later may take over the City and Savoy which are operated by Reade. No deal has been talked of as yet.

IEPA Giveaway Idea Bumps a Code Snag

(Continued from page 1)

viding for limitations of premiums. The exhibitor group is being advised accordingly by John C. Flinn.

About 25 appeals were decided at the session, which was presided over by Nathan Yamins. The next meeting is slated for June 6.

Jersey Hearing Delayed

Hearing on injunction proceedings filed by Adams Brothers of Park Lane, Palisades Park, N. J., against Fox and the Leonia, Leonia, slated for next Monday before Vice-Chancellor Campbell in Paterson, has again been postponed, this time until June 3.

Fox up to now has been the only company which has served Julius Charnow with film in accordance with a recent Campi clearance decision. It is understood other companies are giving Charnow dates in compliance with the Code Authority edict.

DeMille to Do "Samson"

HOLLYWOOD, May 23.—Cecil B. DeMille's next for Paramount will be "Samson and Delilah," which is slated to start five weeks after the completion of "The Crusades." The studio has purchased the screen rights to the music and the libretto of the opera of that name. Jeanie MacPherson and Harold Lamb are now doing the research on the story.

Gallup Confers on Ampa

Bruce Gallup, president of the Ampa, yesterday discussed plans for the coming season with the organization's board of directors. The next session will be held Wednesday at the Edison and the first open meeting is slated for June 6.

Bury Gillstrom Saturday

HOLLYWOOD, May 23.—Funeral services for Arvid E. Gillstrom, director and producer, who died Tuesday, will be held Saturday, with burial in Inglewood Park Cemetery.

"Thunder" Held at Globe

"Thunder in the East" goes into a second week tomorrow at the Globe.

Openings and Building Gain In Many Spots

(Continued from page 1)

new theatres are coming in from many sections.

Two More Virginia Units

RICHMOND, May 23.—Another new Virginia theatre corporation has been chartered and a North Carolina corporation has been domesticated here.

The Virginia company is the Virginia Beach Corp., headed by William R. Allsbrook of Roanoke Rapids, N. C. The other is the Floating Hotel & Amusement Corp., to be located at Norfolk and headed by W. Frank Robertson.

Sparks Remodels Theatre

TAMPA, May 23.—The Sparks company has remodeled the Nebraska at Sulphur Springs, a suburb, and has reopened it as the New Roxy.

Mrs. Edward Bok intends to build a $100,000 house at Clearwater. She will call it the Francis Wilson, former musical comedy star who lives there and is hale and hearty at 81.

F. C. Thompson, owner of the Ramon, has taken the house back from W. N. Carnasion, who operated it under lease for one year.

Columbus Star Opened

COLUMBUS, May 23.—The Star, neighborhood house, dark for five years, has been reopened by O. A. Harmer, after having been remodeled. J. E. Harmer, brother of the owner, is managing. The house will be operated Fridays, Saturdays, Sundays and Mondays for the present.

Renew Cincinnati Lease

CINCINNATI, May 23.—The Royal Theatre Co., operating the Royal, downtown subsequent run, has renewed lease on the house for five years longer, beginning May 15 of next year.

To Enlarge at Stamford

STAMFORD, May 23.—The Weiss Amusement Co. intends to enlarge the Stamford, first run downtown house.

Marcus Delays Trip On Extras' Listing

HOLLYWOOD, May 23. — Attorney Eugene H. Marcus has indefinitely postponed his trip to Washington for conferences with Compliance Director Rosenblatt regarding the new extra registration list, due to the present unsettled status of the NRA and Rosenblatt's reported withdrawal from his post.

Marcus said today that he would know what course to follow within two weeks. The attorney had planned to make his departure today.

Nine Coast Zoning Protests Are Heard

LOS ANGELES, May 23.—Nine exhibitor protests on the clearance and zoning schedule were heard today by the local grievance board. Decisions will be announced within three days, with nine more complaints set to be heard on May 27.



"One of the fine

"'Lamps of Chi

"I have seen it tw

"The screen ha

before everyth

O I

LA

A Cosmopolita

PAT O'

JEAN M

hings I've seen. I was enthralled," says Alice Tildesly of Phila. Ledger

will appeal particularly to women," says Lester Wagner of United Press

and could see it again," says Harry Neimeyer of St. Louis Post-Dispatch

ever stated more sympathetically the case of the man whose work comes

and the woman who loves him in spite of it," says Harrison Carroll

Warner Bros. Present

L FOR THE

MPS OF CHINA

rod'n from the famous best-seller. Directed by Mervyn LeRoy, starring

RIEN • JOSEPHINE HUTCHINSON

UIR • LYLE TALBOT • 1000's MORE

A First National Picture



Allied Drops Idea of Call On Will Hays

(Continued from page 1)

vention followed a groove set for them by leaders and in a flood of resolutions passed today reflected an effective organization steam roller, which alone flattened out the code, took a determined stand against non-theatricals, took another poke against M-G-M for its proposed theatre invasion in Chicago, but left open for future determination what Allied will do and how it will view the new season's selling policies of major companies.

Col. H. A. Cole had the code in hand and on behalf of his committee urged Allied members to withdraw from the code, cease payment of assessments and step out of code boards unless Campi was reshuffled to give the buyer and seller equal representation. By buyer Allied means independent exhibitors. By seller it means distributor and affiliated exhibitors, since in organization's lexicon the latter two are not divisible. Assuming it can land this objective, Allied, after its Campi reformation, would then sit down and revamp the NRA pact itself.

Stating, but not explaining to what he referred when he said the Chicago situation was "well in hand," H. M. Richey of Michigan reported his committee on M-G-M had attempted to work out a formula to assist Allied members in the Windy City. Called upon, Morris Wax of the I.E.P.A. of Eastern Pennsylvania, who condemned Leo's activities in that sector, read a resolution calling upon all Allied exhibitors to lay off M-G-M product if the company persisted in its present attitude as it affected Chicago.

M-G-M Is Denounced

Somewhere along the line it apparently was made to condemn M-G-M without specific use of the term boycott. The text of this resolution, which is considered one of the most important in the Allied agenda, follows:

"Whereas, it has become generally known that M-G-M has adopted an unfair and unethical policy of intimidation, coercion and threats to build theatres in Chicago in opposition to existing theatres operated by exhibitors who have refused to accede to the unreasonable terms demanded by M-G-M in the sale of their pictures, now, therefore, be it resolved that such action by M-G-M, either implied or executed, will be condemned by every delegate present at this convention, and that each and every delegate is hereby pledging himself to submit to his respective organization for adoption a resolution expressing such condemnation of M-G-M's policy as will in no uncertain terms declare the wholehearted sympathy of such organization with the stand of the Chicago exhibitors and its intention to take a similar stand if Metro persists in its aggressive policy.

"Be it further resolved, that a copy of such resolution when adopted be sent by each organization to M-G-M executives and to the trade press;

"And, be it further resolved, that the committee appointed at this national convention of Allied States Ass'n. be authorized to draft a copy for a trailer to be used on the screens of all Allied members throughout the nation to acquaint the public with the unfair and aggressive tactics employed by Metro, and the manner in which the public will eventually be affected."

While it determined on a "lawsuit till it hurts campaign," Allied, according to Samuelson, will go through with its announced decision to wait on Hays and demand satisfaction for allegedly injured members. He stated, however, the organization saw nothing by way of results, but was satisfied to place all of its shots on what stacks up as a campaign of "trust busting."

On expounding methods of legal redress, Myers sounded a "sue the devil out of them" program. He declared it seemed curious how chain "depredations" had been so little challenged in the last few years. A Hays representative in Washington, who went unnamed, according to Myers, the other day offered an explanation of the new five-year contract Hays had signed.

"Due to his activities troublesome and expensive litigation had been reduced to a minimum," this individual was quoted by Myers as having stated. Allied's general counsel further expressed surprise so few suits had been filed in the United States and chided Allied territorial leaders for overlooking and for not getting his advice prior to filing of whatever actions had been instituted.

"This," he continued, "had resulted in precedents embarrassing to other leaders." He continued that some suits had been filed in the wrong courts and urged the delegates to make certain they picked the strongest cases in their territories, then have the groundwork prepared locally, but submit the suits to him in Washington prior to the actual filing.

Says M-G-M Being Probed

"I wonder what the situation would be if 100 suits were pending against producers and distributors at the same time. I wonder then if you would have any trouble in buying product," he added. He informed the convention the Federal Trade Commission had launched a probe of M-G-M's theatre activities in Chicago and added the investigators had requested from Allied members any instances of threats or intimidation.

"You can go back years on this. Those instances do not have to be recent, but remember you must be accurate," he warned.

Sam H. Borisky, Tenn., reporting for the committee on political activity, advised that the sense of his group was that Allied's final solution rested with the support of legislative bodies throughout the land. He proposed a resolution, which was adopted, admonishing members to censor newsreels for elimination of clips depicting activities of Allied's "enemies." It was urged that Allied members should exercise rigorous care of what they flash on their screens and hinted broadly that Allied will give screen support to those legislators who are friendly toward its aims, although occasions when this course will be followed must, of necessity, be rare.

Borisky suggested, and the convention approved the suggestion, that a record of the newsreel deletions that are made be sent to Allied's national headquarters for reference.

His recommendations also included the appointment of constantly traveling representatives to contact units and to cooperate with and advise locals on their rights and privileges.

H. M. Richey, Michigan, reporting for the non-theatrical committee, said this type of "entertainment" was showing an alarming increase and constantly adding to the competitive problems of the regularly constituted theatre. Allied favored showings for shut-ins, hospitals and army posts, but nothing beyond that. The rule should be, Richey said, "not how many should be served, but none should be served except those noted above."

The convention also approved Richey's suggestion that each unit appoint a committee composed of two exhibitors and two exchangemen to determine what non-theatricals should be served. The delegates also voiced complete approval of the stand that free shows should not be permitted and, by indorsement of the committee's report, voiced their approval of a suggestion that lists of free shows should be furnished national headquarters which then will confer with distributors in an effort to eradicate them entirely.

Martin G. Smith, Ohio, handled the miscellaneous resolutions which included a decision not to grant advice to sympathetic but unaffiliated units unless they formally joined Allied. RCA was commended for its equipment display and discussion, and all delegates were urged to participate in the advertising reel deal closed by national Allied with Alexander Film Co. The use of such films, however, was declared to be optional with each Allied theatre.

Equipment Men Praised

Equipment dealers who displayed their wares here were commended and Allied men were urged to patronize them where possible. National Screen Service was praised for "adding enjoyment" to the convention. Atlanta newspapers and trade papers were patted on the back for their coverage and National Film Carriers, Inc., was mentioned as filling an "indispensable" place in the industry.

Lower insurance rates will be sought by a committee to be named. Allied feels the ratio of premiums is out of proportion to the ratio of insurance losses. Other rousing resolutions voted included an endorsement to Abram F. Myers for his brief before the Senate Finance Committee on the NRA, to Sameulson for his conduct of the meetings, to Nathan Yamins for his Campi record.

The Pettengill Bill, as anticipated, was completely endorsed in a resolution offered by Walter B. Littlefield of Massachusetts. Another resolution was passed hitting at the Hays' office arguments against the proposed measure which had been given "great support by trade papers supported by producer and distributor advertising." Allied closed its sessions with no stand determined as to sales policies.

Charles H. Olive of Washington, D. C., reported that sales managers who had been asked to meet with Allied prior to the convention had expressed a willingness to discuss their companies' plans, but could not do so because of pending sales conventions. Allied, therefore, is willing to wait, and a committee composed of Morris Wax, Eastern Pennsylvania; William Davis, western Pennsylvania; L. D. Joel, Florida; Frank Hornig, Maryland; Julius Charnow, New Jersey; William Smalley, New York; Littlefield, Massachusetts; A. E. Lichtman and Olive, Washington, was named to delve into this situation at a later date. At the same time Olive said his committee saw zoning based on admissions as the answer to that problem, and urged the units to gird themselves to win this type of zoning to the end that independents get "not just a fair deal, but to accomplish fair competition for independent operators affiliated with Allied."

Asserting Allied was now operating in 30 states, and producing a shaded map to prove it, Samuelson repeated the lineup divulged earlier in the week and cited California, Colorado, Connecticut, Mississippi, Wisconsin and Wyoming as states which are cooperating, although not affiliated.

In Mississippi, as in Oklahoma and the two Carolinas, Allied units are forming, he asserted, Kentucky, Virginia, Iowa, Nebraska, Missouri, Kansas, Arkansas, New Mexico and Arizona are states which, admittedly, are not now in the Allied fold.

"Going Somewhere," He Says

"We're going somewhere," he said. "A lot of work has been done quietly. Allied now has national strength. When your national officials can pick up a telephone and say to a gentleman on the other side of the fence: 'We'll discuss certain problems in our office,' then we have an organization. That has happened once and it will happen again. For one one-thousandth of what it costs to operate the Havs organization, Allied can do a job and upset the applecart, and that applecart is going to be upset."

Samuelson concluded amid applause.

Governor Talmadge addressed the final session and amused the delegates with a closeup picture of an average day in the life of a Georgia governor.

Red suspenders, the symbol of the Royal and Mystic Order of Red Galluses, were handed Myers and Samuelson, who, according to ritual, had to put them on before all eyes.

Talmadge was at home with the Allied men, for he took a running jump at the NRA, which he described as the power to create monopoly and trusts.

Anthony Beck, editor of *The Michigan Catholic*, was another speaker who outlined cooperative efforts between Michigan exhibitors and the state chapter of the Legion of Decency. He said he favored the Petengill bill as a further means of improving the quality of pictures shown the public by giving exhibitors complete right of selectivity.

Many delegates, particularly those from nothern and southwestern points, left tonight. A majority, however, attended the dinner-dance at the East Lake Country Club which brought the convention social activities to a close.

Golf Gets Into Code

The Campi golf tournament at the Lakeville Country Club in Great Neck, L. I., on Wednesday, was not without its tidbits of humor.

Tyree Dillard, Jr., legal head of Campi, said that he scored 82 against Nathan Yamins' 90. Yamins claims that Dillard took off 10 per cent for eliminations as provided in the code.

When Walter Vincent came through his round and saw the score tallied against him, he chirped:

"They added score charges."

Tri-States Is Called Racket By Saperstein

(*Continued from page* 1)

a case of independent exhibitors hewing to the line or finding Tri-States building against them. His committee and its findings developed out of Al Steffes' rally around the standard of Col. H. A. Cole of Texas on Wednesday as a typical instance of an unaffiliated theatre man at the mercy of affiliated circuits.

Saperstein cited Savannah as a typical case. Lucas & Jenkins, who are reputed to be 50 per cent owners of Tri-States, control five houses. There are six in the city. While the allegedly oppressed exhibitor in this instance was not named, Saperstein clearly referred to Fred G. Weiss, operator of the Savannah, which is 130 years old and probably the oldest theatre building in the nation. It was claimed that Weiss is willing to buy pictures after all Lucas & Jenkins houses priced as low as 10 cents had finished with them, but distributors refuse to sell him.

The Liggett case at McRae, Ga., was cited as another, as were two unnamed independents operating in Miami, who, according to Saperstein, find it impossible to buy major product for any run as far down the line as sixteenth or seventeenth. Again no names were mentioned, but MOTION PICTURE DAILY learned Saperstein referred to John Cunningham, State, and Charles Walder, Tivoli.

Caused Allied to Waver

It was a recital of this and other alleged campaigning against independents which later today led Allied to waver on its decision to call upon Hays and "the powers that be" in New York for justice, and, instead, to embark on a widespread campaign in the courts of the land in an effort which organization leaders said hopefully would bring distributors to their knees. Details of this decision will be found elsewhere in this edition.

Saperstein reported his committee had heard many "pitiful cases similar to Cole's and some worse." Some independents, he reported, were unable to get pictures any run, any price. Further judgment of his committee was that the Federal courts should be resorted to for relief. By surface indications at least, Tri-States is described here as a cooperative exhibitor organization, many of the members of which individually belong to the Southeastern Theatre Owners' Ass'n., an M.P.T.O.A. affiliate.

Stock ownership in Tri-States is reported to be divided among Lucas & Jenkins, with 50 per cent, and Oscar Lam, Rome, Ga., and Nat Williams, Thomasville, Ga., each 25 per cent.

MOTION PICTURE DAILY tonight queried the latter two by wire for a statement refuting Saperstein's charges without results and made unsuccessful efforts to reach both Arthur Lucas and William Jenkins. The latter was busy with the opening of the new Cascade Theatre in Atlanta's West End, which ran into reported labor trouble during the night and had a substantial portion of its front blown out, although Jenkins' office said the house was opening on schedule.

Addenda from Atlanta

ATLANTA, May 23.—They had their battles in the past, but one of the nicest of gestures which has come to light here is the visit paid by Moe Horwitz, Pete Wood, Henry Greenberger and others of the Ohio crowd to Ed Schiller the other night at Loew's Grand. It was Schiller's first night downtown in almost five weeks.

The Loew executive is now spending his time in repose at his lovely and quiet home in Lullwater Road in the Druid Hill section of the city. He is devoting relatively little time to business, visits the Grand perhaps three times a week to clean up an accumulation of business and personal matters which are picayune by comparison with the mass of deals which cleared his desk in New York before his lengthy illness compelled a halt.

Currently, Schiller is getting a kick out of the weekly amateur night he instituted on the stage of the Grand Monday. As soon as the weather turns genuinely summery, which means considerable heat in Atlanta, he plans to go North for some fishing and a mild return to more active business.

Schiller was genuinely thrilled by messages brought to him here from Dave Bernstein, "Lep" Friedman, Charlie Moskowitz and Joe Vogel—all Loew confreres and associates. You could tell that by the brightness in his eyes and the glow on his cheeks.

* * *

George Dembow makes a perfect butler. M. Van Praag is practically beyond compare in grabbing checks. Herman Robbins has hot feet. Feet, mind you!

* * *

H. M. Richey brought Mrs. R. along. She's been ill, seriously so, but now reports everything is O. K.

* * *

Bob Savini, the old Southern gentlemen, is here with New Orleans, his birthplace, the next stop. Then Dallas, Oklahoma City, Kansas City, Cincinnati and the return to New York. He'll manage it complete by next Tuesday, traveling over the air lanes, of course. The Howard Hughes revivals—they're the cause of it all.

* * *

The National Screen crowd received a shipment of special cigars from Tampa today. They are very long, thick and wide.

By a deal, Abram F. Myers this morning was to light one as soon as he awakened and smoke it through with pencil and pad by his side. All this, for the sake of ascertaining exactly how long it takes to do the job. No confirmation on the results, but the reports are varied.

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James Minter, former exchangeman in Detroit where he operated Minter United Amusements and now an exhibitor in Flint, is here with a cure-all for every industry problem. Including trade papers and how to run them.

Atlanta's Film Men Refute Mrs. Liggett

ATLANTA, May 23.—The tale of "intimidation and persecution" at the hands of J. H. Thompson told by Mrs. F. L. Liggett of McRae, Ga., to the Allied convention Wednesday is old and familiar to Atlanta's film row, it developed today.

While exchangemen prefer not to be directly quoted, a cross section of opinion agrees that Mrs. Liggett's credit with distributors falls somewhat shy of the ideal. They maintain her persistent failure to adhere to the full letter of contracts explains why product she now plays is not as fresh as it might be.

Insofar as Thompson's circuit operations are concerned in Mrs. Liggett's town, opinion appears to be that it probably is true he is crowding her to the wall, but that this is a result of better management and better theatres and not coercion.

Cole Denies Having Product Contracts

ATLANTA, May 23.—"It's a lie," was Col. H. A. Cole's reply today to a question as to whether it was a fact that, despite the story of Texas circuit "aggression" in which he reported he was entrapped, he had signed contracts in his possession giving him all product required to run his houses.

"I have a contract already approved with Columbia and that is all. I have heard the story you ask about and I have an idea where it came from, but it is a lie," he added.

Cole also informed MOTION PICTURE DAILY his account of Texas conditions had interested district managers in Atlanta of three national distributors, who urged him to take the details to New York for presentation to their superiors. Cole, therefore, tonight was seriously considering New York instead of Dallas as his next stop.

Lynch Denies M-G-M Wavers in Chicago

PHILADELPHIA, May 23.—Robert Lynch, M-G-M branch manager, indignantly denied today having told Morris Wax that his company is willing to set aside its Chicago building plans for the purpose of compromise.

Wax's statements were made Wednesday at the Allied convention session in Atlanta.

"When M-G-M goes into anything it is after careful advance planning," Lynch asserted heatedly. "Wax's remarks are plain cuckoo. All we're trying to do in Chicago is sell and exhibit pictures on the same terms that we sell and show them in all other parts of the country."

Predicts Suit in Chicago

CHICAGO, May 23.—Important developments leading to court action are expected from Essaness against Loew's and Jones, Linick & Schaefer involving alleged efforts on the part of J. L. & S. to take the Sheridan away from Essaness with Loew backing.

So far no action has been filed, but Edwin Silverman of Essaness predicts "dynamite" within a week.

J. L. & S. is already defendant in a grievance case filed by Essaness.

Chatterton Flies Her Own

Ruth Chatterton is scheduled to pilot her own plane to the coast, taking off from Roosevelt Field today, weather permitting. The trip will be made in easy stages and contemplates her arrival in Hollywood on Monday, to begin work on her new picture for Columbia.

Lighting Is SMPE Convention Topic

HOLLYWOOD, May 23.—Projection and studio lighting were the principal topics of discussion at the morning session of the S. M. P. E. today. In the afternoon sound and standardization were taken up, and this was followed by a visit to the California Institute of Technology.

This evening's session was devoted to newsreel standardization, microphones and wide range reproduction in theatres.

Three sessions for the closing day of the convention tomorrow will be devoted to a variety of papers on sound and projection.

In discussing "Trends in 16 mm. Projection" today A. Shapiro, of the engineering department of Ampro Corp., Chicago, pointed out that in five years lighting intensity had increased so rapidly that 16 mm. film is now projected in large auditoriums. He pointed out that industries are turning to the use of this film and that it is spreading rapidly in the educational field. He predicted that in many small theatres 16 mm. projectors would spell the difference between profit and loss.

It was voted to hold the fall meeting at the Wardman Park Hotel, Washington, Oct. 21-24.

Roxy Details Claim Of $211,404 on RKO

Details of Samuel L. (Roxy) Rothafel's $211,404 claim against RKO for alleged breach of an employment contract are contained in a bill of particulars filed in Federal court here yesterday in support of the claim, and disclose a supplemental claim on 10,000 shares of RKO Class A stock, or its equivalent in value.

Roxy declares that his three-year contract with RKO as maestro of the Radio City theatres called for a salary of $2,000 per week, plus the 10,000 shares of stock. He asserts that he has not received the stock and that he was paid only $1,000 per week for the first year of his contract and nothing thereafter, resulting in an alleged salary deficit of $279,904.

Receipts outside of his RKO contract are listed in Roxy's papers and aggregate $68,500, which he deducts from the amount he claims is due him. The credit items listed include $15,000 from Paramount Publix for six weeks' work at $2,500 per week; $49,500 from Fletcher's Castoria for 33 weeks of Radio programs at $1,500 per week, and $4,000 from the Roxy Philadelphia Corp., for work at the Mastbaum.

The claim has been filed in the RKO reorganization proceedings and is being contested by Irving Trust Co., trustee for RKO.

"Hearts" Gets $65,000

"Break of Hearts" at the Music Hall last week tallied about $65,000. The third week of "G-Men" at the Strand approximated $29,200.

The Music Hall up to 5 P. M. garnered $4,947 on the opening of "Escape Me Never," according to U. A.

Lesser Signs Gersdorf

HOLLYWOOD, May 23.—Phil Gersdorf has been signed by Sol Lesser to handle the publicity for Sol Lesser Enterprises, Inc.

"Let 'Em" Is Frisco's Top With $10,500

SAN FRANCISCO, May 23.—"Let 'Em Have It" was the only attraction in town last week to develop real strength. It went up to $10,500 at the United Artists, topping par by $2,500.

The only other two first run attractions to get on the profit side of the line were "Black Fury," which reached $21,000 a the Warfield, and "The Informer," which took $13,500 at the Golden Gate. "Stolen Harmony" and "The Florentine Dagger," on a dual, took a normal $11,000 at the Paramount.

Total first run business was $84,000. Average is $84,500.

Estimated takings:

Week Ending May 14:

"THE INFORMER" (Radio)
GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage, band. **Gross:** $13,500. (Average, $13,000)

Week Ending May 15:

"FOUR HOURS TO KILL" (Para.)
"A DOG OF FLANDERS" (Radio)
FOX—(4,600), 15c-30c-40c, 7 days. **Gross:** $7,500. (Average, $9,000)

Week Ending May 16:

"MY HEART IS CALLING" (Gaumont British)
EMBASSY—(1,200), 25c-35c, 7 days. **Gross:** $6,000. (Average, $6,500)
"PARTY WIRE" (Col.)
"AWAKENING OF JIM BURKE" (Col.)
ORPHEUM—(3,000), 15c-30c-35c-40c, 7 days. **Gross:** $7,500. (Average, $9,000)
"G-MEN" (F.N.)
ST. FRANCIS—(1,400), 15c-35c-40c, 7 days, 2nd week. **Gross:** $6,000. (Average, $7,000)
"LET 'EM HAVE IT" (U. A.)
UNITED ARTISTS—(1,200), 15c-35c-40c, 7 days. **Gross:** $10,500. (Average, $8,000)
"STOLEN HARMONY" (Para.)
"THE FLORENTINE DAGGER" (War.)
PARAMOUNT—(2,670), 25c-35c-40c, 7 days. **Gross:** $11,000. (Average, $11,000)
"BLACK FURY" (F.N.)
WARFIELD—(2,700), 25c-35c-40c-55c, 7 days. Stage, band. **Gross:** $21,000. (Average, 20,000)

Week Ending May 17:

"DON QUIXOTE" (Valdemar D. Bel)
CLAY—(400), 25c-50c, 7 days. **Gross:** $1,000. (Average, $1,000)

"Who Knew," "Lies" High Buffalo Draw

BUFFALO, May 23.—"The Man Who Knew Too Much" and "White Lies" combined to give the Lafayette $7,400, or $900 above normal, while "G-Men" in its second week in the Hippodrome hit average first week figures. Otherwise there was little to shout about in a fair but cool week.

Total first run take was $39,200. Normal is $42,800.

Estimated takings for the week ending May 17:

"BLACK FURY" (F.N.)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Salici Puppets; Three Slate Brothers; Irene Vermilion, with Dart Ensemble. **Gross:** $11,900. (Average, $14,300)
"THE FLORENTINE DAGGER" (Warners)
"BREWSTER'S MILLIONS" (U.A.)
CENTURY—(3,000), 25c, 7 days. Gross: $5,100. (Average, $6,000)
"THE SCOUNDREL" (Para.)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $6,800. (Average, $8,000)
"G-MEN" (F.N.)
HIPPODROME—(2,100), 25c-40c, 7 days, 2nd week. **Gross:** $8,000. (Average, $8,000)
"THE MAN WHO KNEW TOO MUCH" (Gaumont British)
"WHITE LIES" (Col.)
LAFAYETTE — (3,300), 25c, 7 days. **Gross:** $7,400. (Average, $6,500)

"Miserables" Washington's Top, $17,000

WASHINGTON, May 23.—"Les Miserables" made the best comparative showing of the week at Loew's Palace. The $17,000 take was $2,500 over the line.

"G-Men," with a stage show, ran up to $19,300. Par is $17,600.

At the Metropolitan Theatre, "McFadden's Flats" went $100 over average for a $4,200 take.

Despite rave reviews and an intensive campaign, "The Informer" nosedived to a reddish $6,500 at RKO-Keith's. "Baby Face Harrington" at Loew's Fox also went down to $17,500. Par is $20,500.

"Mark of the Vampire" in its second week took $3,000, or only $100 under the first week average.

Total first run business was $71,300. Average is $72,700.

Estimated takings, exclusive of tax:

Eight Days Ending May 13:

"SINS OF LOVE" (Cummins)
LITTLE—(318), 35c-40c, 8 days (for women only). **Gross** $2,600. (No average available)

Four Days Ending May 14:

"DON QUIXOTE" (Nelson & Vandor)
BELASCO—(1,052), 25c-65c, 4 days. **Gross:** $1,800. (Average, 7 days, $1,500)

Week Ending May 16:

"G-MEN" (F. N.)
EARLE—(2,218), 25c-77c, 7 days. Stage: Fred Sanborn; Ross, Pierce & Schuster; Barr & Estes; Six Lucky Boys; Herb Cook & Three Little Words. **Gross:** $19,300. (Average, $17,600)
"MARK OF THE VAMPIRE" (M-G-M)
LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days, 2nd week. **Gross:** $3,000. (Average, first week, $3,100)
"BABY FACE HARRINGTON" (M-G-M)
LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Earl Carroll's "Vanities" with Mitchell & Durant, Samuels Brothers, Collette Sisters, Rosie Moran, Donald Burr, Barbara Snyder, Helen Charleston, Earl Carroll Chorus. **Gross:** $17,500. (Average, $20,500)
"LES MISERABLES" (U. A.)
LOEW'S PALACE—(2,370), 35c-77c, 7 days. **Gross:** $17,000. (Average, $14,500)
"McFADDEN'S FLATS" (Para.)
METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $4,200. (Average, $4,100)
"THE INFORMER" (Radio)
RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $6,500. (Average, $11,400)

"Vampire" Holds Up In Oklahoma Slump

OKLAHOMA CITY, May 23.—"Mark of the Vampire" was the only attraction in town to show any strength at all last week. It reached $2,200 in four days at the Liberty. Average for seven days is $2,500.

The chain letter craze is blamed for the general slump. "Laddie" was fair at $1,900 at the Capitol.

Total first run business was $10,100. Average is $13,500.

Estimated takings for the week ending May 18:

"BLACK FURY" (F. N.)
CRITERION—(1,700), 10c-26c-36c-55c, 7 days. **Gross:** $3,200. (Average, $5,000)
"GEORGE WHITE'S SCANDALS" (Fox)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $3,400. (Average, $4,000)
"LADDIE" (Radio)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $1,900. (Average, $2,000)
"MARK OF THE VAMPIRE" (M-G-M)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. **Gross:** $2,200. (Average week, $2,500)
"OUR DAILY BREAD" (U. A.)
LIBERTY—(1,500), 10c-15c-26c-36c, 7 days. **Gross:** $400. (Average week, $2,500)

They See a Show

Omaha, May 23.—What does a small town exhibitor do to entertain his wife when they come to the big town to celebrate their fifth wedding anniversary? Wally Johnson of Friend, Neb., took the mate to a salesroom and bought a bright new auto, then to a de luxe cafe for a dinner with all the trimmings, and finally, and inevitably, to a picture show.

"Marietta" Pulls $4,000 in Lincoln

LINCOLN, May 23.—"Naughty Marietta" came through with a sparkling finish at the Stuart, $4,000, $900 up on the average.

"Bride of Frankenstein" at the Lincoln, which was a smash beginner, grossed $2,900, $700 on the black side.

The Orpheum's "Band Plays On," with "Rio Nights" on the stage, followed by "Great God Gold" and "Scarlet Pimpernel" as a double feature, was in the good money with $2,700, $400 up. At the Colonial "Born to Battle," "Mary Jane's Pa" and "Dog of Flanders," three changes, got $1,050, $200 over. Rainfall is the biggest menace here. Last year it was the drouth, but it rains every day now.

Total first run business was $10,650. Average is $8,450.

Estimated takings:

Week Ending May 15:

"BORN TO BATTLE" (Capitol)
"MARY JANE'S PA" (F. N.)
"DOG OF FLANDERS" (Radio)
COLONIAL—(750), 10c-15c, 7 days. **Gross:** $1,050. (Average, $950)

Week Ending May 16:

"BRIDE OF FRANKENSTEIN" (Univ.)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,900. (Average, $2,200)
"BAND PLAYS ON" (M-G-M)
"SCARLET PIMPERNEL" (U. A.)
"GREAT GOD GOLD" (Monogram)
ORPHEUM—(1,200), 10c-15c-25c, 7 days, 3 with "Rio Nights" unit on stage. **Gross:** $2,700. (Average, $2,200)

Week Ending May 17:

"NAUGHTY MARIETTA" (M-G-M)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $4,600. (Average, $3,100)

"Miserables" Gets Indianapolis Lead

INDIANAPOLIS, May 23.—"Les Miserables" was the only attraction in town to do a rushing business. It garnered $7,000, over the line by $2,500, at the Palace.

Business was pretty dull elsewhere. "Bride of Frankenstein," brought back to the Circle as a second run, took $2,500, and "Dinky" was weak at the Lyric with a take of $6,000.

Total first run business was $17,500. Average is $19,500.

Estimated takings for the week ending May 18:

"HOOSIER SCHOOLMASTER" (Mono.)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $2,600. (Average, $4,000)
"BRIDE OF FRANKENSTEIN" (Univ.) (Second Run)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $2,500. (Average, $4,000)
"DINKY" (Warners)
LYRIC—(2,000), 25c-40c, 7 days. Vaudeville. **Gross:** $6,000. (Average, $7,000)
"LES MISERABLES" (U. A.)
PALACE—(3,000), 25c-40c, 7 days. **Gross:** $7,000. (Average, $4,500)

Rain and Cold Hit Chicago; "Doubt" Fair

CHICAGO, May 23.—Rain and cold weather knocked the props out from under grosses all along the line. "Shadow of Doubt," with a stage show, made a par $15,000 at the Oriental.

"Black Fury" took $12,000 in 10 days at the Roosevelt. Normal for seven days is $11,000. "G-Men" reached $27,000 in its second week at the Chicago. "Naughty Marietta" took $6,000 in its fourth Loop week at the Apollo.

Total first run business was $96,000. Average is $127,600.

Estimated takings:

Week Ending May 14:

"NAUGHTY MARIETTA" (M-G-M)
APOLLO—(1,400), 25c-35c-50c, 4th Leep week, 10 days. **Gross:** $6,000. (Average, $8,000)

Week Ending May 15:

"BLACK FURY" (F. N.)
ROOSEVELT—(1,591), 25c-35c-50c, 10 days. **Gross:** $12,000. (Average, $11,000)

Week Ending May 16:

"G-MEN" (F.N.)
CHICAGO—(4,000), 25c-50c-68c, 2nd Loop week, 7 days. Stage: Morton Downey and vaudeville program. **Gross:** $27,000. (Average, $34,600)
"ROBERTA" (Radio)
GARRICK—(900), 25c-35c-40c, 5th Loop week, 7 days. **Gross:** $4,000. (Average, $5,000)
"THE INFORMER" (Radio)
PALACE—(2,509), 25c-35c-50c, 7 days. Stage: Paul Ash and his Cavalcade. **Gross:** $14,000. (Average, $22,000)
"SHADOW OF DOUBT" (M-G-M)
ORIENTAL—(3,940), 25c-40c, 7 days. Stage: Sammy Cohen and Mark Fisher. **Gross:** $15,000. (Average, $15,000)

Week Ending May 17:

"CARDINAL RICHELIEU" (U. A.)
UNITED ARTISTS—(1,700), 30c-40c-60c, 2nd Loop week, 4 days. **Gross:** $5,000. (Average, $17,000)
"THE WHITE COCKATOO" (Warners)
STATE LAKE—(2,776), 20c-25c-35c, 7 days. Stage: "Folies de Paree." **Gross:** $13,000. (Average, $15,000)

"Goin' To Town" Is Portland's Leader

PORTLAND, May 23.—"Goin' to Town," without the help of a stage show at the Paramount, was ample to take highest gross of week with $8,900, or $3,900 over the normal take.

"Les Miserables," playing to increased prices at United Artists secured $8,000, or $3,000 over average.

Other houses were average and below. The start of dog races and warmer weather proved detrimental to grosses.

Total first run business was $30,400. Average is $24,700.

Estimated takings for the week ending May 17:

"MARK OF THE VAMPIRE" (M-G-M)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $4,000. (Average, $5,000)
"ROBERTA" (Radio)
BLUE MOUSE—(700), 15c-25c, 7 days, 4th week. **Gross:** $1,500. (Average, $1,700)
"WHEN A MAN'S A MAN" (Fox)
"LET'S LIVE TONIGHT" (Col.)
MAYFAIR—(1,700), 25c-35c-40c, 7 days. **Gross:** $3,000. (Average, $3,000)
"MR. DYNAMITE" (Univ.)
ORPHEUM—(1,700), 25c-35c-40c, 7 days Stage show. **Gross:** $5,000. (Average, $5,000)
"GOIN' TO TOWN" (Para.)
PARAMOUNT—(3,008), 25c-35c-40c, 7 days. **Gross:** $8,900. (Average, $5,000)
"LES MISERABLES" (U. A.)
UNITED ARTISTS—(945), 25c-40c-55c, 7 days. **Gross:** $8,000. (Average, $5,000)

West Picture Hits $25,000 On the Coast

LOS ANGELES, May 23.—"Goin' to Town" chalked up a huge $25,000 at the Paramount and left par behind by $7,000.

"Les Miserables" also was in the money, getting $6,300 at the 4-Star, over normal by $3,100. "Go Into Your Dance" at the Hillstreet clicked to the tune of $10,000, which was $2,000 above average. "Werewolf of London" was slightly over normal, getting a take of $3,500 at the Pantages.

The weather was cool, but business fell off in most spots. Total first run grosses were $75,900. Average is $75,700.

Estimated takings for the week ending May 22:

"OUR LITTLE GIRL" (Fox)
"BABY FACE HARRINGTON" (M-G-M)
CHINESE—(2,500), 30c-55c, 6 days. **Gross:** $7,400. (Average, $12,500.)

"EXPLORERS OF THE WORLD" (Raspin)
CRITERION—(1,610), 10c-25c, 7 days. **Gross:** $2,500.

"MY HEART IS CALLING" (Gaumont British)
FILMARTE—(800), 40c-50c, 7 days, 5th week. **Gross:** $1,700. (Average, $2,750.)

"LES MISERABLES" (U. A.)
4 STAR—(900), 30c-55c, 6 days. **Grosss** $6,300. (Average, $3,250.)

"GO INTO YOUR DANCE" (F. N.)
HILLSTREET—(2,700), 25c-40c, 6 days. **Gross:** $10,000. (Average, $8,000.)

"OUR LITTLE GIRL" (Fox)
"BABY FACE HARRINGTON" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 6 days. **Gross:** $8,900. (Average, $14,000.)

"GOIN' TO TOWN" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: F. & M. revue, Rube Wolf and his orchestra. **Gross:** $25,000. (Average, $18,000.)

"GO INTO YOUR DANCE" (F. N.)
WARNER BROS (HOLLYWOOD)—(3,000), 25c-40c, 6 days. **Gross:** $10,600. (Average, $14,000.)

"WEREWOLF OF LONDON" (Univ.)
PANTAGES—(3,000), 25c-40c, 7 days. **Gross:** $3,500. (Average, $3,200.)

"Richelieu" Leads Montreal, $10,000

MONTREAL, May 23.—"Cardinal Richelieu," topping a dual bill with "I'll Love You Always" at the Princess, was the big money draw of the week. It reached $10,000, over the line by $4,000. The bill was held over.

"Naughty Marietta" was strong, getting $12,500, over par by $1,500, at the Palace. This also was held. Warmer weather was a counter-draw for theatres.

Total first run business was $44,500. Average is $40,500.

Estimated takings for the week ending May 18:

"THE DEVIL IS A WOMAN" (Para.)
"HOLD 'EM, YALE" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60, 7 days. **Gross:** $10,500. (Average, $9,500)

"ST. PETERSBURG NIGHTS" (Russian)
"SWEEPSTAKE ANNIE" (Liberty)
IMPERIAL—(1,914), 20c-25c-34c, 7 days. **Gross:** $4,000. (Average, $3,500)

"VANESSA" (M-G-M)
"WHITE COCKATOO" (Warners)
LOEW'S—(3,115), 30c-34c-40c-50c-60c, 7 days. **Gross:** $7,500. (Average, $10,500)

"NAUGHTY MARIETTA" (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $12,500. (Average, $11,000.) Held over.

"CARDINAL RICHELIEU" (U.A.)
"I'LL LOVE YOU ALWAYS" (Col.)
PRINCESS—(2,272), 30c-35c-50c-65c, 7 days. **Gross:** $10,000. (Average, $6,000.) Held over.

"Little Girl" Leader in Big Philadelphia Pickup

PHILADELPHIA, May 23.—Business came back with a bang last week. Standouts were "Our Little Girl," which did $21,000 at the Fox and "Les Miserables" which took $16,000 at the Aldine. Both raised the average ante by $9,000 and both were held.

Not far behind was the Earle which grabbed off $18,500 for "Party Wire" and Guy Lombardo's Band on the stage. Gross was aided by a price tilt of a dime to a 65c top. "G-Men," which was only fair at the Boyd last week, moved into the Stanton to get $8,500 as against the house average of $6,000. Both "Star of Midnight" and "Bride of Frankenstein" showed well in the running.

Total first run business was $97,600. Average is $72,900.

Estimated takings in the week ending May 16:

"LES MISERABLES" (U.A.)
ALDINE—(1,200), 40c-55c-65c, 6 days. **Gross:** $16,000. (Average, $7,000)

"NAUGHTY MARIETTA" (M-G-M)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $2,900. (Average, $2,400)

"STAR OF MIDNIGHT" (Radio)
BOYD—(2,400), 40c-55c, 6 days. **Gross:** $11,500. (Average, $12,000)

"PARTY WIRE" (Col.)
EARLE—(2,000), 25c-40c-65c, 6 days. Stage: Guy Lombardo and Band. **Gross:** $18,500. (Average, $12,000)

"OUR LITTLE GIRL" (Fox)
FOX—(3,000), 40c-55c-65c, 6 days. Stage: Riley and Comfort, Cookie Bowers, Jeanne Deveraux, Foy, Tucker and Johnson, Marty Bros. and Beatrice, Jack Seymour. **Gross:** $21,000. (Average, $12,000)

"BABY FACE HARRINGTON" (M-G-M)
KARLTON—(1,000), 25c-30c-40c, 6 days. **Gross:** $2,200. (Average, $3,500)

"BLACK FURY" (F.N.)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 6 days. **Gross:** $3,000. (Average, $4,000)

"BRIDE OF FRANKENSTEIN" (Univ.)
STANLEY—(3,700), 40c-55c, 7 days. **Gross:** $14,000. (Average, 6 days, $12,000)

"G-MEN" (F.N.)
(2nd run)
STANTON—(1,700), 30c-40c-50c, 6 days. **Gross:** $8,500. (Average, $6,000)

"Midnight" Leads K. C.; Week Slow

KANSAS CITY, May 23.—"Star of Midnight" turned out to be the best money-maker of the week. It grossed $9,000 at the Mainstreet, $2,000 above normal.

"Mark of the Vampire" was the only other above-par attraction downtown. It also pulled $9,000, but this was only $1,000 over the line for the Midland.

Total first run business was $30,300. Average is $29,700.

Estimated takings:

Week Ending May 14:

"DINKY" (Warners)
NEWMAN—(1,800), 25c-40c, 5 days. **Gross:** $3,000. (Average, 5 days, $4,200).

Week Ending May 16:

"STAR OF MIDNIGHT" (Radio)
MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $9,000. (Average, films only, $7,000)

"MARK OF THE VAMPIRE" (M-G-M)
MIDLAND—(4,000), 15c-25c-40c, 7 days. **Gross:** $9,000. (Average, $8,000)

"I'LL LOVE YOU ALWAYS" (Col.)
TOWER—(2,200). 25c. 7 days. Stage: Armida, Jack Carson, others. **Gross:** $6,400. (Average, $7,000)

Week Ending May 17:

"THE MAN WHO KNEW TOO MUCH" (Gaumont British)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $2,900. (Average, $3,500)

"G-Men" Big in 2nd Week at Cleveland

CLEVELAND, May 23.—Biggest business of the week was done by repeats. "G-Men" grossed $9,500, or 50 per cent over average, in its second week at the Warners' Hippodrome, and "Naughty Marietta" playing its third consecutive week downtown went $1,000 over par to a $5,000 gross at Loew's Stillman.

"Bride of Frankenstein" topped average at the RKO Palace by $500. Other first runs were off.

Total first run gross was $43,800. Average is $41,000.

Estimated takings for the week ending May 17:

"IT'S A SMALL WORLD" (Fox)
ALLEN—(3,300), 30c-35c-42c, 4 days. **Gross:** $2,200. (Average, 7 days, $3,000)

"MYSTERY WOMAN" (Fox)
ALLEN—(3,300), 30c-35c-42c, 3 days. **Gross:** $1,100.

"G-MEN" (F. N.)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days, 2nd week. **Gross:** $9,500. (Average, $6,000)

"BRIDE OF FRANKENSTEIN" (Univ.)
RKO PALACE—(3,100), 30c-40c-60c, 7 days. Stage: Rimac's Orchestra and five acts vaudeville. **Gross:** $15,500. (Average, $15,000)

"THE DEVIL IS A WOMAN" (Para.)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $7,500. (Average, $10,000)

"NAUGHTY MARIETTA" (M-G-M)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days, 3rd week downtown. **Gross:** $5,000. (Average, $4,000)

"UNWELCOME STRANGER" (Col.)
CIRCLE—(1,925), 15c-25c-30c, 7 days. Stage: Five acts vaudeville. **Gross:** $3,000. (Average, $3,000)

"Miserables" Gets Pittsburgh's Top

PITTSBURGH, May 23.—There were three hold-overs in town last week, the first time in years. "Les Miserables" at the Penn finished with $15,000, over par by $3,000. The Warner, at $5,200, topped par with "The Man Who Knew Too Much" and "Dinky."

At the Stanley, the second week for both "G-Men" and the Folies Bergere revue, "Hello, Paris," attracted a little more than half the takings of the opening session, with the figure around $20,000, and the Alvin dropped likewise with "The Bride of Frankenstein" to $5,000. During its first week, however, "Frankenstein" had stage support and a 55-cent top against the 40-cent scale for the holdover.

Total first run grosses were $47,200. Average is $47,500.

Estimated takings for the week ending May 16:

"THE BRIDE OF FRANKENSTEIN" (Univ.)
ALVIN—(2,000), 25c-40c, 6 days, 2nd week. **Gross:** $5,000. (Average, $6,000)

"IMITATION OF LIFE" (Univ.)
FULTON—(1,750), 15c-40c, 3 days, in 2nd week. **Gross:** $2,000. (Average, for 6 days, $4,500)

"LES MISERABLES" (U. A.)
PENN—(3,300), 25c-40c, 6 days. **Gross:** $15,000. (Average, $12,000)

"G-MEN" (F. N.)
STANLEY—(3,600), 25c-55c, 6 days, 2nd week. Stage: Folies Bergere revue, "Hello, Paris." **Gross:** $20,000. (Average, $20,000)

"THE MAN WHO KNEW TOO MUCH" (G. B.)
"DINKY" (Warners)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $5,200. (Average, $5,000)

Boston Weak; "Devil" High With $21,000

BOSTON, May 23.—Pleasant weather and outdoor attractions hit grosses a heavy bump last week. "The Devil Is a Woman," with a stage show that included the Timbergs and Rooneys, came within $1,000 of par on a take of $21,000, but all other houses suffered.

"Straight from the Heart" grossed $10,500, under the line by $500, at the RKO Boston. "It's a Small World" and "Dinky," day and dated at the Fenway and the Paramount, were off in both spots.

Total first run business was $63,000. Average is $68,500.

Estimated takings for the week ending May 17:

"IT'S A SMALL WORLD" (Fox)
"DINKY" (Warners)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $3,500. (Average, $4,500)

"THE INFORMER" (Radio)
KEITH'S MEMORIAL—(2,907), 25c-65c, 7 days. **Gross:** $11,500. (Average, $12,000)

"MARK OF THE VAMPIRE" (M-G-M)
"THE UNWELCOME STRANGER" (Col.)
LOEW'S STATE—(3,537), 25c-65c, 7 days. **Gross:** $10,500. (Average, $12,000)

"THE DEVIL IS A WOMAN" (Para.)
METROPOLITAN—(4,332), 35c-65c, 7 days. Stage: Herman Timberg and Herman Timberg, Jr,; Pat Rooney and Pat Rooney, 3rd; Four Albee Sisters; Georges Baker; Elida Ballet; Fabian Sevitzky. **Gross:** $21,000. (Average, $22,000)

"IT'S A SMALL WORLD" (Fox)
"DINKY" (Warners)
PARAMOUNT—(1:793), 25c-50c, 7 days. **Gross:** $6,000. (Average, $7,000)

"BRIDE OF FRANKENSTEIN" (Univ.)
(Second Run)
"STRAIGHT FROM THE HEART" (Univ.)
RKO BOSTON—(3,246), 25c-50c, 7 days. **Gross:** $10,500. (Average, $11,000)

"G-Men" Is $10,500 Hit in Providence

PROVIDENCE, May 23. —"G-Men" cracked down on Providence and when the smoke of battle rolled away the Majestic was $10,500 to the good, a mark of $3,500 over the average take. The picture was widely acclaimed by the press and was held over for a second week.

Fay's garnered $7,300 with "Cowboy Millionaire" and the "Springtime Revue," while the Strand was at par, booking "Four Hours to Kill," and "Swell Head." Loew's was $2,000 down, showing "Mark of the Vampire" and "Vagabond Lady."

Total first run business was $44,050. Average is $40,500.

Estimated takings for the week ending May 16:

"G-MEN" (F.N.)
"DINKY" (Warners)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $10,500. (Average, $7,000)

"FOUR HOURS TO KILL" (Para.)
"SWELL HEAD" (Col.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,500. (Average, $6,500)

"THE COWBOY MILLIONAIRE" (Fox)
FAY'S—(1,600), 15c-40c, 7 days. Stage: "Springtime Revue." **Gross:** $7,300. (Average, $7,000)

"VILLAGE TALE" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. Stage: Mitzi Green heading vaudeville. **Gross:** $8,300. (Average, $7,000)

"MARK OF THE VAMPIRE" (M-G-M)
"VAGABOND LADY" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $10,200. (Average, $12,000)

"WILDERNESS MAIL" (Ambassador)
"RANGE WAR" (Col.)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,250. (Average, $1,000)

QUESTION:



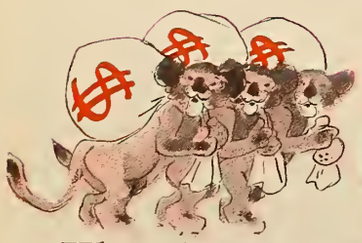
"Will there ever be another short subject like 'Three Little Pigs'?"

ANSWER:

"It's here right now and the title is

GOOD LITTLE MONKEYS





The Anniversary gift of Harman-Ising to the industry. Screen it at once. It's terriffic! Celebrating the completion of their first year as the Technicolor Cartoon Champs of M-G-M. And what a record they've set! They're headed for the Top Cartoon spot in 1935-36. You'll see!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 123 NEW YORK, SATURDAY, MAY 25, 1935 TEN CENTS

NRA, Assured Of Extension, To Push Cases

Preparation of Appeals Now Being Hurried

By CLARENCE LINZ

WASHINGTON, May 24.—Fortified by assurances that the Recovery Act would be continued after June 16, the NRA is hastening preparation of appeals on all adverse court decisions involving the film code, it was learned today.

Following a conference of Senate and House leaders with President Roosevelt, it was said an agreement had been reached to extend the law until April 1, 1937, a period of 22½ months, although it was admitted the consent of Senators Borah, Nye, King and other opponents of the NRA had not been secured.

Acceptance of an additional year's

(*Continued on page 4*)

Farnsworth May Be New Administrator

Deputy Administrator William P. Farnsworth is expected to be named administrator of amusements under the NRA when Compliance Director Sol A. Rosenblatt steps out on June 16 to return to private law practice in New York.

Rosenblatt, in addition to being administrator, is also director of compliance and enforcement of the NRA. Farnsworth is not expected to get the compliance and enforcement post, but only the title of administrator.

During the past several months, Farnsworth has virtually assumed the administration post without title.

Flinn Goes West on Coast Zoning Talks

John C. Flinn yesterday left by plane for Los Angeles to sit in on the clearance and zoning board meeting Monday. He plans to return June 3.

While on the coast Flinn will advise the board on how Campi disposed of various individual complaints before the schedule was adopted.

Board Delays Move On Giveaways Here

Unable to get together on a uniform plan for elimination of giveaways in the local area, the New York grievance board yesterday again postponed

(*Continued on page 4*)

K-A-O Given U. A. Spot on Fox Met Board

H. B. Swope to Replace Buckley in Lineup

United Artists relinquishes one place on the board of reorganized Fox Metropolitan Playhouses to give Keith-Albee-Orpheum representation on the board for the latter's 10 per cent stock interest in the new company under amendments to the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Met which were completed yesterday.

Herbert B. Swope, chairman of the board of K-A-O, is that company's representative on the new Fox Met board. Swope replaces Harry D. Buckley, U. A. theatre head. The realignment leaves Schenck and William P. Philips as the United Artists' representatives on the board. Fox Theatres retains Samuel S. Allan and Milton C. Weisman, attorneys, as its representatives on the board. The sixth board member, William Rhinelander Stewart, is understood to be a U. A.

(*Continued on page 3*)

Ask Court Sanction For Rochester Pool

A petition for court approval of the pooling of Paramount, Comerford and RKO theatres in Rochester was filed yesterday by the Paramount Publix trustees and will be heard by Special Master John E. Joyce on Tuesday.

The petition asks leave to transfer the leases on Paramount's Century and Regent to Monroe Amusements, Inc., which will also hold the lease on Comerford's Capitol. In addition, court authority is asked to permit Monroe and the three theatres it will operate to participate in a joint operating agreement with B. F. Keith

(*Continued on page 3*)

Jersey Trust Suit Going to a Master

NEWARK, May 24.—Jacob L. Newman has been appointed by Federal Judge William Clark to hear testimony by officials of six major distributors and their subsidiaries in contesting jurisdiction of a suit here for damages of $1,050,000. No date has been set for the hearing, but efforts are being made by counsel to expedite it.

The plaintiffs are the Ledirk Amusement Co., operating the Palace,

(*Continued on page 2*)

Use Gasoline Lamps

Collinsville, Ill., May 24.—The strike of employes of the Illinois Power & Light Corp. has turned the pages of time back 50 years at Miners' Theatre here.

Eight acts of vaudeville, with a master of ceremonies and a chorus are being presented three times a week with gasoline lamps the only illumination.

Tri-States No Combine, Say Its Officers

ATLANTA, May 24.—William K. Jenkins, of Lucas & Jenkins, dominant Atlanta exhibitors and powerful downstate Georgia chain operators, and Oscar Lam, who runs six theatres out of Rome, Ga., today denied charges made Thursday by Aaron Saperstein at the closing session of the Allied convention that Tri-States Theatres, Inc., was in its essence a booking combine formed two years ago to exact fees from independent exhibitors in this area.

By long distance telephone from Rome, Lam said the charge was a

(*Continued on page 3*)

Anglo-Americanand Rowland Close Deal

Negotiations were closed yesterday for a deal by which Anglo-American Film Renters, new British producing and distributing company, acquires a financial interest in Broadway Prod., Inc., William Rowland's new company, and obtains world distribution rights outside of the United States and Can-

(*Continued on page 3*)

Bay State Theatres Battle Ad Control

BOSTON, May 24.—Theatre men are hotly opposing a bill to provide for appointment of a director of outdoor advertising by the Governor. The bill calls for special permits for all forms of outdoor advertising and a $100 fee.

It is all inclusive and would regulate signs, marquees, posters, panels, signs, placards, tacked signs, etc. Censorship of material would be provided. Heavy fines are included for violations.

Allied Probe Of Charges to Be First Move

Will Then Ask Hays Help Before Court Attack

By RED KANN

ATLANTA, May 24.—Allied will thoroughly probe charges of "oppression" by affiliated theatres and distributors made during the convention sessions here by Col. H. A. Cole of Texas, Fred G. Weiss, John Cunningham, Charles Walder and Mrs. F. L. Liggett before proceeding with the mandate of the convention which provides that a committee shall wait upon Will H. Hays and insist upon restitution where damage has been done.

En route to their various territories are the organization leaders who have been charged by President Sidney Samuelson first to get the facts and then submit them to Abram F. Myers, general counsel, who, it is indicated, will first determine whether they possess merit. If he finds they do, he will pass them up the line to Allied officers for action.

Practically, therefore, what happens

(*Continued on page 3*)

Loew's, Criterion Given 12 More Days

Loew's and John P. Goring, operators of the New York and Criterion, respectively yesterday were given an extension of 12 days by the City Bank Farmers Trust Co., owners of the property, before vacating the premises.

Under the new time limit, the two houses will not close until June 14. Loew's will most likely sign a 10-year leasing deal with Walter Reade for the Mayfair on Monday, taking possession on June 15.

The extension works out satisfactorily to both Loew's and Goring on booking arrangements. Goring has had a contract with Fox for "The Cowboy Millionaire" and has tried to date the George O'Brien western before this, but no print has been available. The picture is now set to open at the Criterion May 30.

Bernstein Has Call Upon 50,000 Shares

WASHINGTON, May 24.—Reports to the Securities and Exchange Commission show that David Bernstein, vice-president and treasurer of Loew's, Inc., has options to purchase 50,000

(*Continued on page 2*)

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Rex Opens Coast Branch

Rex Premiums has opened an office in Los Angeles with C. H. Rose in charge. This marks the ninth branch for Rex. Jack Goldstein, general sales manager, yesterday returned from the coast by plane after a two-week tour of several key centers.

Radio Set in Finland

The entire Radio lineup for 1934-35, including "La Cucaracha," and the Rainbow Color cartoons, has been sold for distribution in Finland to Bio-Kuva O/Y of Helsingfors. C. G. Wallman acted for Radio Pictures International, Ltd.

Jane Murfin to Goldwyn

HOLLYWOOD, May 24.—Samuel Goldwyn has signed Jane Murfin to a long term contract as a writer. Miss Murfin's contract with Radio, where she has been serving as a writer and associate producer, was terminated by mutual consent.

Operate Upon Clofine

Mike Clofine, editor of Hearst Metrotone News, yesterday underwent an emergency appendicitis operation at the Cornell Medical Center. Last night he was reported coming along favorably.

Dissolve F. N. Exhibitors

ALBANY, May 24.—A certificate has been filed in the office of the Secretary of State dissolving the corporate existence of First National Exhibitors Circuit, Inc.

Purely Personal

RUTH CHATTERTON took off at the controls of her own plane from Roosevelt Field at 11:42 yesterday. She was headed for the coast with BRENDA FORBES and ROBERT BLAIR, her flying instructor, as guests.

•

WILLIAM H. ("Big Bill") ERBB, New England district manager for Paramount, is now a Kentucky colonel. He was a real captain in the engineer corps during the World War.

•

ED KUYKENDALL today leaves for dear ol' Mississippi, as he calls it, "the town where birds are twittering, flowers are blossoming and nature's at its best."

•

SOPHIE TUCKER and her Music Hall Revue, which is a regular WHN feature Thursday nights, have been booked into the Capitol starting Friday.

•

LOUIS DENT is due in early next week for conferences with Y. FRANK FREEMAN on Paramount theatre operations in Salt Lake City.

•

LLOYD C. DOUGLAS' novel, "Green Light," has been acquired by Warners and it is planned to film it as a Cosmopolitan production.

Quip of the Day

With Broadway having undergone many changes in the past few years, Al Lichtman comes to bat with a new name for the Main Stem.

He calls it Orange Juice Gulch.

HARRY BUXBAUM'S son, HARRY, JR., is representing Portable Cinema Service, Lawrence, L. I., when he's not attending college.

•

ANDRE MERLE, director of engineering for Airtemps Products, is now supervisor of the theatre division of the company.

•

NATHAN YAMINS returned to Fall River, Mass., yesterday and is planning to rent a boat and take a sailing vacation.

•

EDWARD EVERETT HORTON is scheduled to sail for England early next month to make a film for Twickenham.

•

BLANCHE YURKA has arrived on the coast by plane for her role in M-G-M's "The Tale of Two Cities."

•

ADOLPH BERGER has been appointed general sales manager of Ad Merchandising Corp.

•

HARRY HERVEY'S original, "Every Mother's Son," has been bought by Paramount.

•

WILLIAM A. SCULLY is back from a tour of M-G-M exchanges under his supervision.

•

ARTHUR T. HERMAN'S original, "Long Haul," has been acquired by Radio.

•

ARCHIE LAURIE of Empire Films, Ltd., Toronto, was in town yesterday.

•

JOHN COLLIER, British novelist, has reached the coast to work for Radio.

•

DAN MICHALOVE is planning to go to the coast sometime next month.

•

DAVE BLUM has taken out a license as an amateur radio operator.

Bernstein Has Call Upon 50,000 Shares

(*Continued from page* 1)

shares of common stock before March 1, 1939.

The option gives him the right to purchase 13,890 shares from Dec. 31, 1934, to March 1, 1935, at $30 per share; 13,890 shares from Dec. 31, 1936, to March 1, 1937 at $35 per share, and 22,200 shares from Dec. 31, 1938, to March 1, 1939, at $40. He already has purchased 13,890.

The same report shows that Nicholas M. Schenck, president, in addition to a fixed salary, receives two and one-half per cent of the excess profits of the company after all charges.

Consolidated Film Industries, the report shows, paid H. J. Yates, president, $63,000 in 1934. Ben Goetz, executive vice-president, received $42,020, and H. M. Goetz, treasurer, received $22,516. M. H. Lavenstein, director and counsel, was paid $32,395.

Three L. A. Clearance Complaints Upheld

LOS ANGELES, May 24.—Of nine exhibitor protests against the local clearance schedule heard yesterday by the zoning board three have been decided in favor of the protestants, one withdrawn and the remaining ones held over till the arrival of John C. Flinn for the Monday hearing.

Twelve protests are set for Monday, with the Forum and Balboa cases outstanding. The Paramount Theatre will have two protests, one involving night price classification, the other requesting the outlying territories be incorporated in the city zone.

Warner Play Tonight

The Warner Club Players will present "The Brat" at the Roger Sherman Theatre in New Haven tonight for members of the Connecticut Warner Club and their guests. The cast is composed of Warner home office employes.

H. C. Bissell Is Father

CLEVELAND, May 24.—H. C. Bissell, local Columbia exchange manager, is now the father of a six-pound boy. Both Mrs. Bissell and the baby are doing fine.

S. S. Crick Is Coming

HOLLYWOOD, May 24.—S. S. Crick, Fox's Australian sales chief, leaves for New York Saturday. From there he will go to the company's convention in Chicago.

Drop Para. Orchestra

The Paramount theatre yesterday dropped its orchestra for the summer. The musicians are slated to resume the middle of August.

Mrs. Small Very Ill

HOLLYWOOD, May 24.—Mrs. Edward Small, wife of the Reliance executive, is seriously ill here with an infection of the throat.

SMPE Hears Tribute To the Technicians

HOLLYWOOD, May 24.—Tribute was paid to the technician today at the closing sessions here of the convention of the Society of M. P. Engineers.

Asserting that "it is incongruous and unjust to fail to give proper attention to the technical aspects of the motion picture" and that "the mastery of light and the control of sound are at the very core of this great industry," a paper by Dr. Alfred N. Goldsmith, past president of the society, stated that in the hands of the technician lies "the real future of the industry so far as it depends on the availability of those tools which will inspire and strengthen the artist and please and hold the audience."

"For its continued pre-eminence and public acceptance those charged with the responsibility for the direction of the motion picture field must encourage its technical aspects and learn ever more fully to utilize them," the paper continued. "They must respect and foster the engineering workers who are able to contribute to the art. And, above all, there must be no conflict, open or hidden, between artistry, craftsmanship and technology — for among these there is an essential underlying unity the realization and encouragement of which is a fundamentally necessary condition for the continued growth and success of the industry."

M. C. Batsel of the RCA Manufacturing Co., speaking on "Recording Music for Motion Pictures," said that in his opinion insufficient attention had thus far been paid to the creation of ideal recording acoustics in studio and theatre, adding that new developments were bringing sound pictures nearer perfection of realism and tone fidelity. He asserted that pioneers in the development of talking pictures had been actuated by fundamental ideals which many studio technicians now neglect because of their absorption with production problems.

The failure of American films to compete with British product in India was blamed on jazz, the underworld and slang, in a paper by G. D. Lal of Delhi.

The society will elect a new board of governors at its fall meeting.

Jersey Trust Suit Going to a Master

(*Continued from page* 1)

Orange, and Strand Theatre Operating Co., controlling a house of the same name in East Orange. Suits asking for trebled damages under the Sherman and Clayton anti-trust acts were filed and also equity suits asking dissolution of the alleged trust and an injunction.

The Strand and Palace are independent houses that named Warners, Paramount, Fox, United Artists, Columbia and RKO as a combination in restraint of trade by controlling bookings and releases. Merritt Lane, counsel for most of the defendants, contested jurisdiction of the suit on the ground the companies named had no specific interests in New Jersey and cannot be sued here without their consent.

Newman will hear testimony to determine what interests the producing, operating and distributing companies have in New Jersey and forward the record to Judge Clark. The court then will decide whether the suit will be heard.

Tri-States No Combine, Say Its Officers

(*Continued from page* 1)

lie. He described Tri-States as a sort of mutual protective association for its members, which, he added, total about 20. The purpose of the organization is principally legislative, and on this score Lam declared efforts to ward off inimical laws have been successful in this state. Dues paid by members constitute a revolving fund available to its constituents in the conduct of their local business, if and when they run afoul of financial difficulties. Specifically denying the claim that booking tribute from individual theatres begins at $15 weekly and then up, Lam stated his answer to that was he paid only $5.50 and he runs six houses.

Asked if it were a fact that he owned 25 per cent of Tri-States' stock, Lam replied by declaring he originally financed the organization at its outset in that percentage.

Lucas was in Savannah today, but Jenkins, his partner, had this to say: "We consider it a mark of distinction and badge of honor to be attacked by certain parties. The facts are so grossly misrepresented they require no denial. We, as an organization, are behind President Roosevelt in all of his policies and for the Administration.

Says No Force Used

"First, we realize the proper relationship between producer, distributor and exhibitor and always assume a stand for the best interests of the industry as a whole. I speak for my associate, Arthur Lucas, and myself when I say that we have never invited any exhibitor to join Tri-States. Those who have joined have done so by their own request. In some instances, these requests have been recognized, and in others they have not."

Nat Williams of Thomasville, who is reported to own stock in Tri-States in like amount with Lam, wired MOTION PICTURE DAILY a statement as president of that unit, but nowhere in his comment made specific answer to alleged booking activities. He said:

"If you consider the Allied charges newsworthy, I suggest that you secure a membership list from the Atlanta office and question members other than the four stockholders, as to the workings of Tri-States. No member has ever resigned, although any may do so at any time without penalty. No member has ever kicked on the amount of dues, or failed to pay them, without being billed. No theatre has ever paid $15 per week, and some have volunteered to raise their dues. but the offers have not been accepted.

"No officer or stockholder has ever received one cent in salary, stock dividend or traveling expense. Many membership applications have been rejected, even when accompanied by cash in advance, when the organization has not been positive it could render services commensurate with the applicants' obligations.

"If and when Allied can emulate these examples and tender as much service to an independent as does Tri-States, I will like them and join them whether they are racketeers or not."

Allied Probe Of Charges to Be First Move

(*Continued from page* 1)

hinges solely on the results of the fact gathering program. At the same time the understanding appears to be quite clear.

The probe will get underway immediately. Hays is to be given full opportunity to take action, if action is demonstrated to be necessary. If, after this has been done, nothing compatible with Allied's viewpoint develops, the cases of aggression, if any are unearthed, will be turned over to Federal authorities.

Allied takes the stand that trouble has been laid upon its doorstep by its members and the organization, in turn, proposes to drop it on the doorstep of the Hays association, through whose members it figures it began in the first place.

How rapidly this agenda will crystallize was difficult to foretell today, and about it Samuelson had no comment to make. Whether or not the fact Federal authorities will be turned to if the Hays organization takes no action means Allied will hold in check its fanfare about lawsuits on "100 fronts" was not a determinable point.

Samuelson, accompanied by his wife and secretary. Sally Fisher, left this afternoon for a motor trip through Tennessee and Ohio and will not reach New York until after Decoration Day. Myers left for Washington today. With the New York contingent, including Herman Robbins, Morton Van Praag, George Dembow, Ralph Rolan, Clinton Weyer, James Clark, Ben Rosenberg and others pulling up stakes, the only reminder at the Piedmont now is banners of welcome strewn about the hotel by local exchanges, independent as well as major.

Cole Decides to Go Home

ATLANTA, May 24.—Col. H. A. Cole has decided not to go to New York to tell distributors what he thinks of the Tri-States booking combine. Instead, he has left for Texas.

Cole charged before the Allied convention on Tuesday that Tri-States was forcing independents in all Texas towns of 10,000 or over to pay four per cent of their grosses in booking fees and were squeezing them to the wall. Later it was stated that exchange heads here had suggested to him that he tell his story to New York executives.

Yesterday he considered a New York trip before returning to Dallas, but last night decided against it.

Para. By-Laws Approved

The by-laws for reorganized Paramount were approved in their final form yesterday by Federal Judge Alfred C. Coxe. A hearing to obtain approval of the form of indenture securing the new Paramount debentures will be held before Judge Coxe on May 28.

NVA Fund Gets $2,500

CLEVELAND, May 24.—The N. V. A. Fund will receive approximately $2,500 from the special midnight show held here Wednesday at the RKO Palace.

Wall Street

Most Slightly Off on Big Board

	High	Low	Close	Net Change
Columbia, vtc (cl)	60½	59½	60½	.....
Consolidated	4	4	4	.....
Cons., pfd. (1¼v).	15	14½	14½	— ¾
Eastman	144½	144	144	.....
Fox Film "A"....	14⅞	14⅜	14½	+ ⅛
Loew's, Inc.	41⅞	41	41⅝	+ ⅛
Loew's, Inc., pfd..	106⅝	106⅝	106⅝	— ⅛
M-G-M, pfd	27⅜	27⅜	27⅜	.....
Paramount Publix	3½	3¼	3⅜	.....
Pathe	¾	⅝	⅝	— ⅛
Pathe "A"	9¼	8⅞	9	— ½
RKO	2	1⅞	1⅞	— ⅛
Warner	3⅞	3¾	3¾	— ¼
Warner Bros. pfd...	24¾	24	24⅝	— ⅛

Trans-Lux Up ⅛ on Curb

	High	Low	Close	Net Change
Technicolor	20⅝	20⅛	20¼	.....
Trans-Lux (.10K).	2¼	2⅜	2⅜	+ ⅛

Warner Bonds Gain Slightly

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	12½	12	12	.....
Keith B. F. 6s '46	78	78	78	.....
Loew's 6s '41 ww deb rights..	104½	104⅜	104⅜	— ⅜
Paramount B'way 5½s '51	55	55	55	.....
Paramount F. L. 6s '47	90	89½	89½	— ¼
Paramount Publix 5½s '50	91½	91	91⅛	.....
RKO 6s '41 pp....	40	40	40	.....
Warner Bros. 6s '39 wd.....	64¾	64	64⅛	+ ⅛

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 24)

Award Big Judgment In Trade Paper Sale

A judgment for $437,000 was awarded Leslie M. Heatherton, president of *Plumbers Trade Journal,* against James N. Heatherton, former owner of the publication, by Judge Witchien in state court at White Plains yesterday. The plaintiff sued for an accounting, claiming he was entitled to one-fifth of the sales price received for the trade journal when it was sold to Angus Publishing Co. in 1930. The Angus company was the former owner of *Motion Picture News.*

Samuel Spring, film attorney, represented the plaintiff in the action. The judgment is one of the largest of record in that court.

Ask Court Sanction For Rochester Pool

(*Continued from page* 1)

Corp.'s Palace and Temple, Rochester. Paramount and Comerford will each own 50 per cent of Monroe. If the joint operating agreement with RKO is approved, Monroe will share 55 per cent of the profits or losses of the joint operations and RKO 45 per cent. Monroe would be under Paramount operation and the Palace and Temple would continue under RKO operation.

J. S. MacLeod Heads East

LOS ANGELES, May 24.—J. S. MacLeod, head of maintenance for M-G-M exchanges, left for New York by plane today. He has been visiting a number of exchanges after attending the two regional sales meets.

Shirley Is in Hospital

HOLLYWOOD, May 24.—Shirley Temple is in a hospital here for a nose operation.

K-A-O Given U. A. Spot on Fox Met Board

(*Continued from page* 1)

representative. It is pointed out that U. A. may acquire all of the stock in the new Fox Met held by Fox Theatres under an option contained in the plan which, it is expected, will be exercised shortly after reorganization. In this event, Weisman and Allan would be displaced and U. A. board members would be elected to succeed them.

Reports that Harold B. Franklin would become operator of Fox Met when the Schenck reorganization plan has been finally approved by the court were scouted in reliable quarters yesterday with the reminder that none of the amendments to the plan authorized by the court provide for a change of operators of Fox Met after reorganization. It was also pointed out that Federal Judge Julian Mack lauded the Skouras and Randforce operation of Fox Met and stressed the value of retaining them and their Fox Film franchise in giving his tentative approval to the Schenck plan early this month.

Disputes over the amount of unmortgaged cash of Fox Met which may be released to the proponents of the plan under the reorganization have led to the filing of an order to show cause why the amount of mortgaged and unmortgaged cash of the company should not be designated. The order has been set for hearing before Judge Mack on June 3.

Anglo-American and Rowland Close Deal

(*Continued from page* 1)

ada for four feature musicals to be produced by Rowland.

Three of the four Rowland features will be made at Eastern Service Studios and the fourth will be made in London. All will be designed especially for the British and Continental market, according to Captain A. C. N. Dixey of Anglo-American, although each will be made by American technicians and will employ American casts. The first will be "Romance Unlimited," which will go into production July 8 at Astoria. The screen play and dialogue will be by Charles Beahan and John V. A. Weaver, with Robert Milton directing. The cast will include Sidney Fox, Abe Lyman and band, Jack Dempsey, Helen Lynd and others.

The production to be made at London will be produced in Anglo-American Renters' studios.

American distribution of the Rowland pictures will be set later. L. J. Schlaifer, recently made vice-president and general manager of the Rowland company, will be in charge of the distribution arrangements.

Anglo-American Renters has scheduled 12 productions for next season release, some of which may be produced here. Distribution arrangements for the 12 are expected to be completed by next Wednesday, Capt. Dixey said.

The Rowland deal was closed by Capt. Dixey, who is chairman of the board of Anglo-American; Giulio Niclas, director of the company's production unit, and Peter Witt, general and foreign manager of the company.

NRA, Assured Of Extension, To Push Cases

(*Continued from page* 1)

extension by Senate leaders who 10 days ago asserted vehemently that they would not accept amendments to the Clark Resolution means that the President has cracked the whip and is prepared for a finish fight on the question.

Among the film cases which are expected to be appealed by the Government are those at Los Angeles, Denver and Des Moines.

Board Delays Move On Giveaways Here

(*Continued from page* 1)

action on the matter until Tuesday. Some of the members wanted more time to go into the situation.

One of the discussions taken up yesterday was the general complaint of independent exhibitors at the May 14 session. The consensus of opinion among independents at the time was that the small theatre needed premiums and had to resort to chance games because of the product and run situations. It was felt by the board that this should be taken into consideration before definite action is taken.

While the board is agreed that giveaways should be banned to a certain extent, it does not want to impose restrictions on subsequent run exhibitors that would tend to work hardships on them. All independents at the general session held that unless some sort of artificial stimulant were injected into the programs smaller houses would be compelled to close.

Leon Rosenblatt's interference-of-lease complaint against M. G. Felder in connection with the Maplewood, Maplewood, N. J., was certified to Campi. No date for a hearing has been set.

Julius Charnow's complaint against Harry and Joseph Friedman and Joseph Poringer for interfering with possession of the Leonia, Leonia, has been dated on the Campi calendar for June 5.

Fight Looms on Film Order

KANSAS CITY, May 24.—Film service has been ordered stopped May 30 to Jack Johnston, Ritz, McPherson, Kan., on complaint of C. W. Helstrom, same town, that Johnston was not complying with the grievance board's order, sustained by Campi, to discontinue bank night.

Johnston, it is understood, has retained counsel and is planning to file an injunction suit in Federal court.

Two similar complaints await action of the grievance board. Walter Hohlfeld, Elite, Greenleaf, Kan., wants the board to enforce a desist order against Charles Swiercinsky, Majestic, Washington, Kan., who, according to the complainant, refuses to quit bank night. The Fox Lyric, Boonville, Mo., is cited in a complaint by J. M. Malone, Casino, same city, who charges the Fox Midwest house continues reduced admissions in the form of "trade-a-gift night." Both cases will be aired June 5.

The bank night and reduced admission case of Sam Yoffie, Uptown, Trenton, Mo., against Commonwealth circuit's Plaza has been withdrawn by agreement.

Illness of L. M. Robinson, Noll, Bethany, Mo., forced continuance of his bank night complaint against the Roxy, same town, to June 5.

B. B. Kreisman Resigns

LOS ANGELES, May 24.—B. Bernard Kreisman, member of the local grievance board, has forwarded his resignation to Campi. He left for Washington today on what is reported a business trip for a major company.

Campi yesterday had not received B. Bernard Kreisman's resignation.

Walkathons Killed By Michigan Solons

ATLANTA, May 24.—Walkathons have been killed in Michigan, H. M. Richey learned today prior to his departure for Detroit. He said that walkathons grossed $286,000 in Michigan last year. Of this total $100,000 was taken in Grand Rapids alone.

The next big exhibitor tussle in Michigan, against which the Allied convention passed resolutions Thursday, will be over the free show evil.

Richey says there are now 75 of them in the state, most of them running inferior product, bootlegged from second and third string Chicago exchanges, with occasional instances of major product being made available.

See Playdate Bill Dead

LANSING, MICH., May 24.—Little hope is seen here for enactment at this session of a bill which would make designated playing time illegal. The bill is understood to have been sponsored by Allied of Michigan.

Ill. Tax Starts July 1

SPRINGFIELD, ILL., May 24.—The new three per cent sales tax law will not become effective until July 1, as it failed to obtain the necessary two-thirds majority in the House to make it an emergency measure effective immediately upon being signed by the Governor.

Downstate Republican opposition prevented the emergency clause getting through.

See Missouri Race Veto

JEFFERSON CITY, MO., May 24.—Guy B. Park is expected to veto the Hess dog and horse racing bill which slipped through the Senate on May 21 by a bare constitutional majority of 18 votes.

Mo. House Passes Sales Tax

JEFFERSON CITY, Mo., May 24.—The House today passed the compromise one per cent sales tax bill, 87 to 53. Gov. Park is expected to sign it as he has already announced he favors the bill.

M-G-M Caravan at K.C.

KANSAS CITY, May 24.—M-G-M's traveling studio will make its bow to Kansas City on Saturday when City Manager H. F. McElroy will greet the crew on arrival at Union station. A downtown street parade and demonstration in front of Loew's Midland will follow. Preliminaries in the search for talent will be held Wednesday night at the Midland and screen tests will be staged at the theatre Friday night. John McManus, the Midland's manager, is assisting Eddie Carrier in arrangements.

Two Theatres Are Sold

Two theatres were sold at auction yesterday at the Wesley St. salesrooms. They were the West 46th St., formerly the Chanin, and the Imperial. Both were acquired by Jack A. Rothenstein, foreclosure plaintiff. He bid above the first mortgage bonds in each instance.

The Times Square and the Apollo will be sold on June 6.

Warner in L. A. Today

HOLLYWOOD, May 24.—Major Albert Warner and S. Charles Einfeld, publicity and advertising head of Warners, are due here Saturday.

Looking 'Em Over

"Paradise Canyon"

(*Monogram*)

My, how the "G Men" do get around! For now, in the person of John Wayne, they clear up a gang of counterfeiters in this western, the latest of the Lone Star series, amid much action, hard riding, gunplay and romance.

Wayne, performing up to his usual standard, is backed up by good cast portrayals on the part of Marion Burns, Earle Hodgins, Yakima Canutt and Gino Corrado.

The yarn has Wayne assigned to investigate a gang of counterfeiters purported to operate through medicine shows. He joins the troupe of Hodgins and then mysterious events transpire to prevent the show from stopping at a border town near the reported source of the bogus money. When Wayne learns Canutt is behind the ring, Hodgins and his daughter, Miss Burns, are kidnapped by the crooks, so he enlists the aid of the Mexican Rurales and the entire gang is rounded up after a running gun fight. Wayne thus completes his assignment, solves the mystery and arrives at a romantic finale with Miss Burns.

Where westerns are liked this film should do particularly well. Reviewed without production code seal. Running time, 52 minutes. "G."

"Escape Me Never," Thursday morning's opener at the Radio City Music Hall, was reviewed from London by cable on April 17.

"Mr. Dynamite," previewed by wire from Hollywood on March 29, *opened yesterday at the Roxy.*

"Girl From 10*th Ave.," opening yesterday at the Capitol, was reviewed on May* 15.

"Miserables" Has Big 2nd Week, Detroit

DETROIT, May 24.—"Les Miserables" turned in a smashing $13,500 for its second week at the United Artists. This is $3,500 above a normal first week.

There were three other holdovers. "G-Men" held up to $6,600 at the State, and "Bride of Frankenstein" was good for $6,100 at the Adams, but "Sequoia" and "Mississippi" fell off to $3,100 for the second stanza at the Fisher.

Total first run business was $78,400. Average is $70,000.

Estimated takings for the week ending May 16:

"BRIDE OF FRANKENSTEIN" (Univ.)
ADAMS—(1,770), 10c-40c, 7 days, 2nd week. **Gross:** $6,100. (Average, $5,000.)

"THE INFORMER" (Radio)
FOX—(5,100), 15c-55c, 7 days. Stage, five acts vaude. **Gross:** $16,200. (Average, $15,000.)

"SEQUOIA" (M-G-M)
"MISSISSIPPI" (Para.)
FISHER—(2,975), 10c-40c, 2nd run. **Gross:** $3,100. (Average, $5,000.)

"STOLEN HARMONY" (Para.)
MICHIGAN—(4,100), 15c-55c, 7 days. Stage, 5 acts vaude. **Gross:** $21,300. (Average, $20,000.)

"G-MEN" (F. N.)
STATE—(3,000), 10c-40c, 7 days, 2nd week. **Gross:** $6,600. (Average, $5,000.)

"LES MISERABLES" (U. A.)
UNITED ARTISTS—(2,070), 15c-55c, 7 days, 2nd week. **Gross:** $13,500. (Average, $10,000.)

"ONE NEW YORK NIGHT" (M-G-M)
BROADWAY-CAPITOL —(3,448), 10c-40c, 7 days, 6 acts vaude. **Gross:** $11,600. (Average, $10,000.)

Shuttee Wins First Award on "Ruggles"

W. B. Shuttee, Main Theatre, Pueblo, Colo., has been awarded first prize of $600 for the best advertising and exploitation campaign on "Ruggles of Red Gap." The contest was conducted by Paramount with more than 100 the atre managers and advertising men participating. Six judges officiated.

Second prize, $400, went to Sid Holland, Elco, Elkhart, Ind. Third, $300, went to Herman Kersken of the Warfield and St. Francis Theatres, San Francisco. Frank LaFalce, Earle, Washington, and Al Zimbalist, West End Lyric, St. Louis, secured fourth and fifth.

Twenty secondary prizes were given the following: A. Shubert, Shubert, Gooding, Idaho; George Baker, Newman, Kansas City; Mel Morrison, Strand, Dover, N. H.; Joe Lee, Paramount, Brooklyn; Manager, Indiana, Indianapolis; Charles B. Taylor, Shea's Buffalo, Buffalo; M. S. Joiner, Orpheum, Vancouver; Milt Harris, Loew's State, Cleveland; Manager, Capitol, Aberdeen, S. D.; H. B. Sabottka, 5th Ave., Seattle; Manager, Paramount, Cedar Rapids, Ia.; Max Shane, Paramount, Los Angeles; William Powell, Paramount, Newport, R. I.; George Sallows, Metropolitan, Morgantown, West Va.; H. S. Dahn, Capitol, Montreal; William Hollander, Chicago, Chicago; E. M. Hart, Strand, Plainfield, N. J.; Manager, Fox, Sacramento; Manager, Stuart, Lincoln, Neb., and H. A. Gillespie, Liberty, Yakima.

Judges were Jack Alicoate, Red Kann, A-Mike Vogel, Epes W. Sargent, Charles E. Lewis and Frank S. Leyendecker.

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Allied Moves To Fight RKO In Northwest

Orpheum Bargain Shows Start Buying Pool

MINNEAPOLIS, May 26.—Allied Theatres of the Northwest threw down the gauntlet in the fight against bargain shows at the local Orpheum when some 40 exhibitors of this city and St. Paul and surrounding towns voted at a closed meeting yesterday to permit the organization to handle their buying of RKO product for one year.

Great States Amusements, at a heated discussion Monday, passed a resolution placing the buying of RKO product in the hands of the association's board of governors, which consists of J. B. Clinton, president; S. G.

(*Continued on page 2*)

All Indies Asked To Pooling Talks

All independent exhibitors, regardless of whether they are affiliated with the I.T.O.A. or not, have been invited to attend a general meeting at the Astor this afternoon when plans for the formation of a new circuit will be detailed.

According to the proposal, exhibitors will be asked to pool their interests into one big corporation. They will get a certain percentage of stock and retain management of their houses under

(*Continued on page 2*)

Production Slips; 39 Features Going

HOLLYWOOD, May 26.—Production slumped slightly last week following a spurt during the preceding seven-day period. The checkup showed 39 features and nine shorts before the cameras as compared to 44 features and six shorts for the preceding week.

Fox and Paramount headed the major studios in production activity. Fox checked up with seven features in

(*Continued on page 2*)

Consolidated Seeks Big Stock Listing

By BERTRAM F. LINZ

WASHINGTON, May 26.—Application for registration on the New York Stock Exchange of 400,000 shares no par $2 cumulative participating preferred and 524,973 shares of $1 par value common stock, all issued, has

(*Continued on page 7*)

Insiders' Outlook

By RED KANN

IT was an interesting convention, the Allied war council in Atlanta. Interesting, not because the organization let loose to the South's sultry breezes any new standards around which the cohorts might rally. Not at all. Always on that side of the fence where the major producers and distributors are not, Allied continues determined to play in its own back yard exactly as the affiliated groups disport in theirs. The interest which was in Atlanta was traceable to something entirely different. . . .

▼

The Allied which foregathered was not the organization of a few years ago. It was an Allied obviously considerably sobered, more mature and so less impetuous and, by the same token, more determined and confident of ultimate accomplishment. For instance, a point in evidence was the traditional stand on compulsory block booking, focussing now in the support of, and campaign for, the Pettengill bill. In Allied eyes and minds, this measure, or one similar to it, eventually will be legislated into the law. . . .

▼

A handful of years ago, which actually was the case when the Brookhart measure went down to defeat, the circumstance dulled enthusiasms and exploded optimisms. Today, and here enters the difference, Allied holds small hope for the Pettengill proposal this session and appears to be little disturbed by the prospect. Its leaders point out "major reforms" take from 10 to 15 years to get through Congress. This is their own expression. . . .

▼

This is their expression, uttered calmly, mind you, with no untoward evidences of disappointment, but seemingly in recognition of a state of affairs which happens to be. The viewpoint reflects a realization that to reach the required objective so vital in Allied's program, work and more work must be done. The organization may be wrong and time only will kick in with the proof, but the reaction of this observer to its last week's deliberations is that all channels will be explored to the hilt before failure is recognized. . . .

▼

The approach which Sidney Samuelson made on the convention as a whole supplied further demonstration of how the association is conducting itself today. He told the delegates not to expect millenniums; that they don't just happen and that Allied was setting forth to bring about its own. "I don't kid myself about conventions. They merely set up whatever we are trying to do. The work begins when we get home," was what he told the delegates, warning them at the same juncture that what they get will be what they earn by their own effort. . . .

▼

Allied repeated its familiar platform on the kind of a business it views this to be. There are independent exhibitors and the other kind, the second ilk being allied with major producers and distributors. Like the pants-and-vest simile, to Allied there is no difference between the latter two because they go together; this is the argument. Thus, it is a case, certainly clear cut enough in so far as definition is concerned, of independent theatremen against all other theatremen, plus producers and distributors whether they like it or not. . . .

▼

With this fundamental line of demarcation sharply drawn, Allied, as a consequence, regards affiliated theatres in the sellers division along with distributors and, by the same token, independent theatres only as the real buyers. With this theory, the organization again sounded its policy on the code: That Campi should be divided equally as to buyer and seller and that, unless this is done, Allied members will withdraw assents and assessments as well as participation in code board operation. On this score, Allied and the M. P. T. O. A. are not very far apart, for the Kuykendall organization resoluted in New Orleans for a "reorganiza-

(*Continued on page 2*)

U.S. Reports 9% of Houses Gross to 49%

Nearly Half of Total in 920 Large Theatres

By CLARENCE LINZ

WASHINGTON, May 26.—Nine per cent of the theatres surveyed by the Department of Commerce in its census of amusements for 1933 did 49 per cent of the business, it was disclosed last night by the U. S. Census Bureau, while 54 per cent of the houses accounted for only a little more than 10 per cent of the receipts.

The census covered 10,265 theatres with total receipts of $415,153,000, of which 920 houses, or 8.9 percent, did a business of $100,000 or more, with receipts of $205,209,000 or 49.4 per cent of the total; 1,218 houses, or 11.9 per cent, had receipts between $50,000 and $100,000, taking in $84,947,000,

(*Continued on page 7*)

Ascap May Request High Court Delay

In an endeavor to forestall an early trial of the Government's suit to invalidate its music licensing procedure, the American Society of Composers, Authors & Publishers may apply to the U. S. Supreme Court within the next few days for a writ of prohibition denying the Federal district court here the right to proceed with the trial of the Government's case on June 10,

(*Continued on page 7*)

Amendment Is Up On Zoning Rulings

WASHINGTON, May 26.—A proposed amendment to the clearance and zoning provisions of the film code, to be considered for approval after June 13 unless substantial opposition is expressed before that date, was an-

(*Continued on page 8*)

Lynbrook's Council Stops Bank Nights

LYNBROOK, L. I., May 26.—Skouras' Lynbrook has stopped bank nights as a result of an order from City Council which threatened to revoke the theatre's license.

The City Council stated that the game was impeding traffic, both pedestrian and vehicle, and unless it was curtailed the house would be shut down.

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Kalmus to Speak at Forum of M.P. Club

With Dr. Herbert T. Kalmus, co-inventor and present head of Technicolor, as guest of honor and chief speaker, a special "color forum" luncheon will be held tomorrow at the M. P. Club.

Louis Nizer will be toastmaster of the luncheon and Jack Alicoate chairman. Others expected to attend are Mrs. Natalie Kalmus, C. C. Pettijohn, J. A. Ball, John Hay Whitney, Robert Edmond Jones, Miriam Hopkins, Rouben Mamoulian, M. H. Aylesworth, Ned E. Depinet, Billie Burke and Felix Feist.

John Snider Is Buried

NEWTON, Mass., May 26.—John Snider, manager of the M. & P. Paramount here, was buried yesterday. He died at Baker Memorial Hospital Friday at the age of 51 after having been in poor health for some years.

Snider was one of the first exhibitors, having opened the Idle Hour in Pittsburgh in the early days of the industry. He later joined the Miles theatre interests in Detroit, where he became general manager. He went to Paramount in 1924 and has been in New England for the past 11 years.

Empire Film Adds 18

Empire Film Distributors, Inc., has completed arrangements to handle 18 features, nine of which will be westerns, and two serials for next season. This will be in addition to the 15 features already scheduled for next year.

Insiders' Outlook

(*Continued from page* 1)

tion of the Code Authority to provide for more equitable representation of the various departments of the industry and the various sections of the country."

▼

On the code and on compulsory block booking, Allied definitely knows where it wants to go. On the furore raised in Atlanta over alleged producer-distributor "aggressions," the unit is mixed up. Fanned into reactionary organizational ballyhoo by Al Steffes and his whoop over the plight claimed by H. A. Cole, the delegates one day voted to demand retribution from Will H. Hays. On the next, they wavered and determined to seek relief through the Department of Justice and the anti-trust laws. In the backwash of the convention, it was remembered a committee had been named to see Hays and so it was determined to return to the first mandate before trying the second. Little hope is held for results in so far as any conferences which may be held with Hays. The organization, forecasting conclusions, which is apt to be an unsatisfactory way of doing it, has placed itself in the rather untenable and unwise position of predicting the parley route will get nowhere. . . .

▼

Between convention action looking toward potential talks with Hays and subsequent decision to place the odds on wholesale litigation, something happened. There was talk of a mysterious telephone call from New York and more talk, based on what may have been merely political propaganda, that perhaps the procedure might better hinge on an effort to clean up from within as a faster and a more immediately productive method than any recourse to the lumbering machinery of the Justice Department. . . .

▼

To what degree the excitement centered around "aggressions" will prove the usual battle cry type of stump speeching for dear, old organizational purposes will be determined as weeks and months slide by. Allied leaders were astute enough to realize that the quickest passage to their delegates' emotions was to yell "octopus" and "oppression." Cole did it calmly enough and Steffes did it loudly enough. The extremities in the formula worked as the headlines of last week demonstrated. Yet Allied, wiser now, is determined not to be caught on the short end and, in order to prevent embarrassment, has ordered a strict investigation of the facts for submission to Abram F. Myers before embarking on official action. . . .

▼

Whereas Allied in Detroit a few years ago started off wild-eyed and stuck to it in that convention, Atlanta found more caution, if not less revolution, in its management. The chronic "against" attitude continued there, but that is Allied's act. Adherence to it year after year must be recognized for the determination which it evidences. This is merely the fair thing to say, regardless of sympathy or not for the objectives which the organization is seeking. . . .

All Indies Asked To Pooling Talks

(*Continued from page* 1)

the plan. About 150 theatres are expected to endorse the idea.

Last Thursday night Harry Brandt, Milton C. Weissman, John Benas, Louis Shiffman, Louis Meyers, Bernard Barr, Abe Leff and Maurice Fleischman held a special meeting at the M. P. Club when it was decided to sound the call for an open discussion of the topic.

An identical plan has progressed in New Jersey to the extent where 25 signatures have already been obtained. Leon Rosenblatt is head of the committee working on the Jersey scheme, which is limited to non-competitive and last run situations. A meeting is planned in Newark within the next week, when it is anticipated about 75 additional signatures will be secured.

Both plans are being sponsored by independent exhibitor groups with the I.T.O.A. and the T.O.C.C. not interested.

Production Slips; 39 Features Going

(*Continued from page* 1)

production, four in preparation and four in the cutting room. Paramount had seven, two and two; Radio, six, four and six; M-G-M, five, three and 10; Warners, two, zero and 11; Columbia, two, three and four; Roach, one, zero and zero; Universal, one, one and two, with the independent studios charting eight, five and eight.

Short subject activity gained slightly with Roach registering one in production, one in preparation and two in the cutting room. Columbia had one, zero and three; Warners, one, zero and zero; Radio, one, two and two; M-G-M, zero, two and seven; Universal, zero, one and one, with the independent group checking up with five, four and five.

Seek More Mass. Races

BOSTON, May 26.—The number of horse racing days in the state will be increased from 70 to 90 by a bill sponsored by Governor Curley and reported favorably by the legislative committee on legal affairs.

Allied Moves To Fight RKO In Northwest

(*Continued from page* 1)

Lebedoff and C. L. Peasley. The actual buying is expected to be done by Lebedoff and a pledge of $250 is to be asked to guard against any walkout, it is understood.

Exhibitors for some time have been protesting against the Orpheum's policy of big pictures plus five acts of vaudeville at low prices and they have also pointed out that the protection accorded first runs aggravated the situation because of their inability to compete with the vaudeville at the downtown stand.

While the RKO manager, Nicholas Goldhammer, maintains the house is not operated by his company, but by Mort H. Singer, the Allied group is understood to feel his firm has sufficient interest in the ownership to force a change of policy.

A number of other companies are serving product to the Orpheum to be played with vaudeville at prices against which Allied complains.

Whether the Minnesota Amusement Co. will go along with Allied here is a subject of speculation, but the firm is known to oppose the combination policy which it is said to insist it was forced to adopt at the State in order to meet the Orpheum setup.

Neither John J. Friedl nor Clinton could be reached for a statement, but meanwhile Allied was meeting to map further future plans in the action against RKO.

Mae West Film Gets $29,000 2nd Week

Mae West's second week at the Paramount in "Goin' to Town" garnered in the neighborhood of $29,000. Expectation by the management is that the film will go at least two, if not three, more weeks. The orchestra was let out Thursday night for the summer and will be reinstated about Aug. 15.

"Age of Indiscretion" at the Capitol tallied about $26,000. Rudy Vallee headed the stage show. The second week of "Bride of Frankenstein" at the Roxy chalked up a profitable $25,000. About $20,000 was taken in at the Rivoli during the fifth week of "Les Miserables." The film is now in its sixth and last week.

"The Scoundrel in 49th Street" was off at the Palace where the take was approximately $7,000. "Becky Sharp" has been dated into the Music Hall starting June 13.

Gene Curtis Resigning

TORONTO, May 26.—Gene Curtis, Quigley Award winner and sales promotion director for Famous Players Canadian Corp., has resigned from that company effective June 1, for a two months vacation before joining any other company. No successor has been named as yet by Famous Players Canadian.

Kreiselman Joins Para.

Bernard Kreiselman, formerly representing the NRA in Los Angeles, has joined the Paramount Washington exchange as salesman. He flew in from the coast over the week-end.


VER THE BORDER!--ON WITH THE HITS!
25% OVER 'G-MEN'
IN SAN FRANCISCO!
BIGGER THAN "BLACK FURY" IN ALBANY!
TOPPED "BLACK FURY" IN NEW HAVEN!
WARNER BROS.' FOURTH SUCCESSIVE HIT SHOW IN A ROW...
IN
Caliente
(IT'S A NEW SPANISH CUSTOM!)
Seething with Senoritas! Ablaze with Stars!
PAT O'BRIEN • DOLORES DEL RIO
LEO CARRILLO • Edw. Everett HORTON
GLENDA FARRELL • The Dancing DE MARCOS
11 OTHERS • Directed by LLOYD BACON
A First National Picture

CROWDS JAM RADIO CITY MU

WILDLY ACCLAIM *Elisabeth* B

1. 2000 ticket buyers were in
the doors opened on first d

2. Crowds were *standing*

3. Sensational review
people an hour b

4. Wild applause
times during ea

5. Lobby crow
Bergner's in

Presented by B & D

Directed by
PAUL CZINNER

Released thru U

C HALL AS NEW YORK CRITICS

GNER *in* "ESCAPE ME NEVER"

theatre 15 minutes after

deep in the *2nd mezzanine!*

N. Y. critics brought line of 1000
e theatre opened on 2nd day!

ted Bergner's performance 5 or 6
unning of the picture!

eaving the theatre were raving about
parable performance!

ITED ARTISTS

Short Subjects

"Springtime Serenade"

(*Universal*)

In spite of old Professor Groundhog's warning, all the wood folk imagine spring has come to stay and start their spring cleaning. Oswald, the rabbit, opens his summer hotel; Mrs. Pig gives her little ones a bath, brother turtle and his girl friend abandon their shells and the squirrel family start out on a round of calls. Suddenly snow begins to fall and there is a wild scramble to regain their shelters on the part of the animals. Old Professor Groundhog just sits back and laughs as the reel runs.

Done in color, this is a very amusing reel and one highly recommended. Production Code Seal No. 755. Running time, 8 mins. "G."

'Canzoneri-Ambers Fight'

(*Harry O. Voiler*)

All the action of the recent Tony Canzoneri-Lew Ambers lightweight championship bout at Madison Square Garden is shown. The accompanying sound is undoubtedly not faked, but in most spots the synchronization is poor.

The photography is excellent and all the high spots, particularly the three knockdowns of Ambers scored by Canzoneri are caught clearly.

Particularly where the fight game is still alive, this short film should draw. No production code seal. Running time, 34 mins. "G."

"Elmer, the Great Dane"

(*Universal*)

Oswald, the rabbit, is awakened during the night by his dog, who is suffering from hiccoughs. He then proceeds to try all the common cures on the animal, such as making him dizzy, frightening him and by applying heat to his stomach. The last method creates much consternation because the dog had eaten some pop corn and it explodes inside him.

There are many very funny sequences in this reel and it should provoke howls from most audiences. Production Code Seal No. 705. Running time, 9 mins. "G."

"Candyland"

(*Universal*)

This color cartoon tells the tale of a little boy that wouldn't go to sleep at night. The Sand Man then takes care of the little fellow, who suddenly finds himself in Candyland. He has a grand time there, with all the candy he can eat or carry, until the king of that strange country presents him a dose of castor oil. Recovering from this shock, the little fellow awakes in his own bed to discover it was all a nightmare.

Highly recommended. Reviewed without production code seal. Running time, 9 mins. "G."

"Would You Be Willing?"

(*Universal*)

Featuring Frankie Masters and his orchestra, this is a pleasing miniature musical comedy that should satisfy.

Masters and his crew are stranded in a town when they encounter Eole Galli, who gets them a job in her father's cafe. This gives Masters an opportunity to present several popular songs in a satisfactory manner.

Recommended. Production Code Seal No. 724. Running time, 18 mins. "G."

Looking 'Em Over

"Fighting Shadows"

(*Columbia*)

Although this Tim McCoy vehicle follows a temperate pace for the most part, it holds the interest closely because it creates a feeling there's something in the air. That something happens when McCoy and Ward Bond come to grips in as rousing an exhibition of fisticuffs as an action fan could hope to see. It's the only real exchange of blows in the whole film, but it's worth waiting for. Literally a climax with a punch.

The story has nothing new to it. It's that old wheeze about the mountie on the trail of a gang of fur thieves. The mountie in this instance is McCoy. Assigned to put an end to the terrorism of the gang, he finds himself handicapped by the actions of Bond, his sweetheart's (Geneva Mitchell's) brother, who harbors an old grudge against him.

Crossed at every turn by the efforts of Bond to embarrass him, McCoy finally calls for a showdown. The fight referred to is the result. It develops at the close of the film that Bond, who has been suspected all along of having been hand-in-glove with the gang, is innocent. He had merely tried to solve the case himself in his own way in order to get even with McCoy.

At the fadeout McCoy and Bond have buried the hatchet, and the former has won himself a promotion.

The film contains some fine outdoor scenery, photographed by George Meehan. Robert Allen, Si Jenks and Otto Hoffman are other players. David Selman directed. Production Code Seal No. 744. Running time, 58 minutes. "G."

"Avec l'Assurance"

(*Paramount*)

This French farce comedy from Paramount's Joinville studio is run-of-the-mill stuff. It is somewhat tedious and more than a little silly. Its prospects in America are still further lessened by the fact that it is without benefit of English subtitles.

"Avec l'Assurance" (translated for American purposes as "Love Insurance") is the sort of thing that requires some understanding of the language if head or tail is to be made of it. American audiences will find the film not even scenically or photographically intriguing. Even the acting is no better than so-so.

The story has to do with a young fellow who gets a job selling policies through a childhood sweetheart, whose godfather is the head of a large insurance firm. To stir up interest in his business he steals a countess' jewelry with the intention of returning it later. Immediately he is flooded with demands for insurance. He insures against everything, putting the company in a pretty spot. However, all turns out for the best in the end.

Among the players are Saint-Granier, Madeleine Guitty, Jeanne Helbling, Armand Lurville and Simone Rouviere. Roger Capellani directed.

No production code seal. Running time, 72 minutes. "G."

"Fighting Pioneers"

(*Resolute Pictures*)

The U. S. Cavalry rides into the first reel of this film and battles the Crow Indians to save a wagon train. The rest of the film concerns the warfare between the two groups. Rex Bell, as an army lieutenant, does much to keep the action moving along at a fast pace.

Harry Fraser's direction is aimed at maintaining audience interest and Robert Cline's photography is an asset.

Bell, as an army officer, rescues a wagon train from attacking Indians and discovers they possess retired army rifles. Since he was responsible for the storage of these obsolete guns he sets out to solve the mystery of their disappearance from his fort. In the meantime the chief of the red men is killed in a skirmish and his daughter, Ruth Mix, takes over the leadership of the savages. After much hard riding, lots of shooting and fast action, Bell discovers one of his own men to be the traitor who sold the guns, and in a final battle the warriors are subdued and Miss Mix rides off with the implication she loves Bell but can't marry him because of their racial differences.

Where westerns are liked this film should receive a particularly favorable reception.

Reviewed without production code seal. Running time, 60 minutes. "G."

(*Additional reviews on page 7*)

M. & P.-Publix Uses Giveaways for N. E.

BOSTON, May 26.—Giveaways have been adopted by M. and P.-Publix for some of its New England theatres. With the largest local circuit going in for such box-office stimulation, it seems that this territory is due for a flood of similar business bolsters as business steadily becomes duller because of warm weather and attendant outside competition.

Bank nights are being furthered here as the result of a consistent campaign. Another angle on the situation is that the bank night sponsors are said to be planning suits against those allegedly infringing their scheme. George Ryan, attorney for E. M. Loew in a number of his suits, has been retained, it is said, by bank night interests.

Publix's plan locally is known as "cash nights."

Stoddard Works Out Summer Drive Plan

BOSTON, May 26.—C. L. Stoddard, district manager for M. & P. Theatres' North Shore District, has just issued a 10-page campaign folder for a drive ending Aug. 2.

The idea is to battle summer resistance with no-cost merchandise tie-ups, realigned advertising, new budgets and contests between managers. A gag a week, a window display a week, with prizes, "Bombardment Weeks" and 53 merchandising ideas are included.

Those participating in the drive are Skip Dunn, Nat Silver, El Brodie, Jim Kincaide, Art Keenan, Art Murch, Phil Bloomberg, Jim Dempsey, Ralph Tully and Joe Ahern.

Short Costs Heavy With Sound—Roach

Short subject production costs have increased $5,150 since they were made silently, according to Hal Roach, who breaks down the additional expenditures as follows:

Code cost	$ 650
Erpi royalty	1,000
Music copyright	550
Recording	3,000
Total	$5,150 a picture

M-G-M Retitles Shorts

M-G-M has changed the titles of two short subject series. Smith's Sports Champions next season will be known as the Sports Parade and the M-G-M Oddities will in the future be M-G-M Miniatures. Each series will comprise 12 subjects with Pete Smith handling the monologue.

Remodel at Middletown

MIDDLETOWN, O., May 26.—Work has started on remodeling the Sorg Opera House, which was damaged by fire several months ago. When completed, about July 1, the house will be reopened by the Gordon Theatre Co., which recently leased it from Sam Finkelman, owner.

To Teach Color Work

HOLLYWOOD, May 26.—Technicolor is now making plans to establish instruction units in all studios to teach cameramen the use of the Technicolor camera.

U.S. Reports 9% of Houses Gross to 49%

(*Continued from page* 1)

or 20.5 per cent; 2,551, or 24.9 per cent, did business between $20,000 and $50,000, having receipts of $81,801,000, or 19.7 per cent; 1,873, or 18.2 per cent, did between $10,000 and $20,000, with receipts of $27,901,000, or 6.5 per cent; 1,429, or 13.9 per cent, took in between five and ten thousand, with receipts of $10,797,000, or 2.6 per cent; 1,772, or 17.3 per cent, reported $1,000 to $5,000, with receipts of $5,054,000, or 1.2 per cent, and 502, or 4.9 per cent, reported less than $1,000, with receipts of $254,000, or one-tenth of one per cent.

The report showed that one or more of the larger film or film-vaudeville theatres with receipts in excess of $100,000 were reported for all but nine states, but the seven states of California, Illinois, Massachusetts, New Jersey, New York, Ohio and Pennsylvania reported nearly three-fourths of the theatres in this size group and their receipts represented 76 per cent of the total receipts of all theatres in this class.

Ascap May Request High Court Delay

(*Continued from page* 1)

as now scheduled, it was learned on Saturday.

That Ascap is vigorously opposed to trial at this time was made evident by the organization's attorneys during the recent hearing on the Government's motion for a preference on the trial calendar. At that time Ascap declared that it would consent to the extension of all expiring contracts with its licensees to the end of the current year if the case was not tried until fall. The Government ignored this concession and insisted upon a trial preference, which resulted in the case being placed on the calendar for trial beginning June 10.

The writ of prohibition which Ascap's attorney, Nathan Burkan, is now considering to forestall the Government's move is an emergency action and presumably a last resort to delay the trial. The application for the writ is made direct to the Supreme Court without recourse to the intervening Circuit Court of Appeals. If granted, it would result in an order by the high court declaring the lower district court here to be without authority to proceed with the trial of the case.

That an application for the writ is under consideration was admitted at Burkan's office, where it was said that no decision had been reached as yet. It was stated that while the application to the Supreme Court might be made at any time prior to June 10, it was expected that it would be decided within the next few days whether or not the application would be made at all.

Saunders Again on Job

BRIDGEPORT, May 26.—Matt Saunders has resumed his duties as manager of the Palace after having been confined to his home for several days as the result of injuries sustained in a fall.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Paris in Spring"

(*Paramount*)

HOLLYWOOD, May 26.—This one keeps amusing through good cast performances and the humorous flow of dialogue. However, the lethargic story continuity and listless staging of the musical numbers hurt the film's entertainment prestige.

Music and comedy flavored with a continental atmosphere keynote the picture's exploitation theme. The film will probably do the most business in key cities.

Mary Ellis is the toast of an aristocratic Paris night spot. When she turns down Tullio Carminati's marriage proposal he goes to the top of the Eiffel Tower to jump off and meets Ida Lupino about to do the same thing because of her disappointed romance with James Blakely. The duo decides to make their sweethearts jealous by faking a romance while the other couple gets together to retaliate. The balance of the story to the climax features embarrassing situations resulting from the plan with the untimely marriage celebration at the home of Jessie Ralph, Miss Lupino's grandmother, setting off the fireworks. The misunderstanding finally works out satisfactorily and the love birds find their proper roosts.

Director Lewis Milestone gets the most from the story with the brief performances of Lynne Overman and Miss Ralph standouts. Samuel Hoffenstein and Franz Schulz penned the screen play from Dwight Taylor's play with Keene Thompson adapting. Gordon and Revel did the music. Theodore Tetzlaff's photography is good.

Production Code Seal, No. 630. Running time, 82 minutes. "G."

"Ginger"

(*Fox*)

HOLLYWOOD, May 26.—This is an orphan waif story made plausible and entertaining by the splendid performance of Jane Withers.

Miss Withers, living with her uncle, O. P. Heggie, who is an old Shakespearian actor, lands in the Children's Court when she steals junk to pay a fine to save Heggie from jail. In court Katherine Alexander secures the custody of Miss Withers and takes her to her lavish mansion. In the new home Miss Withers dislikes everything except Walter King, husband of Miss Alexander, who shares her dislike for the surroundings and the way his wife is raising their son, Jackie Searl. When Heggie is released from jail he believes Miss Withers to be better off in her new home and refuses to take her away. He disappears after a traffic accident. Eventually he is found by Miss Withers after she has changed Searl from a sissie to a regular guy and convinced Miss Alexander that her ideas on raising children are all wrong.

The picture gives Miss Withers many acting opportunities, definitely establishing her as a first rank entertainer. The writing and production are good with the direction giving the picture wide comedy and dramatic appeal.

Production Code Seal, No. 911. Running time, 74 minutes. "G."

Kuykendall Seeks Copyright Support

Exhibitor support of the copyright bill introduced by Senator Duffy of Wisconsin is urged by M.P.T.O.A. in a statement issued Saturday by Ed Kuykendall, president. The bill is now before the copyright and patents committee of the Senate.

"Theatre owners should insist," Kuykendall's statement says, "that this bill be passed intact and without amendments. Write your Senator immediately or contact him personally if possible."

A second statement from Kuykendall hits at Allied States' leaders for the Atlanta convention's resolution calling for industry lawsuits to be filed by Allied members on "100 fronts." The statement follows:

"It is not particularly surprising that Allied, led by Abe Myers, a lawyer, and Sidney Samuelson, whose brother and partner is also a lawyer, should be stampeded into starting 'lawsuits everywhere.' Years of expensive litigation by exhibitors have settled no industry problems, from the famous Binderup case on down. No progress has been made through litigation yet. What the exhibitor will actually gain through lawsuits, other than a big bill for legal services, is vague and uncertain, but what the lawyers will gain is not at all uncertain."

To Call MPTOA Board Meet

Ed Kuykendall, president of the M.P.T.O.A., is planning to call a meeting of the organization's board of directors within the next 30 days. The date and place have not been set, but he will communicate with Fred Wehrenberg, chairman, and map out the details within the next week or so.

The M.P.T.O.A. head left for Columbus, Miss., Saturday after a number of conferences at the Hays office and after he had disposed of a number of communications which had been on his desk here since he left on a tour of several states about a month ago.

Holding up the setting of the date and place is the uncertainty over the code after June 16. If the code is thrown out, the session will concern procedure of the organization without restrictions by the code. Provided the code is continued, the directors will discuss suggestions for revisions.

About 30 are expected to attend the conclave.

RKO Product Deals Nearly Finished Here

RKO is practically set on product buys next season. With 20 RKO Radio features already lined up, negotiations are nearing consummation for half of the Warner product in 40 local theatres.

The circuit during 1934-35 played half of Warners product on a year-to-year basis. Under a recent deal, the three-year Fox franchise which was signed last year was extended seven additional years.

With the three products, the circuit will have 140 pictures. One more company's output is needed, which would bring the total number of films to 175 or 180. Paramount has indirectly made overtures to the company, but so far no deal is in sight.

Paramount sales executives held a meeting all Friday night until 5 A.M. Saturday. Something surprising is expected to develop as a result of the session.

RKO denies it is interested in a new theatre about to be constructed at Fordham Road and Grand Concourse. The circuit's name has been linked with the project several times.

Columbia on Saturday announced it had closed a long-term franhise with the Music Hall, which becomes effective Oct. 1. The current contract with Columbia has not been completed by the Music Hall and efforts to reach W. G. Van Schmus for a statement were unavailing. "Under the Pampas Moon" is dated to follow "Escape Me Never."

Consolidated Seeks Big Stock Listing

(*Continued from page* 1)

been filed with the Securities and Exchange Commission by Consolidated Film Industries.

The registration statement shows the company owns all of the stock of the American Record Corp., Brunswick Record Corp., Studio Camera Co., Lubin Publishing Corp., Cinema Patents Co. and Biograph Studios. The only holder of 10 per cent or more of any class of stock is the Setay Co., Inc., New York, with 92,773 shares of common, or 17.06 per cent. This company also holds 62,900 shares of common not registered in its name.

Stock holdings of officers and directors included: E. C. Dearstyne, director, 500 shares preferred, 1,100 shares common; A. D. Farwell, director, 100 shares preferred, 1,200 common; W. P. Stevens, director, 500 preferred, 400 common; J. E. MacPherson, director, 5,500 common; M. Taylor, director, 3,000 common.

Purely Personal

CHARLES M. REAGAN, western division manager, will preside over the Chicago, Kansas City and San Francisco regional conventions which will be held following the annual Paramount sales meet at the Waldorf June 13-15. Eastern Division Manager J. J. UNGER will be in charge of the New York and Memphis meetings. Dates for the five regionals will be announced later.

•

CLAYTON and MRS. SHEEHAN, CARL NEILSEN, Scandinavian district manager for Fox; F. S. PORAN, managing director for the company in Spain; and P. M. BRINCH, managing director in Germany, arrived yesterday on the *Statendam* to attend the company's annual sales convention which starts Thursday in Chicago.

Quip of the Day

"Every day it's a new something springs out to 'tzopple' us exhibitors," sounded off Mox Shabbus as he tuned off his radio.

"It isn't enough I'm on the crust of Hollywood, so now it's television, around the corner—maybe.

"First, we saw, then we heard pictures. Now they're combining the worst features of each.

"What can we expect next? Pictures that smell? With a trade name, maybe, of 'Smell-Avision.'

"But for those kind of pictures, they don't need a name for it."

DANIEL HAYNES, negro actor who replaced RICHARD B. HARRISON in "Green Pastures," has been signed by Paramount and is now en route to Hollywood.

•

RUTH DRAPER, MARQUIS HENRI DE LA FALAISE DE LA COUDRAYE and COUNTESS TAMARA SWISKAYA sail for Europe today on the *Champlain*.

•

DOLORES DEL RIO has delayed her trip here from the coast and will come on later for the opening of her latest film, "In Caliente."

•

FLORENCE CAROLINE, British actress, arrived here yesterday on the *Britannic* for a visit.

•

ARMIDA, who had a role in Fox's "Under the Pampas Moon," is back in town from the coast.

•

E. B. DERR, in town for an indefinite business stay, spent the week-end in Boston and is due back here today.

•

GEORGE ROBERTS is now managing the Kingsbridge for Consolidated.

•

HARRY H. THOMAS of First Division is due back from Atlanta today.

•

. . . Pittsburgh

HAROLD W. COHEN, critic of the *Post-Gazette*, speaking before the Pennsylvania State Press Conference at State College, Pa.

ROY DANIELS is the new managing editor of Hearst's *Sun-Telegraph*, succeeding DWIGHT FEE.

SAM GALANTE of Columbia and EDGAR MOSS of Fox have been recent Film Row visitors.

HARRY HARRIS has been made business manager of his brother's McKeesport baseball club.

THE IRA COHNS feel simply awful about the recent death of their 11-year-old dog.

Amendment Is Up On Zoning Rulings

(*Continued from page* 1)

nounced yesterday by Division Administrator William P. Farnsworth.

The amendment would be added as Section 10, Article 4, Part 1, and would provide that, regardless of the interest of an individual member of a board or of his company's interest in theatres, he would be permitted to serve on all matters involving a schedule or a protest of a number of theatres against a schedule, but could not participate or vote on individual protests involving his own or his company's houses.

A provision barring members of Code Authority from sitting on cases in which they are interested is carried in the code but it was felt originally that if this prohibition were extended to clearance and zoning boards every member thereof would be affected at one time or another.

It was explained that while officials of the NRA believe that all decisions have been sincere and honest, and no decision has ever been challenged on the ground of interest, it is felt that a better atmosphere will prevail if the amendment is incorporated in the code.

Hear Century Appeal Today

Century's clearance and zoning complaint against RKO in connection with the Jamaica situation is scheduled to be heard today by a Campi appeal body consisting of Paul Burger, William Jaffe and Nathan Vinegrad.

Last week the same committee heard the Far Rockaway angle of the local board's decision. Century's original complaint was that the RKO Alden, Jamaica, and Strand and Columbia, Far Rockaway, are not in competition to the Fantasy, Rockville Center. The local board agreed with Century on the Far Rockaway angle, but voted Jamaica was competitive. Century appealed the Jamaica decision and RKO appealed the Far Rockaway order.

Treanor to Handle Suit

MINNEAPOLIS, May 26. — James Treanor, NRA litigation counsel, is being held here for the Federal injunction suit brought against the local grievance board and distributors by C. E. Hiller, Northern Amusement Co., Brainerd, to restrain the shutting off of service to enforce the cease and desist bank night decision.

Schwartz Heads N. O. Board

NEW ORLEANS, May 26—Herbert Schwartz has been named permanent chairman of the grievance board.

Stop Giveaways in N. O.

NEW ORLEANS, May 26.—The grievance board has ordered Harold Bailey, lessor of the Gentilly, to cease giving passes to his house or putting out misleading advertising in the form of tickets which give the public an idea they admit them at cut rates when they do not.

Wall Street

Eastman Up 1 on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1)	59½	58⅝	59½	—1
Consolidated	3⅞	3¾	3¾	— ¼
Cons. pfd. (1¼v)	15	14⅝	15	+ ½
Eastman	145	144½	145	+1
Fox "A"	14¾	14¼	14⅜	— ⅛
Loew's	41⅜	41	41	— ⅝
Paramount	3⅜	3¼	3¼	— ⅛
Pathe "A"	8½	8½	8½	— ½
RKO	1¾	1¾	1¾	— ⅛
Warner	3¾	3⅝	3⅝	— ⅛

Technicolor Gains on Curb

	High	Low	Close	Change Net
Technicolor	20¾	20⅜	20⅜	+ ⅛
Trans Lux (.10K)	2⅝	2½	2½	— ⅛

General Theatre Bonds Rise ¼

	High	Low	Close	Change Net
General Theatre Equip. 6s '40 ctf	12¾	12¼	12¼	+ ¼
Keith B. F. 6s '46	78	78	78	.....
Loew's 6s '41 ww deb rights	104½	104⅜	104⅜	.....
Paramount Publix 5½s, '50	91	91	91	— ⅛
RKO 6s '41 pp	40⅛	40⅛	40⅛	+ ⅛
Warner Bros 6s '39 wd	64	64	64	— ⅛

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 25)

Oppose Conn. Bank Nights

NEW HAVEN, May 26.—Loew's Poli New England Theatres have filed the first two complaints in Connecticut against bank night, one naming Warners' State, Waterbury, and the other, Frederick J. Van Doren's Hamilton, Waterbury, as respondents. Both complaints have been scheduled for hearing by the grievance board Monday.

The complaints allege that the respondents intend to continue the practice, which they consider a violation of the Code and a criminal violation from the standpoint of the lottery law.

Bank night is said to be operating in about 40 theatres in the state, and screeno, tango, bonus night and other plans have also gained entree in several theatres.

Alperson at Hearings

LOS ANGELES, May 26.—E. L. Alperson, buyer for National Theatres, is staying over to attend the clearance and zoning hearings tomorrow, involving the Balboa and Forum-Uptown. He attended all Campi hearings on the two situations and with Al Hanson will take up here where he left off in New York.

John C. Flinn came on from the east especially to attend the local session.

Edward J. Peskay, buyer for Skouras Theatres, arrived from Los Angeles over the week-end after attending conferences with National Theatres executive on new product buys.

Sarecky to Do Serials

HOLLYWOOD, May 26.—Barney Sarecky, Mascot supervisor, has been placed in charge of all serial production by Nat Levine. Four serials are lined up, the first being "The Adventures of Rex and Rinty."

Dix Going to England

HOLLYWOOD, May 26.—Richard Dix leaves here shortly for New York from where he will sail for England June 5 to make "The Tunnel" for Gaumont British.

"Marietta" Is Return Smash In Washington

WASHINGTON, May 26.—"Naughty Marietta" was the surprise of the week here. On a return engagement at Loew's Columbia it ran up to $9,000, which is $5,900 over a first week normal take.

"Our Little Girl" also was in the big money. It ran up to $25,000, over par by $4,500, at Loew's Fox. An accompanying vaudeville bill failed to make much of an impression. "Laddie" was the only other attraction in the profit division. It took $4,600 at the Metropolitan.

"Little Friend," "Black Fury" and "Let 'em Have It" were all weak.

Total first run business was $74,400. Average without the Little Theatre is $72,700.

Estimated takings:

Week Ending May 20:

"SINS OF LOVE" (Cummins)

LITTLE—(318), 35c-40c, 7 days (for men only). **Gross:** $1,000.

Week Ending May 21:

"LITTLE FRIEND" (Gaumont British)

BELASCO—(1,052), 25c-65c, 7 days. Gross: $1,200. (Average, $1,500.)

Week Ending May 23:

"BLACK FURY" (Warners)

EARLE—(2,218), 25c-77c, 7 days. Stage: Benny Meroff and His Orchestra, with "Red" Pepper, Jack Marshall, Dolly Bell, Florence Gast, Helen O'Shea, Jay Hill, Coffie Sisters. **Gross:** $16,800. (Average, $17,600.)

"NAUGHTY MARIETTA" (M-G-M)

LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days (return engagement). **Gross:** $9,000. (Average, first week, $3,100.)

"OUR LITTLE GIRL" (Fox)

LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Lester Cole & Singing Texas Rangers, Venita Gould, Jeanette Hackett & Ivan Triesault; Ed Hanley, Harry Tillman & Louise Gay. **Gross:** $25,000. (Average, $20,500.)

"LES MISERABLES" (U. A.)

LOEW'S PALACE—(2,370), 35c-77c, 7 days, 2nd week. **Gross:** $8,500. (Average, first week, $14,500.)

"LADDIE" (Radio)

METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $4,600. (Average, $4,100.)

"LET 'EM HAVE IT" (U. A.)

RKO-KEITH'S—(1,836), 25c-55c, 7 days. **Gross:** $8,300. (Average, $11,400.)

Mrs. Winter Praises Film Cleanup Result

MINNEAPOLIS, May 26. — Mrs. Thomas G. Winter, director of publlic relations for studio members of the Hays organization, said here yesterday that "the producers were just three steps ahead of film cleanup crusaders in supplying clean pictures."

"Letters of commendation on the studio's forward strides in the clean picture drive testify to the public's appreciation of the effort the industry is making," she continued.

"The industry took four steps when only one was asked," Mrs. Winter said.

Waxing enthusiastic over the spirit of cooperation which pervades in the studios under "the new order of things," she paid tribute to Joseph I. Breen for his work in passing upon sequences which may prove objectionable and said audience standards were showing marked improvement as a result of the revolutionary changes which elevated entertainment and artistic as well as moral standards in the films.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 125 NEW YORK, TUESDAY, MAY 28, 1935 TEN CENTS

SCHENCK QUITS U. A.; TAKES 20TH CENTURY OVER TO FOX

Gaumont Sets 16 Releases For U. S. List

Gaumont British will release 16 pictures in this market next season, Arthur A. Lee, vice-president, and George W. Weeks, sales manager, told the company's first annual sales convention which opened at the Warwick yesterday.

The group has been selected from the 52 handled yearly by the parent organization and five already have been screened for the delegates, including "Thirty-Nine Steps," "The Clairvoyant," "Morals of Marcus,"

(*Continued on page 4*)

Draw Up Contracts For Mayfair Lease

Contracts are now being drawn whereby Loew's will take over the Mayfair from Walter Reade on a 10-year leasing deal. The papers will be signed either today or tomorrow.

Preventing the deal from going through yesterday was Loew's insistence on a lease on the Mayfair ground, which is owned by an estate being handled by Chase National. This is expected to come through today.

Reade and practically all of the tenants in the Astor office building yesterday started moving. This will leave the receivers with only the stores rented. Estimates are being taken from equipment dealers for fixing up the Astor, which was recently wrecked.

Warners Sued Over Deals in Wheeling

A suit charging conspiracy was filed in Supreme Court here yesterday against Warners and a number of other corporations and individuals

(*Continued on page 11*)

No Paper Thursday

***Motion Picture Daily* will not publish on Thursday, May 30, which is Decoration Day and a legal holiday.**

NRA IS DECLARED UNCONSTITUTIONAL

By BERTRAM F. LINZ

WASHINGTON, May 27.—Destroying with one blow the ambitious recovery effort of the Administration, the U. S. Supreme Court today unanimously held the code-making authority conferred by the Recovery Act is "an unconstitutional delegation of legislative power."

Passing on the two cases involving the Schechter Poultry Co., immediately after holding the Frazier-Lemke Farm Mortgage Moratorium Act unconstitutional, the court's ruling also put an end to speculation as to the NRA's interpretation of business affecting interstate commerce, which Donald R. Richberg, director of the Industrial Recovery Board, has held should be the basis for the imposition of codes.

"In determining how far the Federal Government may go in controlling intrastate transactions upon the ground that they 'affect' interstate commerce, there is a necessary and well-established distinction between direct and indirect effects," the court declared. "The precise line can be drawn only as individual cases arise,

(*Continued on page 12*)

Pathe, Loew Ask Security Registration

By CLARENCE LINZ

WASHINGTON, May 27.—Applications for registration of securities of Pathe Exchange, Inc., and Loew's, Inc., have been filed with the Securities and Exchange Commission. The former covers 251,853 shares of no par preference stock, issued, 7,886 shares, unissued; 950,926½ shares no par common, issued, and 123,943 ½ shares, unissued. The latter covers $8,715,000 15-year six per cent gold debentures, 136,722 shares no par $6.50 cumulative preferred and 1,464,205

(*Continued on page 5*)

Agreement Reached To Push Pool Plan

With 86 exhibitors present, many unaffiliated with either of the two local independent organizations, plans to proceed with the pooling of theatres into one large circuit were adopted at a general meeting at the Astor yesterday. A committee of four, comprising John Benas, David Weinstock, Abe

(*Continued on page 4*)

K. C. Told to Study Coast Zoning Plan

KANSAS CITY, May 27.—Experience of Los Angeles with its clearance and zoning schedule will have a bearing on the final structure of other plans waiting approval, John C. Flinn, Campi secretary, indicates in correspondence received by the local clearance and zoning board.

Flinn recommended that local boards refer to the Los Angeles schedule to clarify problems relating to protection, prints and other factors. He also advised that on his return from the coast city, where he plans

(*Continued on page 12*)

N.Y. Theatres Seek Arbitration Board

It didn't take local independents long to decide what to do about the elimination of the two local code boards after the U. S. Supreme Court's decision yesterday holding the NRA unconstitutional.

With the announcement of the decision by Milton C. Weisman, 86

(*Continued on page 12*)

Will Head Board; Zanuck To Be Vice-President; Combine Product

Joseph M. Schenck has resigned as president of United Artists to join Fox Films as chairman of its board of directors.

At the same time, 20th Century becomes a part of that organization with Darryl F. Zanuck, vice-president of the producing company, joining the Fox roster as a vice-president.

Terminating 48 hours of speculation, announcement of this unexpected and bombshell-like development was made jointly by Sidney R. Kent, president of Fox, and Schenck, as president of 20th Century, although the official statement made no mention of the latter's retirement from active participation in the affairs of United Artists, in which, it was understood last night, he may retain his one-sixth stock interest.

"We have concluded preliminary arrangements for a deal that calls for the combining of the interests of our respective companies, which will be finalized as soon as the necessary final contracts can be drawn, regulations of various kinds complied with and necessary corporate action taken," the statement read at one point.

The Fox directorate meets tomorrow at which it is anticipated the Schenck-20th Century deal will be formally ratified. This necessary cor-

(*Continued on page 8*)

Hold Schenck Move An Aid to Fox Met

Joseph M. Schenck's move to the chairmanship of Fox Film will not disturb his participation in the reorganization of Fox Metropolitan Playhouses, according to counsel for creditor groups associated with the reorganization who were questioned yesterday, and is regarded by many creditors as strengthening the Schenck-Fox Theatres' reorganization plan.

That Schenck's departure from United Artists will not affect his status as a proponent of the Fox Met plan was held to be a certainty by

(*Continued on page 8*)

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Foreign Man Named For Republic Unit

William Satori-Schacherl has been appointed representative of Republic International Pictures Corp. in a number of countries by President Norton V. Ritchey.

Satori-Schacherl will make his headquarters in Vienna. The countries include Sweden, Norway, Finland, Esthonia, Lithuania, Latvia, Germany, Poland, Czechoslovakia, Austria, Jugoslavia, Roumania, Bulgaria, Greece, Turkey, Egypt, Palestine and Syria.

Cuba Releases "U" Men

HAVANA, May 27.—George Naylor, manager of the local Universal office, was freed today from the Cabanas Fortress after spending the week-end there on charges connected with the recent showing of newsreel shots of a military execution at Santa Clara on May 8.

Abelardo Dominga, photographer for Universal Newsreel, who took the scenes of the execution, and Dr. Jorge Casuso, attorney for the local branch of the company, were also released.

More F. P. Stock Listed

TORONTO, May 27.—Addition of 18,940 shares of common of no par value of Famous Players Canadian has been listed on the stock exchange here.

Fifth Week for "G-Men"

"G-Men" will be held over for a fifth week at the Strand, beginning tomorrow.

Purely Personal

WILLIAM G. SMITH, head of William G. Smith Prod., has left for the coast to supervise production on the first of a series of features with RALPH GRAVES and EVELYN BRENT.

•

JOHNNY O'CONNOR was presented with a colored enlargement of a snapshot he took in Central Park recently. The picture shows him holding the recent heir to the family.

•

PETE MAYER was assistant to JULIAN BRYAN who photographed the Russian material bought by "The March of Time" for partial inclusion in its third release.

•

ROBERT MONTGOMERY is on his way here from the coast for a three-month vacation. He'll spend most of his time on his farm up-state.

Quip of the Day

Cincinnati, May 27—An inexperienced exhibitor, who has just acquired a small subsequent run suburban house in a nearby town, came in to one of the local exchanges to book his initial product.

"Here," said the salesman, referring to a certain picture, "is one which has been a big grosser with the chains."

Looking puzzled for a moment, the exhibitor replied:

"We have a big chain grocer in our town. The A. & P."

VICTOR FLEMING is scheduled to arrive here this week for a short stay before sailing on a Mediterranean cruise.

•

RALPH ROLAN, who broke the hop from Atlanta to New York, by stopping off at Charlotte, is back from the Allied convention.

•

SIDNEY SAMUELSON will visit his son, who is attending an Ohio college, before returning to New York next week.

•

LILY PONS is expected back from Europe shortly. She is to report to Radio for her first picture July 1.

•

MORTON VAN PRAAG expects to spend Decoration Day and the week-end in Boston.

•

JOE MOSKOWITZ and BOB GOLDSTEIN at the ball game Sunday. Ditto AL BONDY.

•

LOU OSTROW, who recently finished his Universal contract, has arrived in town by plane.

•

AMELIA EARHART is the target of offers for personal appearances from both the Capitol and Paramount.

•

MIRIAM HOPKINS is en route to Hollywood.

•

DICK HALLIDAY of Paramount is back from that European jaunt.

•

JOE STEIN is recovering from a siege of illness.

•

MORT SINGER, head of the Chicago circuit bearing his name, arrived from the coast yesterday for a two week stay, during which time he will confer with RKO home office executives on new product and general matters.

•

PAUL GRAETZ, head of distribution for Toeplitz Prod., Ltd., sailed for London yesterday after three weeks conferring with various companies on a cooperative production-distribution arrangement. When he arrives in London, Graetz will discuss the proposition with the Toeplitz board.

•

WALTER READE yesterday started moving his headquarters from the Astor theatre building to the Mayfair building.

•

HARRY H. THOMAS is back from Atlanta and Al Friedlander from Albany and Buffalo.

•

. . . Omaha

Word has been received here that HERMAN S. KAMEN, a partner in the WALT DISNEY Enterprises, was married recently to KATE ARLENE GOLDSTEIN, whose parents reside here. KAMEN once sold hats here.

CHARLEY SCHLAIFER, advertising manager for A. H. Blank theatres, for the first time is without word of his Uncle Jack's (L. J. SCHLAIFER'S) plans.

ROSCOE ATES made himself popular with locals. Last night of his stand here, the manager threw a ROSCOE ATES party.

Hix vs. Universal Suit Goes to Trial

LOS ANGELES, May 27.—A suit for $250,000 filed by John Hix against Universal went on trial today before Judge Marshall F. McComb in Superior Court.

Hix charges infringement of copyright on his "Strange as It Seems" series recently produced by the studio. The complaint states that after Universal had completed 39 shorts in this series the studio failed to lift Hix's option and brought out a series "Stranger Than Fiction," trading upon his name and using his drawings in advertising copy.

Alliance Will Show Two at the Waldorf

Alliance Films, Ltd., a subsidiary of British International Pictures, will hold the first of two trade showings tonight in the ballroom of the Waldorf-Astoria. "April Blossoms" will be shown to circuit heads, exhibitors and the press.

"Abdul, the Damned" will be shown tomorrow night in the same place.

Get Pilsudski Picture

Metropolis Pictures Corp. has acquired distribution rights to the Polish film, "Life of Pilsudski," which was produced under the supervision of the Polish government by Falanga Films with Ryszard Ordynski directing. It will open at St. Marks, 8th St. and Second Ave., on Thursday.

Koenig New Chairman

HOLLYWOOD, May 27.—Frank Lloyd, president of the Academy, has appointed William Koenig, executive manager of the Warner studios, as chairman of the Research Council. He takes over the office held during the past year by Samuel J. Briskin.

Reade, Bryant Held On Vandalism Charge

Walter Reade and John Bryant, his business associate, have been held in $10,000 bail each by Judge Cornelius F. Collins in General Sessions Court under an indictment charging malicious mischief in connection with a raid by vandals on the Astor recently.

Damage inflicted on the house was estimated at $50,000 and included a screen valued at $10,000. The projection apparatus, pipe organ, chairs, rugs and other furnishings of the theatre were damaged beyond repair.

Reade, former owner of the house, was displaced by a receiver on May 12. When William Morehead, attorney for the receiver, sought to take possession next day he found the interior of the theatre wrecked.

Dickinson's Allied Move Is a Surprise

KANSAS CITY, May 27.—Word from Atlanta that Glen W. Dickinson, Kansas-Missouri circuit operator, was active in the Allied convention last week was a surprise to this territory. He had been a member many years of the local M.P.T.O.A. unit before it went out of existence.

Dickinson has been in difficulties with the local grievance board over code provisions and with the NRA labor boards over refusal to pay code wages to operators, and in the light of these circumstances, it is said, may approve of Allied's stand relative to the code setup.

Harman-Ising Celebrates

HOLLYWOOD, May 27.—Executives of M-G-M and Harman-Ising celebrated the first anniversary of the latter company over the week-end. A showing of "Happy Harmonies," "Good Little Monkeys," "The Calico Dragon," "The Flame Within," "The Lost Chick," "When the Cat's Away" and "The Emperor and the Nightingale" preceded the festivities.

Sam Katz in Town

Sam Katz, executive assistant to Louis B. Mayer at the M-G-M studio, is in town. He came east to meet his wife who returned ill from Europe last week and underwent an operation a few days following her arrival. With improvement in her condition, Katz proposes returning to Hollywood today by air.

Asks Stricter Regulations

Stricter regulations governing the attendance of children at film theatres are asked in the annual report of the New York Society for the Prevention of Cruelty to Children, issued yesterday. Special shows for children unable to attend with their parents are urged by the society.

Cincy Convention Set

CLEVELAND, May 27.—J. S. Jossey, Nat Lefton of Cleveland and William Onie of Cincinnati will be in charge of arrangements for the Republic convention on June 7-8 at the Netherlands-Plaza Hotel in Cincinnati. All Republic franchise owners east of Kansas City will attend.

M-G-M Re-Signs Collier

HOLLYWOOD, May 27.—Constance Collier has been signed to a new long term contract by M-G-M.

"They say I'm a girl with a reputation—and those crowds at the New York Capitol last week-end sure make it seem true. I told you I'd come through with Warner Bros.' next big hit, and I guess any of the boys around the Capitol will tell you I've made good. Anyway, when a 10th Avenue dame's got sales appeal, she can expect to be talked about—and are those critics talking!"



"THE GIRL FROM 10TH AVENUE"

is bound to make you an unqualified devotee of

BETTE DAVIS

She's "among the ten best actresses," says N. Y. American

A First National Picture with Ian Hunter, Colin Clive, Alison Skipwarth. Directed by Alfred E. Green

Gaumont Sets 16 Releases For U. S. List

(*Continued from page* 1)

"Alias Bulldog Drummond" and "Born for Glory."

The company's program, as announced, follows:

"Thirty-Nine Steps," co-starring Rohert Donat and Madeleine Carroll, hased on the spy story hy Col. John Buchan, who, incidentally, is the newly appointed Governor General of Canada. "Thirty-Nine Steps" was directed hy Alfred Hitchcock.

"The Clairvoyant," which co-stars Claude Rains and Fay Wray, is based on Ernst Lothar's novel of the same name. Maurice Elvey directed.

"Morals of Marcus," starring Lupe Velez and Ian Hunter, is hased on the story hy William J. Locke. It is a Real Art Prod-O. Julius Hagen produced it and Miles Mander directed.

"Alias Bulldog Drummond" with Jack Hulbert and Fay Wray is a comedy-thriller hy "Sapper," original creator of the Drummond character. The picture was directed by Walter Forde.

"Born for Glory," with Barry Mackay, John Mills and Betty Balfour. Walter Forde also directed this one.

"King of the Damned," starring Conrad Veidt and Helen Vinson. This is based on the play hy John Chancellor and is being directed by Walter Forde.

Kipling Tale on List

Kipling's "Soldiers Three" with C. Auhrey Smith and Maureen O'Sullivan. The technical unit headed by Geoffrey Barkas sailed for Bombay several months ago to make exterior shots. Walter Forde is also responsihle for the direction.

Berthold Viertel, who made "Little Friend," is directing Conrad Veidt in "The Passing of the Third Floor Back." This is hased on the Jerome K. Jerome play.

"First a Girl" and "Modern Masquerade," both starring Jessie Matthews who appeared in "Evergreen."

"Secret Agent," spy drama from the pen of W. Somerset Maugham, starring Peter Lorre as the "Hairless Mexican" and Madeleine Carroll.

"King Solomon's Mines," hased on the novel hy Sir H. Rider Haggard, is a story inspired hy the legendary chronicle of the diamond and ruhy mines owned by King Solomon in a secret jungle of Africa.

"Dr. Nikola," starring Boris Karloff, is based on Guy Boothby's novel of the same name.

One Arliss production. This will be selected from one of three original stories, which in turn have been narrowed down from 27 subjects suhmitted to Mr. Arliss.

"The Tunnel," starring Conrad Veidt, Richard Dix and Madge Evans, is a story of life in the future with a tunnel from New York to London under the Atlantic as its motif. Maurice Elvey is directing.

"Rhodes, the Empire Builder," starring Walter Huston, will go into production immediately upon the star's arrival at Shepherd's Bush.

Yesterday Howard S. Cullman, trustee of the Roxy, and M. A. Lightman, one-time president of the M.P.T.O.A., addressed the conventioneers. Today Sidney R. Kent, president of Fox, and W. G. Van Schmus, managing director of the Music Hall, are scheduled to talk. Tomorrow which is the last day of the meetings, Spyros Skouras, vice-president of National Theatres, and Harry Brandt, president of the I.T.O.A. of New York, will lead the roster of speakers.

Star Assignments

Star and featured player assignments on its 1935-36 *program, as announced by Gaumont British yesterday, follow.*

GEORGE ARLISS—Star in untitled production.
BETTY BALFOUR—"Born for Glory."
MADELEINE CARROLL—Co-star with Robert Donat in "Thirty-Nine Steps." Co-star with Peter Lorre in "Secret Agent."
RICHARD DIX—Co-star with Conrad Veidt and Madge Evans in "The Tunnel."
ROBERT DONAT—Co-star with Madeleine Carroll in "Thirty-Nine Steps."
MADGE EVANS—Co-star with Conrad Veidt and Richard Dix in "The Tunnel."
JACK HULBERT—"Alias Bulldog Drummond."
IAN HUNTER—Co-star with Lupe Velez in "Morals of Marcus."
WALTER HUSTON—Star in "Rhodes, the Empire Builder."
BORIS KARLOFF—Star in "Dr. Nikola."
PETER LORRE—Co-starred with Madeleine Carroll in "Secret Agent."
BARRY MCKAY—"Born for Glory."
JESSIE MATTHEWS—Star in "First a Girl" and "Modern Masquerade."
JOHN MILLS—"Born for Glory."
MAUREEN O'SULLIVAN—"Soldiers Three."
CLAUDE RAINS—Co-star with Fay Wray in "The Clairvoyant."
C. AUBREY SMITH—"Soldiers Three."
CONRAD VEIDT—Co-starring with Helen Vinson in "King of the Damned." Star in "Passing of the Third Floor Back." Co-star with Richard Dix and Madge Evans in "The Tunnel."
HELEN VINSON—Co-star with Conrad Veidt in "King of the Damned."
LUPE VELEZ—Co-star with Ian Hunter in "Morals of Marcus."
FAY WRAY—"Alias Bulldog Drummond."
FAY WRAY—Co-star with Claude Rains in "The Clairvoyant."

At Gaumont British Convention



Arthur A. Lee
Vice-President



George W. Weeks
Gen'l Sales M'g'r.



A. P. Waxman
Advertising Counsel

All G. B.'s to the Roxy

Howard S. Cullman, trustee for the Roxy, yesterday closed a deal with Arthur A. Lee for the entire new lineup of Gaumont British. After signing the contract, Cullman yesterday said that "there is no longer a distinction to be made between Hollywood and British films."

The Roxy already has played six of the 1934-35 G. B. lineup and on Friday has "Loves of a Dictator," the seventh, dated in. On June 7, "The Clairvoyant," first of the new lineup, starts an indefinite run at the Roxy.

In closing the Roxy deal, Cullman has tied up all the product so that the Music Hall, which played four pictures this season, will not be able to date one Gaumont British film next season.

Lee also announced he had closed a deal with M. A. Lightman for the G. B. product over the entire Malco circuit.

With the G. B. Men

GEORGE WEEKS and A. P. WAXMAN were doubly conspicuous on the Gaumont British speaker's dais, sitting through the hot (literally and figuratively) afternoon session with their coats on when everyone else had removed his.

✣

PHIL MEYER of the local exchange proudly parading around the room between talks carrying the large placard of posters of future product. The crowd had to follow him because he refused to remain in one spot.

✣

JOHN SCULLY down from Boston squawking because lemonade was served to ease the parched throats. He was in favor of a more "palatable" drink and said so loudly.

✣

MARK GOLDMAN of Pittsburgh and HERB GIVEN of Philadelphia trying to get WEEKS to submit some of the gabs he pulled for insertion in future pictures.

✣

M. A. LIGHTMAN and HOWARD CULLMAN receiving congratulations for the addresses they gave the gang at luncheon.

✣

MAX MAZUR and ABE FISCHER in from Chicago and complaining about the heat. FRED and ROBERT ABELSON here from the same town and bragging over the Windy City's virtues. They brought LOU COHEN along to substantiate them.

✣

LEO PILLOT has been assigned the job of taking care of the page boys' uniforms and getting them to bed early.

✣

J. H. BUTNER of Atlanta another of those against lemonade, claiming mint juleps would have been more fitting for the occasion.

✣

PAUL DE OUTO of Los Angeles and KEN HODKINSON of San Francisco appearing in brand new straw hats, the only ones among the 90 men present.

✣

ARTHUR LEE dubbed the two negro page boys CLAIR after the coming picture "Clairvoyant" and MARCUS after "The Morals of Marcus." He had intended using 16 of the boys named after the 16 Star Spangled Specials but didn't have enough uniforms to go around.

✣

JACK ERICKSON of San Francisco upheld the sartorial record of his home town with his striped shirt and plaid coat.

✣

JERRY HERZOG, CHARLES PENSER, IRVING GUMBERG, IRVING LANDES, A. GREENBLATT and SOL KRAVITZ, all of the local exchange, enthusing over the new brief cases they received.

✣

LEE still being thanked for the supper he gave for about 52 of the earlier arrivals at his home in Rye Sunday night.

✣

RUSS BORG of Kansas City is the only man attending who brought his wife along. He was only married last Friday so the boys excused him. Needless to say the gags are flying thick and fast in his direction.

✣

CHARLES LEACH just about at his wit's end over the phone calls concerning the giraffe in the Warwick lobby. He knows the calls from the police station were gags, but he isn't sure of the woman who fainted.

Looking 'Em Over

"My Song for You"

(Gaumont British)

This British production owes much to Jan Kiepura. Without him it would have been mediocre stuff; with him it is pleasant musical diversion.

The story is the familiar romantic tale of the famous tenor (Kiepura) in pursuit of a sweet young thing who sets him palpitating the moment he catches sight of her. The more the girl (Aileen Marson) tries to put him off the more ardent he becomes. In the end the girl capitulates, even if she has to throw over a member of the nobility for the sake of a happy ending.

The picture reaches its peak, musically, with Kiepura's rendition of "Celeste Aida" and "Ave Maria," the latter sung in a church setting as the woman he loves is about to wed her nobleman. The tenor's singing of the sacred air exerts such a power over her that she leaves her husband-to-be at the altar and flees to Kiepura's arms.

Sonnie Hale's comedy as Kiepura's manager helps along. Emlyn Williams and Gina Malo also are in the cast. Maurice Elvey directed.

No production code seal. Running time, 71 minutes. "G."

(Additional reviews on page 5)

Agreement Reached To Push Pool Plan

(*Continued from page* 1)

Leff and Louis Fleischman, was named to get to work on the plan.

The committee will interview every theatre owner in the local territory on the pooling setup, which provides for an exchange of stock in a company to be formed for an interest in the theatres with management to be retained by the present operators.

Milton C. Weisman, who attended the meeting, did not have the plan ready, but said he would submit it to the committee in a day or so. Two more will be added to the four men on the committee in the next few days.

Pathe, Loew Ask Security Registration

(*Continued from page* 1)

shares no par common, all issued, and 250,000 shares common, unissued.

The Pathe statement shows 100 per cent ownership of Pathe International Corp. State Theatre Co., owner of Australian Licenses, Inc., Pathegram, Inc., Pathe Studios, Inc., Pathe Sound Studios, Inc., and Pathe Co.

The stock setup of the company includes $10,000,000 in 10-year gold debentures, of which $1,996,500 is outstanding, and an authorized issue of 30,000 shares eight per cent cumulative preferred, 16,909 shares outstanding with a liability of $808,300. The liability of the outstanding Class A preference stock is carried as $243,123 and that of the outstanding common as $948,781.

Holders of 10 per cent or more of any class of security include only the Broseco Corp., 1,804 shares eight per cent stock, or 10.66 per cent, and voting trustees, 2,097 shares eight per cent stock, or 12.4 per cent.

The three highest remunerations paid by the company were reported as $20,800 to Stuart W. Webb, former president, who also was given an option on 5,700 shares preferred and 24,800 shares common as additional executive compensation; $15,600 to Arthur B. Poole, vice-president and treasurer, and $4,300 to T. P. Loach, secretary and assistant treasurer. Frank F. Kolbe is now president of the company.

Stock Holdings Given

The heaviest stock ownership by officers and directors included 30 shares eight per cent stock by Poole; 100 shares class A, Charles A. Stone, director; 15 shares eight per cent and 100 class A, Theodore C. Streibert, director, and 10 shares common, Charles B. Wiggin, director.

Loew's statement shows that the company has 83 wholly-owned, 43 part-owned and 45 domestic and foreign subsidiaries and affiliates, details on the last-named being held confidential. M-G-M owns or has an interest in 57 domestic and foreign companies.

The stock setup includes $15,000,000 of six per cent gold debentures, $8,715,000 outstanding. The liability of the outstanding preferred stock is $12,920,229 and that of the common $3,657,580.

There are no holders of 10 per cent or more of any class of stock, it was stated, and salaries of officers are omitted from the report.

Stock holdings of officers and directors include: Nicholas M. Schenck, president, 1,817 shares common; David Bernstein, vice-president, 13,890 common; David L. Loew, vice-president, 500 common; Edward A. Schiller, vice-president, 500 common; Leopold Friedman, secretary, 3,412 common; Isador Frey, assistant secretary, 300 common; Charles C. Moskowitz, assistant treasurer, 300 common; Leonard Cohen, assistant treasurer, 100 common; H. Helborn, assistant secretary, 100 common; J. Robert Rubin, director, 2,000 common and 250 preferred; William A. Phillips, director, 2,000 common; David Warfield, director, 7,000 common.

The statement also discloses details of profit-sharing contracts, including that with Louis B. Mayer, Irving Thalberg and Rubin, heads of Louis B. Mayer Pictures, which, in addition to salaries, calls for the payment of 20 per cent of net profits up to $2,500,000 and 15 per cent on the excess, together with options giving Thalberg the right to buy 100,000 shares common and Mayer and Rubin 50,000 each at prices ranging from $30 to $40. The contract runs until March 1, 1939. Thalberg has taken 10,000 and Rubin 2,000 shares under this option.

There is also a contract with David Bernstein, vice-president and director, running to Dec. 31, 1938, calling for a salary of $2,000 weekly and one and one-half per cent of excess profits and carrying an option for the purchase of 50,000 shares at $30 to $40, of which 13,890 shares have been taken.

A contract with Nicholas M. Schenck as president calls for a salary and two and one-half per cent of excess profits.

Looking 'Em Over

"Bulldog Jack"

(*Gaumont-British*)

LONDON, May 16.—A skit on the "Bulldog Drummond" series in which "Sapper," the author of the originals, has collaborated with Jack Hulbert, who is the star as well as part-author. Fay Wray, feminine lead, is an American name, but she has little to do, and the appeal rests much more on thrill episodes, treated as burlesque, than on star values.

Drummond is hot on the trail of the Morelle jewel-stealing gang when his car brakes are tampered with and he crashes in collision with Jack Pennington, man-about-town. Injured, Drummond instructs Pennington to take his place and receive a message from a mysterious girl which will lead to the capture of the gang. Pennington, in combination with the Bulldog's equally fatuous assistant, Algy, bungles things completely, helping the gang to capture both the girl and her father, whom they wish to coerce into making duplicates of valuable jewels on an idol in the British Museum. The gang's headquarters are hidden in a deserted subway railway station from which a tunnel has been made to the museum.

Pennington and Algy find their way to the underground lair and, of course, are easily captured, but eventually Pennington manages to follow the gang into the museum while Algy sets out to fetch the police. Morelle, chief of the gang, goes crazy and before the police can seize him starts a train with the girl, Pennington and Algy aboard, full speed through the empty tube. Pennington climbs out on the roof and stops him a few seconds before a crash is due.

Most of the entertainment is in the last half of the picture. There is very amusing burlesque stuff in the museum scenes, in which Hulbert, hiding in old suits of armor and behind classic statuary knocks out the whole gang by throwing boomerangs, and then also lays himself out. The finale on the speeding train in the under-London tunnels is a real thrill.

Hulbert's comedy methods may not be immediately understood by American audiences, and there appears to be considerable scope for cutting in the earlier scenes but the stunt and comedy values are considerable, and really original in the conclusion. Paul Graetz, Ralph Richard and Jack Hulbert are all good in their parts.

This is definitely scheduled for American release. Running time, 70 minutes. "G." ALLAN

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Arizonian"

(*Radio*)

HOLLYWOOD, May 27.—Routine heroics in every foot make this a superior western, fine for Saturday matinees or spotted on dual bills.

A splendid cast gives unusual value to a film of good average caliber. Richard Dix, noble and manly, saves Margot Grahame from kidnapping by the villainous sheriff, Louis Calhern, who is running the town wide open.

James Bush, Dix's younger brother, also loves Margot. Each vies between big gun battles in giving her to the other. Tense scenes are built when Dix, unarmed, bluffs the bad men out of their guns and cleans up the town, so civilization can have a clear track.

Excellent performances are given by Preston Foster, as a debonair bandit; Dix, Calhern, Bush, Margot Grahame, Ray Mayer, Willie Best, Joseph Sauers and Francis Ford, under Charles Vidor's direction from Dudley Nichols' screen play. Cliff Reid produced.

Previewed without production code seal. Running time, 75 minutes. "G."

Hochreich's Charges In Erpi Suit Denied

WILMINGTON, May 27.—Warren Connors, Erpi sales representative at Charlotte, N. C., denied today statements made by David R. Hochreich, former president of Vocafilm, in the General Talking Pictures-Duovac suit against Erpi, W. E. and A. T. & T. Hochreich testified for the plaintiffs several weeks ago.

Connors testified that Samson Theatres, Inc., operating the Clinton and Rockingham, wanted to change from DeForest because they were unable to get servicing. Hochreich had testified that Erpi attempted to get the Samson theatres to break their contract with G.T.P. and DeForest.

Connors denied he attempted to have DeForest sound taken from a Lumberton, N. C., theatre by telling an exhibitor that DeForest was dispensing with its service staff. He also denied telling the Lumberton exhibitor that G.T.P. was going out of business.

Thomas C. Guthrie, counsel for Erpi in North Carolina, and Herbert M. Wilcox, Erpi vice-president, testified briefly for the defendants.

Drop Pittsburgh Duals

PITTSBURGH, May 27.—The Warner, for the last year a double feature house, will return to single bills Thursday with "Let 'Em Have It," the first United Artists release to play a Warner house first run here since "The Private Life of Don Juan."

According to executives in the local office, whether the Warner remains under this policy or resumes duals will depend entirely on the product available. The top, however, remains the same, 40 cents, for one or two pictures.

Daigler in Newman Job

PORTLAND, May 27.—Hal E. Daigler, long connected with Hamrick theatres in Seattle, has been named manager of the Portland Paramount. He succeeds Frank L. Newman, Jr., who returns to Seattle.

The Orpheum has dropped vaudeville, leaving the Capitol the only spot with vaudeville and films.

Cahill Forms Bureau

Harry A. Cahill, personal representative for Tito Schipa for the last 12 years, has organized the Radio Koncert Bureau. Schipa, now on tour in Europe, returns in July to spend some time in Hollywood where he has a home. In November, he will join the San Francisco Opera Co.

Atlanta Chapter Planned

ATLANTA, May 27.—H. M. Lyons, RKO manager here, is leader in a movement looking toward formation of a local chapter of Variety Club.

Six Superlative Shows Reflectin
Obligation Towards the

Douglas FAIRBANKS Jr.
Gertrude LAWRENCE
IN
Nimi

"The high-water mark of technique in this country." —THE ERA

"A picture that should insure unmistakable box-office success." —DAILY FILM RENTER

"Smoothly told tale of hunger and privation, romance and gaiety, spectacle and pathos." —CINEMA

"A production of outstanding merit in staging, characterization and acting." FAULKNER'S EDITORIAL REVIEW

"The standout of the picture is Douglas Fairbanks, Jr., who gave one of the best performances of his screen career." —HOLLYWOOD REPORTER

DIRECTED BY PAUL L. STEIN



NILS ASTHER
FRITZ KORTNER
ADRIENNE AMES
IN
ABDUL THE DAMNED

"Should be a candidate for exhibition throughout the world." —VARIETY

"'Abdul the Damned' with its brilliant acting, convincing oriental settings, spectacular dances, and good story is a talkie triumphs." —DAILY MIOORO

"An exceptionally powerful drama . . . will be immensely popular." —DAILY MAIL

"The acting is superb—a picture which any director might be proud of." —SUNDAY REFEREE

"There is a 'super' quality about this picture which could stand up to comparison in any part of the world. 'Abdul the Damned' is an absolute winner." —SUNDAY CHRONICLE

"One of the three or four best pictures ever produced in this country." —DAILY TELEGRAPH

DIRECTED BY KARL GRUNE



Richard TAUBER
THE WORLD RENOWNED TENOR
IN
APRIL BLOSSOM
With JANE BAXTER

"Its obvious box-office values are backed by real artistry of direction and acting." —M. P. HERALD

"It is sure to be a box-office success in this country. There is no reason why it should not be an equal succes in America." —MORNING POST

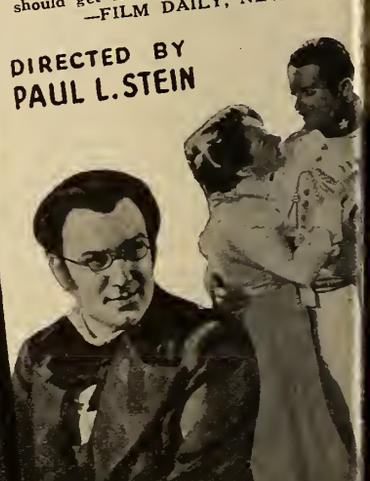
"Certain to have an appeal for all people. It is specially timely in view of the agitation against sex and crime stories." —VARIETY, NEW YORK

"One of the smoothest and most delicious talking pictures it is possible to imagine." —SUNDAY PICTORIAL

"One of the most enchanting lyrical romances it has been my good fortune to see." —DAILY MAIL

"There is a wide potential audience for this picture and its wholesome nature should get it unanimous support." —FILM DAILY, NEW YORK

DIRECTED BY PAUL L. STEIN



Previe
GRAND BALLROOM, WA
Wednesday, May 29th
"ABDUL THE DAMNED
Other P

Invitations restricted to members of the industry. For tickets apply—
Manager, Alliance Films, Warwick Hotel, 65 West 54th Street, New York City.

the Sincerity of "ELSTREE'S"
lotion Picture Industry

CHARLES BICKFORD
RAQUEL TORRES
IN
Red Wagon
Lady Eleanor Smith's Saga of the Circus
With GRETA NISSEN.

"Just the tit-bits movie fans are fighting for." —SUNDAY GRAPHIC

"Greta Nissen's scene with a cage of tigers is a real thrill." —DAILY HERALD

"Crowded with incident, teeming with life." —SUNDAY DISPATCH

"Is honestly and triumphantly entertainment." —SUNDAY REFEREE

"A very worthwhile proposition for showmen." —CINEMA

"For sheer all-round entertainment . . . it would be difficult to imagine a film that the exhibitor could book with more confidence." —ERA

DIRECTED BY PAUL L. STEIN



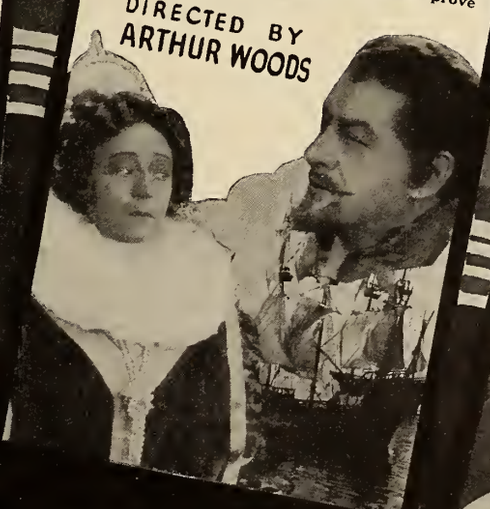
ATHENE SEYLER
AS QUEEN ELIZABETH
JANE BAXTER
MATHESON LANG
IN
Elizabeth of England

First Review Received
Daily Film Renter

A SPECTACULAR AND COLORFUL HISTORICAL DRAMA!

Large-scale screen dramatisation of episodes in life of Sir Francis Drake, depicting rise from unknown sailor to founder of England's naval greatness. Culminates in smashing of Spanish Armada, a thrilling sequence that is film highlight. Lavishly staged. A great effort which should prove big box-office anywhere.

DIRECTED BY ARTHUR WOODS



BUDDY ROGERS
JUNE CLYDE
IN
DANCE BAND

A MERRY MELANGE OF MUSIC AND MIRTH!

This picture has not been trade shown. Therefore, no reviews have heen received.

DIRECTED BY MARCEL VARNEL



g At The
RF-ASTORIA, AT 8:45 P. M.
Tuesday, May 28th
"APRIL BLOSSOM"
ws to Follow

B. I. P. PRODUCTIONS

Schenck Quits U. A., Taking 20th to Fox

(*Continued from page* 1)

porate action is regarded as a routine matter.

The deal will send the Fox program to between 55 and 60 pictures next season with Fox supplying about 48, as usual, and 20th Century, which is expected to maintain its identity as a producing unit, the remaining 12.

Schenck, who sailed for Europe on the *Majestic* Friday night, will remain abroad about a week, then return to New York and later travel to Hollywood together with Kent. Schenck will make his headquarters on the coast working in conjunction with Winfield Sheehan, vice-president in charge of Fox production, and Zanuck.

The statement left a number of points to be cleared up. No mention, for instance, was made of the pictures Zanuck will produce, but the supposition was he would proceed with the program of 12 he announced on his recent visit to New York. These include:

"Ivanhoe," adapted from the novel by Sir Walter Scott. It will be produced as 20th Century's "most lavish spectacle" and will have an all-star cast.

"The Man Who Broke the Bank at Monte Carlo," starring Ronald Colman, and directed by John Ford from the scenario by Nunnally Johnson.

"Sing, Governor, Sing!" with Paul Whiteman and his band, Phil Baker and his stooges, Beetle and Bottle; and Rubinoff. Songs and musical score by Gus Kahn and Arthur Johnson.

Tibbett Film in Lineup

"The Diamond Horseshoe," starring Lawrence Tibbett, with screenplay by Bess Meredyth and George Marion, Jr.

"Shark Island," starring Fredric March. The screenplay is based on the life of Dr. Samuel Alexander Mudd from the book by his daughter.

"Professional Soldier," starring Wallace Beery, with the scenario provided by Harold Long.

Four for which no stars have been selected are: "Nile Patrol," by Phillip McDonald; "Gentlemen, the King!" by Howard Smith; "Earthbound," by W. P. Lipscomb, and "It Had to Happen," by Howard Smith.

Zanuck is understood to be half owner of the United Artists studio in Hollywood, but the understanding as to his future production headquarters is that he will work on either of the two Fox lots.

The retirement of Schenck from United Artists where he has been president for approximately 10 years is one of the most startling company upsets in some time. A one-sixth stockholder with partners in like percentage including Charles Chaplin, Mary Pickford, Samuel Goldwyn, Douglas Fairbanks and Art Cinema, an authoritative source last night expressed the opinion he would continue to retain that interest.

Switch of 20th Century distribution to Fox removes from United Artists its largest producing contributor and reduces the latter's company's roster to Samuel Goldwyn, Reliance Prod., London Films and British and Dominions.

Al Lichtman, vice-president and general manager of distribution for U. A., leaves by air for Hollywood today to attend a meeting of stockholders when plans for replacement of the 20th Century lineup will be discussed.

Who is in line for the presidency of U. A. was an open question yesterday, the most authentic slant on a successor having it this will be one of the matters to be discussed when the stockholders convene.

Schenck's deal with Kent has been brewing for four or five months, but crystallized in the last few days when the former became a more and more frequent visitor to Kent's office. Difficulties with Goldwyn, long standing, were cited last night as a major factor in Schenck's final decision to break away from United Artists in favor of the new alliance.

Following is the text of the joint statement issued by Schenck and Kent:

"We have concluded preliminary arrangements for a deal that calls for the combining of the interests of our respective companies which will be finalized as soon as the necessary final contracts can be drawn, regulations of various kinds complied with and necessary corporate action taken.

"This move will put together the entire producing personnel and assets of the 20th Century Corp. with those of Fox Film. It includes the future personal services of Joseph M. Schenck, who will become chairman of the board of Fox Film Corp., and Darryl Zanuck, vice-president of 20th Century, who will become a vice-president of Fox Film. Mr. Kent will remain in his present capacity as president of Fox Film Corp.

"Mr. Kent stated that Fox Film had made considerable progress in the improvement of its box-office quality under the leadership of Winfield Sheehan and that this move was not the forerunner of any shake-up in the Fox organization, but rather a rearrangement of the executive work in Hollywood and the producing work involved to the end that we could strengthen our entire producing situation still further. Mr. Kent stated that all of the personnel involved have but one purpose in view and that is to build a greater Fox Film-20th Century producing organization.

"Joseph M. Schenck will make his headquarters on the coast working in close contact with Messrs. Sheehan and Zanuck and the other producers of the two present companies.

"Both presidents are enthused about the future of the new organization and wish to assure the trade that the one purpose behind the move is to make a still better program of quality motion pictures, feeling that the resources of the two put together, both as to manpower, personnel and box-office assets, will lead to an even better quality for the combined program than was possible with each of them producing on their own. The presidents stated that it was their intention to produce a minium of 55 to 60 pictures per annum so that the amount now being made by Fox Film and 20th Century, each on its own, will be continued as to number under the new plan.

"Both Messrs. Joseph M. Schenck and Sidney R. Kent indicated their happiness upon being able to conclude arrangements for the deal and felt that it was constructive for the entire industry.

"Mr. Schenck sailed for Europe on the *Majestic* and stated that further details would be available upon his return from the other side, at which time he and Mr. Kent will journey to California together."

They Join Fox Film



JOSEPH M. SCHENCK
Chairman of Board



DARRYL F. ZANUCK
A Vice-President

Pickford Plans Changed

HOLLYWOOD, May 27.—A meeting of the United Artists directors in Hollywood has caused a shift in Mary Pickford's stage plans. "Coquette" has been postponed at the Broadway, Portland, until May 31. She arrived from Portland today by plane.

Zanuck Still Hunting

HOLLYWOOD, May 27.—While Hollywood continued startled at the news of the shift of Joseph M. Schenck and 20th Century to Fox, Darryl F. Zanuck today was still reported somewhere in Alaska after bear.

Hold Schenck Move An Aid to Fox Met

(*Continued from page* 1)

those associated with him in the reorganization, as well as counsel for Fox Met creditors. It was pointed out in this connection that Schenck so thoroughly dominates United Artists Theatre Circuit, Inc., the company which is to acquire one-half of the stock of the reorganized Fox Met company under the plan, that no difficulty is anticipated in the way of the U. A. theatre company being permitted to carry out its obligations under the plan. The theatre company is to be continued under Schenck's direction, it was said, with no immediate plans for making it an adjunct of Fox Film.

The U. A. theatre company, in addition to its stock ownership in Fox Met, is also made guarantor of various financial phases of the Schenck reorganization plan. Schenck is reported to own more than 90 per cent of the stock of U. A. Theatre Circuit.

Fox Met creditor factors, commenting on the Schenck move to Fox Film, offered the opinion that the new association would enhance the new Fox Met company's future and be of distinct value to the plan. It was also pointed out that Schenck will still be able to deliver 20th Century product to Fox Met, which was one of the considerations leading to the tentative approval given the plan by the Federal court several weeks ago. The product to be delivered to Fox Met by Schenck is not specifically named in the plan, an amendment covering the subject refers only to "such product as Schenck controls."

Schenck agrees in the Fox Met plan to stay with that company for a minimum of five years. The new Fox Met is already assured of Fox product through long term franchises held by Skouras and Randforce, who will continue as operators of the circuit under Schenck's plan.

Ohio Closing Session with No Tax Action

COLUMBUS, May 27.—Neither the bill to reinstate the 10 per cent admission tax nor the state income tax measure have received Senatorial consideration, thus upholding the recent assertion that no new taxes would be voted during the session which officially ended Friday.

Unless the General Assembly, when it meets for one day this week before adjourning sine die, makes some provision for financing old-age pensions for the last half of the year, Governor Davey says he may call a special session at once. Otherwise, another session will be called in the fall, according to those close to legislative activities.

The two bills may receive consideration at either of these sessions, if called.

The 10 per cent admission tax was suspended Jan. 1 for one year, when exhibitors began paying the three per cent sale tax.

No Nebraska Tax Action

LINCOLN, Neb., May 27.—With the adjournment of the State Legislature here early yesterday morning, the industry came through untouched by current legislation.

The amended chain store tax which, up to the last minute would have hit circuits $3 per one house up to $100 for five or more, laid in conference until the session closed..

The sole bill not acted upon was the proposed two-man-in-a-booth measure, which never emerged from committee. The 10 per cent gross film rental tax, two per cent sales tax on admissions and a previous circuit tax were other measures killed.

QUOTH THE RAVEN... "NEVERMORE"



Not just <u>one</u> monster . . . But TWO! And <u>both</u> in the same picture!

"Frankenstein" KARLOFF plus "Dracula" LUGOSI

in Edgar Allan Poe's weirdest, eeriest, shudderiest sensation

The RAVEN

A Universal Picture with Irene Ware, Lester Matthews, Inez Courtney . . . . Directed by Louis Friedlander . . . . . David Diamond, Associate Producer

"Town" Leads Three Denver Hits, $9,000

DENVER, May 27.—"Goin' to Town" headed a remarkable group of smash hits here last week. It piled up $9,000 at the Denham, over normal by $5,000, and was held over.

At the same time "Our Little Girl" reached $10,000 at the Denver, which was over average by $4,000; "Les Miserables" held up to $5,000 in its second week at the Aladdin and was held for a third. The Shirley Temple film was moved to the Broadway from the Denver.

Total first run business was $33,000. Average is $23,000.

Estimated takings for the week ending May 23:

"LES MISERABLES" (U. A.)
ALADDIN — (1,500), 25c-35c-50c-60c, 7 days, 2nd week. **Gross:** $5,000. (Average, $4,000)

"CARDINAL RICHELIEU" (U. A.)
BROADWAY—(1,500), 25c-40c, 4 days, following two weeks at the Aladdin. **Gross:** $1,500.

"RUNAWAY QUEEN" (U. A.)
"THE RETURN OF BULLDOG DRUMMOND" (U. A.)
BROADWAY—(1,500), 25c-40c, 3 days. **Gross:** $500. (Average for week, $1,500)

"GOIN' TO TOWN" (Para.)
DENHAM—(1,500), 25c-35c-50c, 7 days. **Gross:** $9,000. (Average, $4,000)

"OUR LITTLE GIRL" (Fox)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $10,000. (Average, $6,000)

"THE INFORMER" (Radio)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

"THE CASE OF THE CURIOUS BRIDE" (Univ.)
PARAMOUNT—(2,000), 25c-35c-50c, 7 days. **Gross:** $2,000. (Average, $4,000)

Lightman Acquires Hot Springs House

M. A. Lightman, head of Malco Theatres, Memphis, has closed with Sidney Nutt for the Central, Hot Springs, Ark., and will erect a new theatre on the site this summer for Sept. 1 opening, he stated here yesterday. The new acquisition increases Malco's holdings to 41 houses, all in the Tennessee and Arkansas section.

Lightman, who plans to return to Memphis today, has been here for final conferences with Y. Frank Freeman, Paramount theatre head, on his operating partnership for Paramount's Memphis downtown houses. He reported that a new all-time house record at the Palace, Memphis, was recently established by "Goin' to Town."

Names Maryland Board

BALTIMORE, May 27. — Governor Harry Nice has appointed Meyer Leventhal and Nelson D. Baldwin to the state board of examiners of motion picture operators.

Leventhal is a pioneer operator and exhibitor and is now managing director of the Philip J. Scheck Theatrical Enterprises. Baldwin has been an operator for many years.

F.W.C. Group Is Coming

LOS ANGELES, May 27.—Jack Sullivan, F.W.C. buyer; Charles Skouras; Arch Bowles, northern division manager; Eddie Alperson, James Davidson and Edward Zabel are on their way to New York. All will attend the Fox convention in Chicago, with the exception of Sullivan who is slated for a three-month buying tour.

"Miserables" High in 2nd Phila. Week

PHILADELPHIA, May 27. — "Les Miserables" took the spotlight in its second week at the Aldine, getting $11,000 against a $7,000 average. Right with it was another second-week film, "Our Little Girl," which took $14,000 at the Fox. "People Will Talk" also upped the Earle average $1,000, getting $13,000.

Mae West's "Goin' to Town" didn't measure up to expectations at the Stanley, getting just the average $12,000 on the week. The buildup in the last three days of week, however, resulted in its being held over.

Disappointment of the week was "Flame Within," which went only five days at the Boyd to $7,000. The second week of "G-Men" at the Stanton (third week downtown) held up to a nice $6,000.

Total first run business was $71,500. Average was $68,900.

Estimated takings for the week ending May 23:

"LES MISERABLES" (U.A.)
(2nd week)
ALDINE—(1,200), 40c-55c-65c, 6 days. **Gross:** $11,000. (Average, $7,000)

"NAUGHTY MARIETTA" (M-G-M)
(2nd run)
ARCADIA—(600), 25c-40c-50c, 6 days, 2nd week. **Gross:** $2,200. (Average, $2,400)

"THE FLAME WITHIN" (M-G-M)
BOYD—(2,400), 40c-55c, 5 days. **Gross:** $7,000. (Average, 6 days, $12,000)

"PEOPLE WILL TALK" (Para.)
EARLE — (2,000), 25c-40c-50c, 6 days. Stage: Charlie Foy, Buster Shaver with Olive and George, Dick and Edith Barstow. **Gross:** $13,000. (Average, $12,000)

"OUR LITTLE GIRL" (Fox)
FOX—(3,000), 40c-55c-65c, 6 days, 2nd week. Stage: Riley and Comfort, Ross and Stone, Don Lee and Louise, Marcy Bros. and Beatrice, Sinclair Twins, Bobby Dillon. **Gross:** $14,000. (Average, $12,000)

"CARDINAL RICHELIEU" (U.A.)
(2nd run)
KARLTON—(1,000), 25c-35c-40c, 6 days. **Gross:** $3,000. (Average, $3,500)

"BRIDE OF FRANKENSTEIN" (Univ.)
(2nd run)
KEITH'S—(2,000), 30c-40c-50c, 6 days. **Gross:** $3,300. (Average, $4,000)

"GOIN' TO TOWN" (Para.)
STANLEY — (3,700), 40c-55c, 6 days. **Gross:** $12,000. (Average, $12,000)

"G-MEN" (F.N.)
(2nd run)
STANTON—(1,700), 30c-40c-50c, 6 days, 2nd week. **Gross:** $6,000. (Average, $6,000)

Mae West Picture At $7,800, Omaha

OMAHA, May 27.—"Goin' to Town" dragged 'em in in droves at the Omaha. The take, $7,800, left average behind by $2,800.

At the same time a dual bill consisting of "Our Little Girl" and "Baby Face Harrington," was good for $9,200, over the line by $1,700, at the Orpheum, and "Black Fury" was strong with $4,100 at the Brandeis.

Total first run business was $21,200. Average is $16,000.

Estimated takings:

Week Ending May 22:
"BLACK FURY" (F. N.)
BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $4,100. (Average, $3,500)

Week Ending May 23:
"OUR LITTLE GIRL" (Fox)
"BABY FACE HARRINGTON" (M-G-M)
ORPHEUM—(3,000), 25c-40c, 7 days. **Grosss** $9,200. (Average, $7,500)

Week Ending May 24:
"GOIN' TO TOWN" (Para.)
OMAHA—(2,200), 25c-40c, 7 days. **Gross:** $7,800. (Average, $5,000)

Clear It All Up

St. Louis, May 27.—Col. Barney Fegan, former distributor, salesman and exhibitor, not to mention exploiteer—he won a national prize in that field once—was running around in circles a few days ago trying to figure out what theatres used for illumination prior to advent of gas.

It all started when he came across a handbill dated October 25, 1847, announcing that a local theatre was to close until gas fixtures were installed. Steve Cady, ex singer and now a tavern keeper down along the Gravois, has supplied the answer that was troubling Barney. He says the theatres used kerosene lamps before October 25, 1847.

Barney may want to know what they used before kerosene was discovered.

"Miserables" Hits $14,000 In Cleveland

CLEVELAND, May 27.—"Les Miserables" was the best attraction of the week. It drew $14,000 at Loew's State and won an extended run, going straight into the Stillman.

"Our Little Girl" went $2,500 over the Hippodrome average to a $10,500 gross and moved over to the Allen for another week. Third week of "G-Men" downtown topped the Allen average by $1,100 with a $4,100 take.

"McFadden's Flats" and "Eight Bells" dropped below recent business at the Stillman and Circle.

General movie business all through the city was good.

Total first run business was $49,550. Average is $43,000.

Estimated takings for the week ending May 24:

"G-MEN" (F. N.)
ALLEN—(3,300), 30c-35c-42c, 7 days, 2nd week, 3rd week downtown. **Gross:** $4,100. (Average, $3,000)

"OUR LITTLE GIRL" (Fox)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $10,500. (Average, $8,000)

"IT HAPPENED IN NEW YORK" (Univ.)
RKO PALACE — (3,100), 30c-40c-60c, 7 days. Stage: Guy Lombardo and his Orchestra and vaudeville. **Gross:** $15,250. (Average, $15,000)

"LES MISERABLES" (U. A.)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $14,000. (Average, $10,000)

"McFADDEN'S FLATS" (Para.)
LOEW'S STILLMAN—(1,900), 25c-35c, 7 days. **Gross:** $2,900. (Average, $4,000)

"EIGHT BELLS" (Col.)
CIRCLE — (1,925), 15c-25c-30c, 7 days. Stage: Mary Small headlined on 5-act vaudeville bill. **Gross:** $2,800. (Average, $3,000)

"Stolen Harmony" Oklahoma Grosser

OKLAHOMA CITY, May 27.—"Stolen Harmony" led a general pickup that made business good in all first runs. It reached $3,000, above normal by $1,000, at the Capitol.

"Our Little Girl" took $4,500 at the Criterion, "Bride of Frankenstein" was up to $4,500 at the Midwest, and

(*Continued on page* 11)

'Fury,' 'Town' Best Grossers In Twin Cities

MINNEAPOLIS, May 27. — "Black Fury" here and "Goin' to Town" across the river were the principal draws of the week. The Muni opus went $1,000 over par on a $6,500 take at the Orpheum here and Mae West's picture did the same at the St. Paul Paramount. The West picture was comparatively strong at the State here, too, on a take of $6,000.

"George White's 1935 Scandals," "Night Life of the Gods" and "Bride of Frankenstein" were all on the profit side of the line, but not heavily so.

Total first run business in Minneapolis was $29,500. Average is $28,500. Total St. Paul business was $17,500. Average is $16,000.

Estimated takings:

Minneapolis:
Week Ending May 23:
"NIGHT LIFE OF THE GODS" (Univ.)
ALVIN—(1,486), 15c-40c, 7 days. Stage: Musical stock. **Gross:** $4,500. (Average, $4,000.)

"GEORGE WHITE'S 1935 SCANDALS" (Fox)
CENTURY—(1,650), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000.)

"THE GREAT HOTEL MURDER" (Fox)
LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500.)

Week Ending May 24:
"BLACK FURY" (F. N.)
ORPHEUM—(2,900), 25c-40c, 7 days. Stage show. **Gross:** $6,500. (Average, $5,000)

"GOIN' TO TOWN" (Para.)
STATE—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $6,000. (Average, $5,500)

"THE LOST CITY" (Regal)
TIME—(300), 20c-25c, 7 days. **Gross:** 1,500. (Average, $1,500.)

"MAYBE IT'S LOVE" (F. N.)
PALACE—(900), 15c-25c, 7 days. Five acts vaude. **Gross:** $2,000. (Average, $2,000)

"MY HEART IS CALLING" (Gaumont British)
WORLD—(400), 25c-55c, 7 days, 3rd week. **Gross:** $3,000. (Average, $3,000.)

St. Paul:
Week Ending May 24:
"GOIN' TO TOWN" (Para.)
PARAMOUNT—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $6,500. (Average, $5,500.)

"LES MISERABLES" (U. A.)
RIVIERA—(1,200), 25c-40c, 7 days, 2nd week. **Gross:** $3,500. (Average, $3,500.)

"BRIDE OF FRANKENSTEIN" (Univ.)
ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000.)

"THE CASINO MURDER CASE" (M-G-M)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500.)

"THE UNFINISHED SYMPHONY" (Gaumont British)
WORLD—(400), 25c-35c, 7 days. **Gross:** $1,500. (Average, $1,500)

West Film $9,800 Providence Smash

PROVIDENCE, May 27.—Mae West went to town in a big way for the Strand, grossing $9,800, which is heavy, although some of her previous pictures have had bigger takes. Average business for the Strand is $6,500. The RKO Albee was $300 over par with "Let 'Em Have It" and "Chasing Yesterday," which garnered $7,300. Fay's also was slightly over average with "Mutiny Ahead," and a stage show.

"Les Miserables" at Loew's, despite press raves, did only $10,500. "G-Men," in its second week at the Majestic, had a neat total of $6,000. Exhibitors here already are beginning

(*Continued on page* 11)

"Miserables" Boston Wow; Gets $19,000

BOSTON, May 27.—"Les Miserables" came near bowling over a few records at Loew's State with a take of $19,000, which is over normal by $6,000.

There were some other big grosses in spite of outdoor attractions. "Goin' to Town" piled up $25,000, above the line by $3,000, at the Metropolitan.

Total first run business was $93,000. Average is $68,500.

Estimated takings for the week ending May 24:

"G-MEN" (F. N.)
(Second Run)
"$10 RAISE" (Fox)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $6,000. (Average, $4,500.)

"LET 'EM HAVE IT" (U. A.)
KEITH'S MEMORIAL—(2,907), 25c-65c, 7 days. **Gross:** $15,000. (Average, $12,000.)

"LES MISERABLES" (U. A.)
LOEW'S STATE—(3,537), 25c-55c, 7 days. **Gross:** $19,000. (Average, $12,000.)

"GOIN' TO TOWN" (Para.)
METROPOLITAN—(4,332), 35c-65c, 7 days. Stage: Olga Baclanova, "Hollywood Hooey" revue, Ernie Stanton, Anita Jacoby, Miriam and Mann, Joaquin Garay, Dodge Brothers, Elida Ballet, and Fabian Sevitzky. **Gross:** $25,000. (Average, $22,000.)

"G-MEN" (F. N.)
(Second Run)
"$10 RAISE" (Fox)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $9.000. (Average, $7,000.)

"THE INFORMER" (Radio)
(Second Run)
"LADDIE" (Radio)
RKO BOSTON—(3,246), 25c-50c, 7 days. **Gross:** $9,000. (Average, $11,000.)

"Stolen Harmony" Oklahoma Grosser

(*Continued from page* 10)

"Case of the Curious Bride," with a stage show for four days, was good for $2,600 at the Liberty.

Total first run business was $16,000. Average is $13,500.

Estimated takings for the week ending May 25:

"OUR LITTLE GIRL" (Fox)
CRITERION — (1,700), 10c-26c-36c-55c, 7 days. **Gross:** $5,500. (Average, $5,000)

"BRIDE OF FRANKENSTEIN" (Univ.)
MIDWEST — (1,500), 10c-26c-36c-56c, 7 days. **Gross:** $4.500. (Average, $4,000)

"STOLEN HARMONY" (Para.)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $3,000. (Average, $2,000)

"CASE OF CURIOUS BRIDE" (F .N.)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. Stage: "Merry Whirl." **Gross:** $2,600. (Average week, $2,500)

"BY YOUR LEAVE" (Radio)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $400. (Average week, $2,500)

Goldstein Winner in Quaker Oats Contest

Harry Goldstein, Shawmut, Roxbury, Mass., is the winner of top award, $500, in the second Quaker Oats contest. This one was conducted in connection with "Devil Dogs of the Air" on a tieup between Warners and Lord & Thomas.

The next seven, who received awards ranging from $250 down to $35, were: K. A. Grimes, Warner, Morgantown, West Va.; Al Sindlinger, Appleton, Appleton, Wis.; E. M. Hart, Strand, Plainfield; Gerald F. Baker, Kennedy, Kirksville, Mo.; Hadden Mathews, 69th St., Upper Darby, Pa.; Guy P. Collier, Orpheum, Mitchell, Ind.; Nevin McCord, Orpheum, Twin Falls, Idaho.

West Film $9,800 Providence Smash

(*Continued from page* 10)

to feel the encroachment of sports and outdoor activities of all sorts.

Total first run business was $41,900. Average is $40,500.

Estimated takings for the week ending May 23:

"MUTINY AHEAD" (Majestic)
FAY'S—(1,600), 15c-40c, 7 days. "Harlem Folies," stage revue. **Gross:** $7,100. (Average, $7,000.)

"LES MISERABLES" (U. A.)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $10,500. (Average, $12,000.)

"LET 'EM HAVE IT" (U.A.)
"CHASING YESTERDAY" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $7,300. (Average, $7,000.)

"G-MEN" (F. N.)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $6,000. (Average, $7,000.)

"GOIN' TO TOWN" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $9,800. (Average, $6,500.)

"PRINCESS O'HARA" (Univ.)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,200. (Average, $1,000.)

Warners Sued Over Deals in Wheeling

(*Continued from page* 1)

financially interested in the Capitol, Wheeling, W. Va., by Clarence H. Marrow, holder of $1,500 of first mortgage 6½ per cent serial gold bonds of the Capitol Theatre Co., which operates the house, also a defendant.

The defendants are charged with purchasing three other theatres in Wheeling through pooling agreements to the detriment of the Capitol. They are also accused of buying inferior product for the theatre to injure its business and of engaging in other acts to reduce the value of the property so that they might obtain it at a reduced price.

Marrow, who filed the action in behalf of other bondholders as well as himself, asks that the defendants be enjoined from carrying on the alleged conspiracy and that the bondholders be given a chance to rehabilitate the theatre.

No one in the Warner legal department could be reached for comment on the above suit yesterday.

Child Ban Is Put on "Werewolf" for K. C.

KANSAS CITY, May 27.—Guy Holmes, city censor, has approved Universal's "Werewolf of London" with the stipulation that admission be refused to children under 12. It had to be that, he ruled, or total rejection. Exhibitors say the edict sets a precedent.

Holmes said he was influenced by protests received from women that the Tower had admitted children to "The Bride of Frankenstein" recently. Juvenile attendance was above the average during the run of that picture.

Godfrey Braham Passes

CINCINNATI, May 27.—Godfrey Braham, 66, father-in-law of Stanley C. Jacques, RKO exchange manager, died suddenly at his home. His widow and two daughters survive.

Louis Coriarty Dies

UXBRIDGE, Mass., May 27.—Louis Coriarty, who operated the Bijou here, is dead. He was formerly an exhibitor in Fall River and has long been well known in the industry.

The man who brought living color to the screen....

Dr. Herbert T. Kalmus

president of Technicolor, will address the industry

at

TODAY'S COLOR FORUM

at the

MOTION PICTURE CLUB

with

MIRIAM HOPKINS
star of "Becky Sharp," the first feature length production made entirely in the New Technicolor

MRS. NATALIE KALMUS
color consultant

JOHN HAY WHITNEY
president of Pioneer Productions

ROBERT EDMOND JONES
noted color designer

ROUBEN MAMOULIAN
director of "Becky Sharp"

BILLIE BURKE
featured player in "Becky Sharp"

M. H. AYLESWORTH
NED E. DEPINET

●

Luncheon served at 12:45
$1.25

Court Rules NRA Violates Constitution

(*Continued from page* 1)

but the distinction is clear in principle.

"If the commerce clause were construed to reach all enterprises and transactions which could be said to have an indirect effect upon interstate commerce, the Federal authority would embrace practically all the activities of the people and the authority of the state over its domestic concerns would exist only by sufferance of the Federal Government."

Even though the Federal Government may have the power under the commerce clause of the Constitution to regulate interstate commerce, it does not, the court held, have authority to attempt regulation of intrastate transactions which affect interstate commerce only indirectly. Further, it was held, the attempt through the provisions of the code to fix the hours and wages of employes of defendants in their intrastate business was not a valid exercise of Federal power.

Sharp arraignment of the law was voiced by Justice Cardozo in a concurring opinion. He declared: "It is an attempted delegation not confined to any single act, nor to any class or group of acts identified or described by reference to a standard."

Characterizing the conception that the code is not to be restricted to the elimination of unfair practices, but may include whatever ordinances may be helpful to the industry, as "delegation running riot," Justice Cardozo declared the poultry code to be aimed at nothing less.

Held Void Under Any Circumstance

"If this code had been adopted by Congress itself, and not by the President on the advice of an industrial association, it would even then be void unless authority to adopt it is included in the power 'to regulate commerce with foreign nations and among the several states,'" he said.

In its opinion, read by Chief Justice Hughes, the court held that the recovery act failed to define "fair competition, but it is evident," he said. "that in its widest range, 'unfair competition,' as it has been understood in the law, does not reach the objectives of the codes which are authorized by the National Industrial Recovery Act. The codes may, indeed, cover conduct which existing law condemns, but they are not limited to conduct of that sort."

The purpose of the NRA, the court continued, "is clearly disclosed to authorize new and controlling prohibitions through codes of laws which would embrace what the formulators would propose, and what the President would approve, or prescribe, as wise and beneficent measures for the government of trades and industries in order to bring about their rehabilitation, correction and development, according to the general declaration of policy in the act."

Decision Stuns Capital

WASHINGTON, May 27.—Stunned by the Supreme Court's opinion, Administration leaders tonight were endeavoring to develop some means of keeping the whole NRA effort from collapsing but could see only the enactment of new legislation as the way out.

Admittedy the most serious blow the Roosevelt administration has received, the decision was seen as affecting adversely the Agricultural Adjustment Administration, the Federal Alcohol Control Administration and other agencies which have been set up since 1932 under "blanket" authorization from Congress.

Richberg and other leaders were called to the White House this afternoon to discuss the matter with the President.

Administration officials tonight confessed themselves unable immediately to see how they could get around the decision. At the Capitol leaders said it might be possible to get around that part of the opinion holding the delegation of power unconstitutional but that the strictures on the control of intrastate operations appeared, for the moment at least, to be an insuperable barrier.

Following the White House conference, no statements were immediately forthcoming.

At the NRA it was indicated that activities would practically cease until new legislation had been drafted, since there is little or nothing that can legally be done.

To File Suit Despite Ruling

KANSAS CITY, May 27.—Despite the U. S. Supreme Court's ruling voiding the NRA, Leonard Ulmann, attorney for Jack Johnston of the Ritz, Macpherson, Kan., announced today he would file in Federal court here tomorrow an application for a restraining order to block the stoppage of film service to Johnston because of his failure to comply with Campi's order to end bank nights.

Ulmann said the defendants will be the permanent and substitute members of the grievance board and Radio, M-G-M, Columbia, Paramount and others.

The board ordered service stopped next Thursday on the complaint of C. W. Helstrom of the Helstrom, Macpherson. Johnston decided to go through with the suit when informed by distributors that despite the Supreme Court's action they were bound by the board's order until officially released.

The Washington ruling was hailed by exhibitors here and several immediately contracted for various giveaway stunts that have been banned under the code.

N. O. Exhibitors Jubilant

NEW ORLEANS, May 27.—Independent exhibitors here are jubilant over the Supreme Court's decision on the NRA. They claim they never were benefited and it hurt business. A few are asking: "Now that the NRA is unconstitutional do we get our assessments back?" Others believe that the death of the Blue Eagle is the best thing that ever happened.

Board Hearings Suspended

LOS ANGELES, May 27.—On receipt of notification of the Supreme Court's ruling on the NRA today, John C. Flinn, Campi secretary, stated all local board hearings have been suspended pending clarification from Code Authority.

Wall Street

Eastman Issues Gain on Big Board

	High	Low	Close	Net Change
Columbia vtc (cl)	59½	58¾	58¾	— ¾
Consolidated	4	3¾	4	+ ¼
Cons., pfd (1¼v)	15	14⅞	14⅞	— ⅛
Eastman	148	145	148	+3
Eastman, pfd	154	154	154	+2
Fox "A"	16⅜	14⅞	16⅜	+2
Loew's	106	106	106	— ⅝
Paramount	3½	3⅜	3⅜	+ ⅛
Pathe	⅝	⅝	⅝	.....
Pathe "A"	9	9	9	+ ½
RKO	2⅛	1⅞	2	+ ¼
Warner	3⅞	3¾	3⅞	+ ¼
Warner, pfd	24½	24½	24½	— ⅛

Technicolor Up on Curb

	High	Low	Close	Net Change
Technicolor	23⅜	20¾	23⅜	+2¾
Trans-Lux (.10K)	2⅝	2⅝	2⅝	+ ⅛

RKO Bonds Rise ⅞

	High	Low	Close	Net Change
General Theatre Equip. 6 s'40 ctf	13	12⅝	13	+ ⅝
Keith B. F. 6s '46	78	78	78	.....
Loew's 6s '41 ww deb rights	104⅜	104⅜	104⅜	.....
Paramount B'way 5½s '51	55	55	55	—1
Paramount F. L. 6s '47	90¼	89¾	90¼	+ ¾
Paramount Publix 5½s '50	91½	90⅝	91⅜	+ ⅝
RKO 6s '41 pp	41	41	41	+ ⅞
Warner Bros. 6s '39 wd	64½	63½	64¼	+ ¼

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 27)

N.Y. Theatres Seek Arbitration Board

(*Continued from page* 1)

local exhibitors attending a special meeting at the Astor adopted a resolution providing for the setting up of an arbitration board to replace the two boards. The plan was proposed by Harry Brandt, I.T.O.A. head, and was carried unanimously in quick order.

The proposed board will differ from the arbitration bodies which were abolished when the clearance and zoning and grievance boards were set up in that it will be free from control by the Hays office and all interests willing to arbitrate various problems, such as clearance grievances and labor, can cooperate both financially and in the carrying out of decisions.

One of the pressing problems in need of immediate arbitration is the much-disputed operators' scale. A secret meeting of the abandoned fact-finding committee was held in Leslie Thompson's office last week, but Local 306 was not represented. Another is expected to be called this week.

Another problem is clearance and zoning. A third is the flagrant giveaway practice.

Dr. Cornell Breaks a Tie

BUFFALO, May 27.—For the first time Dr. Peter C. Cornell has cast the deciding ballot as impartial government representative on the clearance and zoning board. This resulted in a ruling that the Lyric and Suburban in Binghamton are not in competition.

George N. King, proprietor of the Lyric, fourth run downtown, protested against the seven days' clearance of the Suburban, a Comerford enterprise. The Suburban is open evenings only and is near the outskirts of Binghamton.

K. C. Told to Study Coast Zoning Plan

(*Continued from page* 1)

to attend hearings on complaints against the effective setup, he will submit a report to Campi and local boards which, it is expected, will be of assistance in framing other schedules.

Board members here have been advised of Campi's resolution that Kansas City, New Haven and Milwaukee observe the operations of the Los Angeles plan for 30 days and reexamine their schedules in the light of that proving ground with a view to redrafting them. The indicated 30-day period will elapse June 15. It is said here that date is somewhat of a coincidence because many expect the NRA to expire June 16.

Local factors have not taken advantage of Campi's resolution that they may file individual protests pending approval of the schedule submitted. But while the situation here has quieted down for the time being, numerous protests will be forthcoming from independents with inauguration of the Kansas City plan, if and when it ever goes into effect.

Ohio Acts in Code Case

CLEVELAND, May 27.—The county prosecutor has filed a petition for intervention to make the state a party defendant in the case of Frances Reeh, Opera House, Shelby, against the grievance board. Hearing is set for Wednesday in the county court house. The state also is filing a motion to dissolve the temporary injunction granted Reeh, restraining the grievance board from executing its cease service order and also asking that the Opera House, Shelby, be restrained from committing further code violations pending hearing the case on its merits.

Lowered admissions in violation of existing contracts was the basis of the original complaint filed with the grievance board against Reeh by H. D. Shreffler, Castamba, Shelby.

Because Ohio has a state NRA act, attorneys claim that the state should be a party in the case.

No Giveaway Action

No action will be taken by the New York grievance board today when it discusses the local giveaway and chance game situation.

While all members of the board admittedly agree that the practices are bad, no means have yet been devised whereby they can be stopped. Various plans have been talked over, but until one uniform procedure can be decideded upon no action will be taken.

Meanwhile Loew's is holding in abeyance its plan to adopt premiums and chance games. David Loew already has the consent of Nicholas M. Schenck to proceed on whatever basis he decides in combating competing exhibitors.

Century Appeal Off Again

Century's appeal in the RKO clearance and zoning decision affecting the Jamaica situation, slated for hearing yesterday by a Campi committee, was postponed until tomorrow.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 126 NEW YORK, WEDNESDAY, MAY 29, 1935 TEN CENTS

Washington in Turmoil; Campi Suspends All Work

Fox Men Off To Three-Day Chicago Meet

Special Takes 150; Pick Up Others En Route

With the startling and unexpected acquisition of 20th Century product officially only 24 hours old, Fox home office executives, branch managers and salesmen to the tune of 150 left New York last night for Chicago where, on Thursday, the company's largest sales convention, a three-day event, will get under way at the Blackstone. The New York contingent, which left here with the New Haven crew and picked up Albany and Buffalo last night and early this morning, traveled west on a special train which was routed over the New York Central as a second section of the Commodore Vanderbilt.

Sidney R. Kent, company president,

(*Continued on page* 10)

G. B. Men Discuss Problems in Field

Problems in the field were presented by the men themselves at an open forum which featured the second day of the first annual sales convention of G. B. at the Hotel Warwick here yesterday.

The meeting was opened with short addresses by George W. Weeks, general sales manager, and Arthur A. Lee, vice-president, who called on the

(*Continued on page* 5)

Asserts Allied Gets Dues from Circuits

PHILADELPHIA, May 28.—That several Allied States units are and have been for several years receiving dues from affiliated theatres is a contention made in the current bulletin of M.P.T.O. of Eastern Pennsylvania, Southern New Jersey and Delaware, in commenting on the recent affiliation of the Philadelphia I.E.P.A. with national Allied. The bulletin says the independent group was formed because the M.P.T.O. "had dues paying, affiliated theatre membership."

No Paper Tomorrow

Motion Picture Daily **will not publish on Thursday, May 30, which is Decoration Day and a legal holiday.**

U. A. Owners Imply Schenck Deal Iced

In a brief statement issued yesterday over signatures of Mary Pickford, Charles Chaplin and Samuel Goldwyn, each a one-sixth owner of United Artists Corp., it was implied Joseph M. Schenck had switched distribution of 20th Century to Fox because a new deal with U.A. had failed. The statement read:

"Mr. Joseph M. Schenck has been negotiating with the United Artists Corp. for several months for the release of his future pictures, but failed to come to satisfactory terms. He has, therefore, apparently made arrangements elsewhere."

Yesterday Al Lichtman postponed his trip west until Saturday when he flies. James Mulvey, Goldwyn's eastern sales representative, arrived in Hollywood yesterday. Hal Horne left for the coast late yesterday by rail.

Verifies U. A. Resignation By Ship Phone

By BRUCE ALLAN

LONDON, May 28.—Joseph M. Schenck confirms his resignation from the presidency of United Artists in a shore-to-ship telephone interview with *Kinematograph Weekly* and, in answer to a query as to whether or not this implied disposal of his holdings in U. A. replied: "Not necessari-

(*Continued on page* 4)

Deny Federal Move On Loew in Chicago

CHICAGO, May 28.—W. F. Dineen, Federal Trade Commission chief here, today declared he had received no instructions from Washington to pro-

(*Continued on page* 10)

Federal Officials Admit Chaos; Statement Due In Next 48 Hours

By BERTRAM F. LINZ

WASHINGTON, May 28.—Frankly admitting that they did not know the answer to the countless questions regarding codes which have resulted from yesterday's Supreme Court decision, Administration officials today declared that further study would be necessary before clarification of the situation.

Throughout the city, at the White House, the Capitol, and in the various agencies set up under "blanket" authority from Congress and therefore subject to the same criticism of undue delegation of legislative power as was voiced on the Recovery Act, officials and legal experts were attempting to determine the full extent of the decision and lay plans to save as much as possible of the economic program.

So far as recovery codes are concerned, it was admitted that nobody today need continue to operate under them, although it was not expected that there would be an immediate return to the chaotic conditions which existed in many industries prior to the enactment of the law. With respect to the film code, it was said that contracts entered into thereunder would still be effective. This was taken as meaning that the 10 per cent cancellation clause in such contracts would continue to apply. However, there is some question as to the status of clearance and zoning and grievance boards.

For the time being, all legal questions are being left to code authorities and recovery officials are seeking what consolation they can from the repeated assertion that the court decision did not affect Section 4 of the law, authorizing the President to negotiate

(*Continued on page* 4)

Plan for New NRA Reported by U. P.

The basis of a new NRA, minus compulsory features and predicated on a plan of voluntary cooperation by business, is being formulated by the Administration, the United Press reported from Washington last night.

The reported basis of the plan provides the Federal Trade Commission be empowered to issue cease and desist orders to protect volunteering industries from possible chiselers.

Code Workings End with Industry Speculating On the Future

By SHERWIN A. KANE

Code machinery in the form of local clearance and zoning and grievance boards was brought to an abrupt halt yesterday on nationwide instructions issued by John C. Flinn, executive secretary of Campi. All hearings in progress were terminated and new complaints and applications to the bodies were refused. Administration of the code, after a year and a half, became a thing of the past far more abruptly than it came into being.

The sweeping effects throughout the industry of the nullification of NRA, and with it the film code, could only be hazarded yesterday with no definite word on future code procedure and policy forthcoming from the Administration at Washington. It was generally agreed, however, in executive circles here that, unless voluntary company and exhibitor action continues to impose a restraint on unfair trade practices which were subject to code regulation, widespread confusion may result.

It is obvious to trade leaders that, with the code nullified, clearance and zoning schedules are rendered unenforceable and new demands for increased protection may be made on distributors everywhere; overbuying is free of restraint, all forms of giveaways are unrestricted, the forcing of shorts with features can result in no penalty for the seller attempting it, nor can other forms of "coercive" selling.

In addition, it was pointed out that 10 per cent rejection privilege, unless contained in the sales contract, and some distributors have not placed the provision in their contracts, is unenforceable.

As for the future processes of industry self-regulation, no one, from Campi

(*Continued on page* 4)

Code Hours to Stay At Studio—Warner

Declaring it would be unpatriotic to change the working schedule at the coast studios, Jack L. Warner last night stated that despite the Supreme Court ruling holding NRA codes unconstitutional the four shifts working six hours each in the Warner studios

(*Continued on page* 5)

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Court Approves New Paramount Security

The form of indenture securing the new Paramount debentures was agpproved by Federal Judge Alfred C. Coxe yesterday. A hearing date "of convenience" was set for June 6 in the event subsequent developments in connection with the Paramount reorganization require court approval. At present, however, no subjects are in view for the scheduled hearing.

The sub-committee of the new Paramount directorate is continuing its discussions on the naming of the 16 new directors according to one, two and three-year terms on the new board. This work must be concluded before June 3, the date of the special meeting of stockholders at which the new directorate will be formally elected. Members of the sub-committee are Frank A. Vanderlip, Percy H. Johnston, H. A. Fortington and Maurice Newton.

Deal Off to Monday

Signing of the 10-year lease for the Mayfair by Loew's has been put over until Monday. Walter Reade is expected to turn the house over to Loew's around June 15.

"A Shot in the Dark," which wound up an eight-day run at the Mayfair last night tallied about $5,000.

Newsreel Men Killed

HOLLYWOOD, May 28.—Allyn Alexander, cameraman, and Alves Tappan, sound engineer, both of Fox Movietone News, were burned to death today when their plane crashed as they were photographing army maneuvers over Sequoia National Park.

Insiders' Outlook

By RED KANN

SPECULATION over further developments and future policies in United Artists was plentiful in the company's home office yesterday and was a luncheon table subject of conversation in the favored Broadway dining halls that superseded in interest even the capitulation of NRA and the film code. Dramatic as any of the best efforts out of Hollywood, here was something to talk about, to chew over, to conjure with in terms of guesswork and question marks. . . .

▼

Conversationalists divided themselves into two distinct schools of thought on U.A.'s future, each one of which appeared to center on what Al Lichtman will do next with Al furnishing no comment by way of light. The U.A. cohorts and a majority of those on the sidelines lean to the belief that Lichtman will come out of the impending U.A. board meeting in Hollywood as the new president of the company, succeeding Joseph M. Schenck. On this assumption, the speculation runs, one or several ranking producers may be brought into U.A. to fill the product blank occasioned by the 20th Century switch to Fox and, bolstered with the new product, U.A. would carry on as before in its customary position in the industry. . . .

▼

A variation of the comment which begins with the assumption that Lichtman will be the next U.A. president has the company entering into a distribution merger with another established company, with the guessers favoring Columbia, probably because such a move had been up for consideration in the past at least once. Under such a development, Lichtman would, according to the speculation, probably retain his own selling organization, trained to obtain top rentals for the U.A. output, but with the physical distribution machinery of one or the other company being scrapped for the appreciable economy involved. . . .

▼

That the Schenck-20th Century move is highly beneficial to Fox is accepted without argument. Several dopesters offer the belief that the step can increase the Fox operating net by $1,500,000 annually through the addition of a minimum of twelve high rental pictures to the company's schedule, sold through a distributing machine admittedly equipped to handle the increase. It has been said on behalf of Sidney Kent that his conception of a wholesale distributor in this business is the organization which handles from sixty to sixty-five pictures a season and that, for some time, he has had it in his mind to eventually increase the Fox program to that number. His objective is no longer beyond his reach. . . .

▼

That brief mention in the official announcement that Schenck will make his headquarters on the coast led to the question yesterday: "Will he be the Louis B. Mayer of Fox?" There were no answers to those who attempted to draw the parallel of Mayer, stepping out of the independent field years ago with Irving Thalberg under contract to join Metro and to become its general production overseer and Schenck stepping into the Fox picture with Zanuck as his Thalberg. But there it was—speculative and unprovable, but certainly an interesting something over which to cogitate. . . .

▼

Why did Schenck walk on United Artists after all these years? The argumentative Samuel Goldwyn is talked about as the primary reason. Two years ago when Schenck, Zanuck and some others formed 20th Century, those who knew Goldwyn didn't take long to draw a quick conclusion that the storm signals had gone up. In the last three or four months, Goldwyn is understood to have been raising more hell than usual, which is normally a lot of hell, over allegedly preferential treatment meted out to 20th Century. He is said to have threatened Schenck he would do the walking, whereupon Schenck's reply, presumably, was cryptic and, in the light of subsequent happenings, significant: *"You'll* do the walking!" . . .

▼

The sidelights are many. Some of them lend themselves to easy explanation. Others do not. There is, for instance, an entirely new association set up by this important deal. Schenck and Kent have known each other for years, of course. They have had little or no direct business dealings except as their paths met or crossed —Kent at Paramount, now Fox; Schenck at United Artists. On the other hand, Schenck and Winnie Sheehan are old and fast friends, the beginnings of that association going back many years and to the days before either of them became prominent in the industry. Interesting to remember, this last circumstance. . . .

▼

A significant angle is the stronger rapprochement which inevitably will develop between the Fox and Loew organizations. With Joe at the former as board chairman and Brother Nick heading Loew's and M-G-M, it inevitably follows that the inclination will be those two companies to proceed hand in hand. This is not suggesting a merger. Not at all. It is suggesting, for instance, that with 20th Century in the Fox fold, the same friendly treatment which Zanuck has found his from the Metro lot may be expected to reach into the Fox production organization as well. . . .

▼ ▼

About the code. It is far too soon to draw any reasonable conclusions. The Administration fails to know where it stands. Code authorities and industry reflecting the same helplessness can do nothing but await further clarification of the import of the Supreme Court's devastating decision. The immediate period at hand will be marked by widespread confusion, chaos, and, this commentator is afraid, chiseling on the part of some in this industry on the strength of the complete breakdown of restrictions on unfair competition which the code, in many respects, had set up. Zoning, premiums, premature advertising, overbuying — these and other practices which the code sought and partially did check—are back whence they began. The period of adjustment, no matter what form it may take, presents a most unhappy picture. . . .

Lightman and Para. Sign a 50-50 Deal

M. A. Lightman yesterday signed contracts with Paramount for the 50-50 pooling arrangement in Memphis involving the Palace, Strand and Orpheum. Malco Memphis, Inc., is the new company formed to operate. The deal was closed about two months ago, but the papers were signed only yesterday.

With Sidney Nutt abandoning the Central, Hot Springs, Ark., Lightman has signed a 15-year lease with the landlord for the house. He is building a new theatre on the site and expects to have it ready for opening on Sept. 1. He will rename the house either the Malco or the Paramount. After attending the G.B. banquet at the Warwick last night, Lightman left for Memphis.

Willis Bright Made 1st Div. Treasurer

Willis Bright, formerly associated with the Vitagraph Co., has been elected treasurer of First Division, it was stated yesterday subsequent to a meeting of the board of the company. Amos Hiatt, acting treasurer, continues with the company in a new capacity.

Pending distribution deals between First Division and British producing companies, which have been under discussion for several weeks, were left open to further negotiation by the board.

"THIS IS THE TOPS"

—Joe Blair in SHOWMEN'S TRADE REVIEW

PUBLIC HERO NO. 1



When it EXPLODES— you'll forget there was ever anything else!

"A clean hit!"
—*M. P. Daily*

"Boon to the box-office!"
—*Hollywood Reporter*

Speculation Rife as Code Workings End

(*Continued from page* 1)

authorities to ranking industry figures, had any semblance of authoritative information. Company executives looked to the M.P.P.D.A., that organization looked to Compliance Director Sol A. Rosenblatt, Rosenblatt looked to the Administration, and the Administration, according to late reports from Washington last night, was still seeking a way of salvaging something from the ruin of NRA.

Executive opinion in several quarters was optimistic over the possibilities of organizing local industry arbitration bodies to administer "home rule" throughout trade territories. What they would be and how they could be organized and what enforcement powers they could draw upon was not made clear, but that a fairish substitute for code boards could be found did not appear to be doubted.

"The industry is faced with operating without a code," one executive put it. "It did that pretty well before 1933 and can do it again. The machinery for this job cannot be concentrated in New York or Hollywood. This would suggest that some fair, intelligent machinery could be set up in each distributing center to the end that honest and just complaints can be speedily and fairly adjudicated, affording relief to the aggrieved parties."

See Delay in New Plans

Generally, it was believed that no program for devising substitute machinery for the code would be undertaken for several days yet, at least until the Administration itself had arrived at a definite position and declared its policy on a program of complete abandonment or partial repair and salvaging of codes and their machinery. When this has been done Rosenblatt, it is believed, will meet here with industry leaders and impart the Administration's instructions or advice, as the case may be.

Meanwhile, a special meeting of Campi has been called for Monday and Rosenblatt is expected to attend this session which, it is believed, will be merely for determining and disclosing the immediate, essential steps which Campi may be required to take in the way of dissembling its machinery and discontinuing its expenditures. Flinn is returning from California by plane for this meeting and advance conferences on these subjects.

It was generally believed that none of the large companies would immediately reduce wages or increase hours under or above the hitherto prevailing code scales and informal inquiries at home offices yesterday appeared to substantiate this. The only changes in hours which are planned are the customary week day extensions to make up for all day Saturday closings during the summer months.

Nullification of the code's labor provisions is viewed by some exhibitors as likely to bring about new demands for wage increases in many sections, and possibly more or less general demands for two men in the booth. Distributors, on the other hand, voiced some apprehension over the possibility of a flood of exhibitor-sponsored legislation, costly or damaging to the sellers, being introduced in state legislatures in the event no new regulatory machinery can be set up.

An interesting sidelight of the nullification of the code and everything it contained came to light yesterday when it was disclosed that spirited efforts had been made at the time of the drafting of the code to embody in it the production code of ethics. This was not done, it was said, because it was pointed out at the time that NRA, a temporary, emergency statute, could be discontinued when the need for it no longer existed and this might occur long before the need for the production code was over. Had the production code been embodied in the NRA film code it, too, would now be an illegal and unenforceable instrument, it was stated by legal authorities yesterday. The same is true of the advertising code of ethics, it was said.

All cases on the calendars of the 32 local boards have been held up indefinitely until further advice from Code Authority. Thirteen appeal cases were scheduled for Campi hearings from now until June 5, all of which have been called off, and decisions on 25 appeals will not be delivered.

Telephone calls and telegrams poured into Code Authority all day yesterday with Tyree Dillard, Jr., handling these matters in the absence of Flinn. All finances of the Code Authority have been held up and no checks will go out until further notice to the various boards throughout the country.

Decisions Being Nullified

In the interim, all code decisions handed down by Code Authority are being nullified and exchanges are insisting that exhibitors live up to contracts as originally written. Locally, this upsets the Leonia clearance and zoning case and the RKO Century clearance issue in Long Island. In the Leonia instance, Julius Charnow, after seven months, was given a favorable decision which is now wiped out. In the RKO Century case, which has been pending for sometime and has cost both companies more than $10,000, the case now goes into the discard.

Yesterday the local grievance board met and adjourned until next Tuesday. Two cases which were on the schedule were called off by Major L. E. Thompson after a phone call from Dillard requesting that the hearing be stopped. Attending the hearing were Louis Geller, Myron Sattler and John O'Connor in addition to Thompson. Some members of the board were concerned about the 10 per cent cancellation, but are withholding opinions until the decision is studied. Nothing was done on the giveaway and chance games situation. From good authority it is learned that the Loew, RKO and Skouras units throughout the country will start in bank nights on a wholesale schedule if competitors refuse to desist from the practice. It is known that all three units have been contacted by the Chevrolet people and that deals are under way for wholesale buys on automobiles.

The Code Authority telegram which went to all boards reads as follows: "In view of the decision of the Supreme Court your board will receive no further complaints and take no further action under the code until further notice. (Signed) Tyree Dillard, Jr."

Warner Is Surprised

Upon his arrival from England last night, Jack L. Warner was surprised to read in *Motion Picture Daily* that Joseph M. Schenck and Darryl Zanuck would leave U. A. to join Fox.

He was skeptical at first, but was assured the story was a fact by Harry Charnas and a reporter from this publication.

Zanuck, before joining U. A., was in charge of Warner production.

Warner was anxious to learn the inside of the split, stating he had heard rumors of a rift between Samuel Goldwyn and U. A. heads while in England.

Washington in Turmoil Over Court Ruling

(*Continued from page* 1)

voluntary agreements, although it was admitted there was not much hope that industry would flock to those provisions as a means of keeping their codes alive.

However, it was admitted, the code authorities will have to move carefully, since, there being no codes, they might now subject themselves to the anti-trust laws if they attempted to secure compliance with some of the provisions which, being in codes, heretofore had the security of the exemption granted by the Recovery Act.

Questions today regarding the effect of the decision on rulings by Campi and the code boards, the disposition of funds now held by Campi and the future course of the NRA were all met with the simple answer: "We don't know." It was suggested, however, that industry has little chance of recovering past contributions made to and spent by code authorities, it being pointed out that they were made voluntarily.

It was indicated that a statement of policy would be sent out to all code authorities by the NRA within the next 48 hours, but no indications were obtainable as to what would be said.

So far as the film code is concerned, Compliance Director Sol A. Rosenblatt said he has no idea of the application of the decision or what its effect will be on that agreement, and that additional study will be required before any evaluation of the situation can be made. So far as his personal future is concerned, Rosenblatt said: "I wish I knew what I am going to do, but I have absolutely no plans of any character. Since I announced my intention of resigning I have been so busy I have been unable to discuss my future activities."

All code enforcement activities were halted last night and the NRA today was engaged in sending out notices of "indefinite postponement" of hearings and pending actions. In the amusement division these covered the hearing on the New York booth scale which has been set for June 4 and the amendment to the code announced last week, restricting service on boards of members whose interests were affected by pending cases. All action on the proposed order for newsreel cameramen also has been suspended.

At the White House it was said the President was still trying to get a "picture" of the situation and that it would probably be impossible for him to decide upon any definite line of action before the end of the week. A series of conferences was scheduled by the President with his advisors, both from the Government agencies and from Congress.

At the Capitol the House adjourned almost as soon as it met, while leaders sought to determine the effect of the decision on "must" legislation. The Senate was engaged with one of the calendars, but there, too, the dominant forces applied themselves to a survey of the legislative situation.

While the Supreme Court's decision was applied to the Recovery Act, the points raised in the opinion apply equally directly to a large part of the economic program, including the Agricultural Adjustment Administration, the Tennessee Valley Authority and other established agencies, and may sharply restrict the scope of much of the legislation sought by the President. So broad was the decision that Administration leaders fear it may even endanger the $4,880,000,000 work-relief measure.

Further meetings of the code boards were today suspended by the National Recovery Administration pending a determination of the future of those bodies under the Supreme Court decision.

Instructions were issued by the NRA that code bodies were to suspend meetings until further notice.

Verifies U. A. Resignation By Ship Phone

(*Continued from page* 1)

ly." The interview is slated for publication in London tomorrow.

Schenck definitely added there was no truth to the report that his and 20th Century's association with Fox indicated a three-cornered merger with M-G-M as the third angle.

Neither the Fox nor the United Artists offices here are fully advised of the lightning-like shift.

The Donada-Deutsch theatre interests expressed complete surprise and admitted they were awaiting Schenck's arrival to discuss affiliation and expansion with United Artists. Whether or not various deals which have been pending, including renewal of the Korda deal with U. A., will proceed on behalf of Fox is being speculated widely here.

Motion Picture Daily yesterday reported Joseph M. Schenck's association with Fox as chairman of the board did not necessarily mean he would dispose of his one-sixth ownership in United Artists.

Hollywood, May 28.—Following a meeting of U. A. directors Mary Pickford said today she will go ahead with plans to make three films, beginning this summer, with the first for fall release.

Code Hours to Stay At Studio—Warner

(*Continued from page* 1)

will not be changed. He plans to remain in town for a week before heading west to attend the sales convention.

Warner asserted that the main purpose of his trip to England was to double the capacity of the Teddington studios. He said 24 pictures will be made next season. He also stated that he hadn't made up his mind yet about sending American players abroad to appear in the company's English made films.

"There will be no shutdown of the studios," Warner said. He did not sign any talent while abroad and felt unusually jovial upon his debarking from the *Berengaria*. One of the first questions he asked Harry Charnas, who was among the reception committe, was: "How is 'G-Men' doing?" He spent last night at the fights.

Accompanying Warner were Max Milder, the company's general manager in England, and David E. Griffiths, general manager for First National in England. Milder stated business in England is good. The climate in England, he said, was favorable for production. Griffiths said conditions were good and getting better. More money is being earned and more is being spent on entertainment. Good pictures, he held, whether British or American, earn big money. There are more than 4,000 theatres in Great Britain operating today and much building is going on throughout the country, he added, but Warners is not interested in theatres abroad. They plan to be back in London the first week in July.

On the same boat was Helen Beaudine, daughter of William Beaudine who is directing for Warners in England. She has been signed by Warners and leaves for the coast shortly.

Albert de Courville, G. B. director, who recently completed "The Case of Gabriel Perry" for British Lion, was a passenger on the boat. He was accompanied by his wife, who is the sister of Arthur Kelly, head of foreign activities for U. A. The de Courvilles leave for the coast in a few days. Kelly plans to go to Hollywood a week from today.

Industry Can Work Out Problem: Myers

WASHINGTON, May 28.—"Allied has stood steadfastly for adjustment of complaints and settlement of controversies by cooperative effort within the industry," declared Abram F. Myers, general counsel today in commenting on the Supreme Court's NRA ruling.

Continuing, he said: "The five-five-five conferences and the negotiations with Sidney R. Kent in 1932 marked progress. Had the major companies supported their representatives, the established system could have been incorporated into NRA without difficulty.

"The trouble has been that the majors have insisted on dominating all arbitration and conciliation boards by direct representation, or by stooges. The impossibility of achieving domination in this way now has been amply demonstrated.

"Insistence by exhibitors on legal rights will make necessary further efforts to secure stability and peace through inter-industry cooperation. With the bitter lessons of NRA well learned, I look for the real leaders to carry on in the efforts toward inter-industry cooperation, building on the foundation of past efforts."

Flinn Flies to New York

LOS ANGELES, May 28.—John Flinn flew to New York this afternoon after wiring all code boards to suspend hearings, pending a clarification of the status of Code Authority. A meeting is slated for early next week in New York, he said.

What will happen in the Federal court action now pending here as a result of a move to enjoin the grievance board from enforcing a stop film order is not clear yet, according to Pierson Hall, board attorney.

Local Exchanges Act

Local exchanges yesterday lost no time in declaring all code decisions null and void. One of the first moves to be made was declaration by branch heads to shunt the Leonia, Leonia, which recently was given a clearance decision of 14 days after Englewood, back to its former run. The old run is from 60 to 90 days after Newark.

Peter and Adam Adams of the Park Lane, Palisades Park, have an injunction suit before Vice-Chancellor Campbell in Paterson as a result of the Leonia clearance order. The case had been postponed several times and is now slated to come up next Monday. When the case is called on the calendar, it is expected to be withdrawn since Adams Brothers are back on their former clearance run.

Authority Chairmen Meet

Peter Van Horn, chairman of the Silk Textile Code Authority held a meeting of code authority chairmen in his offices yesterday afternoon, but a spokesman for Van Horn refused any information on what took place.

Tyree Dillard, Jr., Campi attorney, yesterday said no representative from his office attended.

Samuelson Absent; Allied Meeting Off

Due to absence of Sidney Samuelson from the city, Allied of New Jersey called off its meeting yesterday. The I.T.O.A. will not hold its session today. The next meeting is set for next Wednesday.

Louis Schiffman and William Salkin have been added to the I.T.O.A. committee of four to contact local exhibitors on a new plan of pooling theatres into one large circuit. Milton C. Weisman, attorney for the exhibitor unit, is expected to complete the pooling plan today. He did not have it ready yesterday for announcement of details.

The other four on the committee are John Benas, Morris Fleischman, Abe Leff and David Weinstock.

Suit Against Erpi Halted Till Monday

WILMINGTON, May 28.—Trial of the anti-trust suit brought by General Talking Pictures and Duovac Radio against Erpi, Western Electric and A. T. & T. was recessed here today until Monday, when the defense will resume.

Film Men at Fight

Film executives turned out en masse last night to see Barney Ross lick Jimmy McLarnin for the welterweight championship of the world. Among those glimpsed at the Polo Grounds were Jack Warner, Dr. Julius Klein, James R. Grainger and Mrs. Grainger, Eddie Bonns, J. J. Parker, Sam Dembow and Herman Robbins.

Flash Review

College Scandal—. . . . this is a good average offering. . . .

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Looking 'Em Over

"April Blossoms"

(*Alliance*)

Sumptuous settings can be an important element in film entertainment. Splendid singing can be another contributing factor, but the two combined without an actor who can project the arresting qualities of his personality beneath the surface emotions of a mass audience cannot make up for lack of story values, if the subject is intended for mass entertainment.

This production, called a romance to the music of Franz Shubert by its producers, is an eye-filling spectacle. The singing by Richard Tauber, who impersonates Shubert, is magnificent. Some of the words are by John Drinkwater, and some of the music is by G. H. Glutsam. It has class appeal aplenty, but it leaves the spectator with the relaxed feeling of having heard a fine concert.

The love interest is based on Shubert's sacrificial desire to insure the happiness of a young dancing teacher who has refused his hand. He succeeds in getting an audience with the Archduchess to plead with her to let the girl marry a young lieutenant. The girl, Jane Baxter, is pretty, but colorless as a screen actress. The lieutenant, Carl Esmond, is good looking, but it takes something more than posing to stir an American flapper's heart.

The photography is beautiful, but the direction by Paul L. Stein is paced so slowly that he seems to be gloating over the magnificence of his scenes rather than the emotional values of his story.

Previewed without production code seal. Running time, about 110 minutes. "G."

G. B. Men Discuss Problems in Field

(*Continued from page* 1)

men to speak from their seats. Prominent among those who presented their problems were Phillip Meyer of the local office, Mark Goldman of Pittsburgh, Sol Krugman of the local office, John Scully of Boston, J. L. Franconi of Dallas and Irving Jacobs of Denver and Salt Lake City.

Immediately following the open forum, prizes for the winners of the "Big Push" sales drive were awarded the winners. Paul de Outo, Los Angeles branch manager, won first prize of four weeks' salary. He had the choice of the salary or a trip to London. Walter Wessling of Seattle and Portland was awarded three weeks' salary for second prize; Fred Abelson of Minneapolis two weeks' salary for third prize and John Scully of Boston an extra week's pay for fourth place.

Immediately after the awards a vote was taken on the advisability of holding a similar campaign for the Star Spangled Specials and all present voted for the drive to be started in the fall.

Just before the meeting adjourned for lunch, Sidney R. Kent, president of Fox, dropped in and addressed the gathering briefly. Spyros Skouras, vice-president of National Theatres, and Harry Brandt, president of the I.T.O.A., are listed as guest speakers at the short morning session today.

Following luncheon yesterday, the group attended the screening of "Thirty-Nine Steps" and "Born for Glory" at the home office.

The French Casino was the gathering place last night for the last dinner of the meeting.

G. B. Retitles "Bulldog"

G. B. has changed the title of "Bulldog Jack" to "Alias Bulldog Drummond." This picture was reviewed as "Bulldog Jack" in Tuesday's MOTION PICTURE DAILY.

Wall Street

Most Issues Off on Big Board

	High	Low	Close	Net Change
Columbia, vtc	59⅞	54½	56½	—2¼
Consolidated	3¾	3¾	3¾	— ¼
Cons., pfd (1¼v)	15	14⅝	14⅝	— ¼
Eastman (5)	149¼	145	145½	—2½
Fox Film "A"	16⅜	14¼	14⅞	—1½
K-A-O, pfd	55½	55½	55½	+6½
Loew's	41⅜	38¾	39⅜	—1⅝
Paramount	3½	3¼	3¼	— ⅛
Pathe	⅝	⅝	⅝	.....
Pathe "A"	9	8¾	8¾	— ¼
RKO	2⅛	2	2	.....
Warner	3⅞	3½	3½	— ⅜
Warner, pfd.	22⅜	21⅞	22	—2½

Curb Issues Down Slightly

	High	Low	Close	Net Change
Technicolor	24	21¼	23	— ⅜
Trans-Lux (.10K)	2¾	2½	2½	— ⅛

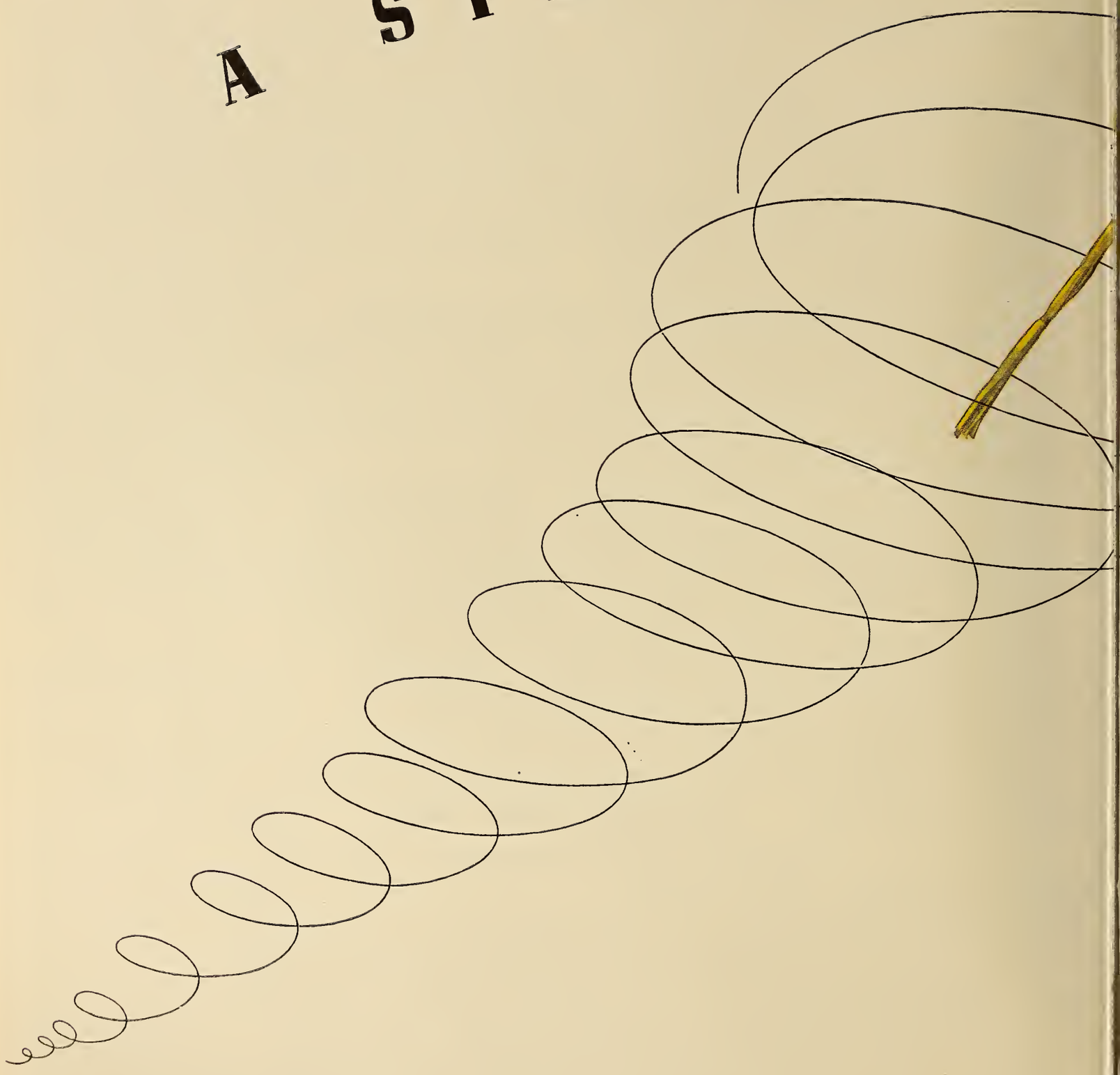
Paramount Bonds Down 2½

	High	Low	Close	Net Change
General Theatre 6s '40	13¼	11¾	12½	— ⅜
General Theatre 6s '40 ctf	13	11¾	12⅜	— ⅝
Loew's 6s '41 ww deb rights	104¼	104¼	104¼	— ⅛
Paramount B'way 5½s '51	55	54½	55	.....
Paramount F. L. 6s '47	89¾	89¾	89¾	— ¼
Paramount Publix 5½s '50	91¾	89	89	—2½
RKO 6s '41 pp	41	40¾	40¾	— ¼
Warner 6s '39 wd	64¼	61¼	61¼	—3

(*c*) *Plus stock extras.* (*K and v*) *Paid this year.*

(Quotations as at close of May 28)

A STRAW IN





While picture business and the press are quite naturally absorbed in excited comment and acclaim for Warner Bros.' three great current hits, there is danger that the deeper significance of these productions may be overlooked. "G-MEN", "BLACK FURY" and "GO INTO YOUR DANCE" are more than an amazing succession of great box-office shows. They are straws that show which way the wind is blowing! . . . . Shrewd film men have rightly appraised them as an augury of still greater projects afoot at Warner Bros.' Actually they are but the first steps in a broad-scale development of our entire production policy which will become increasingly apparent as the next few weeks go by . . . . Almost immediately you will see this new production phase strikingly demonstrated in "In Caliente", "The Girl from 10th Avenue", "Oil for the Lamps of China", "Alibi Ike", and "Stranded" . . . . And in two short weeks you will hear from Hollywood the most stirring new-season news that ever came out of a film convention . . . . Yes, the trade winds are blowing. They are sweeping trade sentiment overwhelmingly to Warner Bros. for 1935-'36.

ANOTHER HONEY FOR THE LITTLE

BALTIMORE: Tremendous smash in second week!

PHILADELPHIA: Socko hold-over week biggest take in town!

INDIANAPOLIS: Beating her best. Set for hold-over!

WASHINGTON: Miles ahead of everything else in sight!

DETROIT: Crowds cram theatre in typical Temple crush!

OMAHA: S.R.O. crowds zoom it toward new house record!

CINCINNATI: Romping through opposition for outstanding biz!

CLEVELAND: Way up with the leaders in sensational run!

AKRON: Ushers swamped as management smiles!

MISS WHO NEVER MISSES!



SHIRLEY TEMPLE

in her greatest picture

'Our Little Girl'

with

ROSEMARY AMES • JOEL McCREA

LYLE TALBOT • ERIN O'BRIEN-MOORE

Produced by Edward Butcher
Directed by John Robertson
From the story "Heaven's Gate"
by Florence Leighton Pfalzgraf

A ***FOX*** SPRING FESTIVAL HIT

You haven't a show without FOX

Fox Men Off to Chicago Meeting

(Continued fram page 1)

leaves on the Century this afternoon and will be on hand when the gavel sounds tomorrow morning.

Association of Joseph M. Schenck with Fox as chairman of the board and the merger with 20th Century are destined to be the highlight of the convention at which somewhere between 60 and 65 pictures will be scheduled for the new season. Quietly and for weeks, the Fox selling force has been barnstorming the nation on a sales splurge with an objective of 4,000 new contracts prior to the official opening of the convention. The objective is understood to be reasonably close.

Delegates from New York and the field will be augmented by representatives from 10 foreign countries, the total attendance running to 265.

The first day's program calls for a discussion of new product by Kent and Clark; foreign department plans by Clayton P. Sheehan, general foreign manager; addresses by George Weeks, Louis Hyman and Spyros Skouras, and various talks on short subjects on the new schedule by Earle Hammons, president of Educational Pictures; Jack Skirball and W. J. Clark. W. J. Kupper, western divisional sales manager for Fox, also will discuss distribution at the afternoon session.

To Hear Ad Plans Thursday

Highlights of Thursday will be the presentation of publicity and advertising plans by Charles E. McCarthy, director of publicity and advertising; Arch Reeve, A. O. Dillenbeck, Gabe S. Yorke, Earl Wingart and J. A. Clark; a discussion of plans for Fox Movietone News by Truman H. Talley, Laurence Stallings, Lowell Thomas, Lew Lehr and Ed. Thorgersen; an address by E. C. Grainger, eastern divisional sales manager; distribution of prizes for the second "S. R. Kent Drive," and an explanation of the "1935 Distribution Drive" by William C. Gehring, sales manager of the Chicago exchange.

The closing day will be featured by distribution department meetings under the guidance of Clark, Kupper and Grainger; sales meetings conducted by William Sussman and Nat Finkler and a meeting of the ad sales department conducted by James A. Clark. The final afternoon will be devoted to another screening after which the convention will be adjourned.

The New York force returns to New York Sunday or Monday morning.

Those who will attend are:

Executives: S. R. Kent, John D. Clark, Felix A. Jenkins, Spyros Skouras.

Sales Department: E. C. Grainger, W. J. Kupper, William Sussman, Nat Finkler, E. H. Collins, C. A. Hill, Jack Bloom, Roger Ferri, Harry Mersay, Irving Lincer, Deon DeTitta.

Ad Sales Department: J. A. Clark, Jerry Novat, Paul Allison, William Caldwell.

Advertising and Publicity: Charles E. McCarthy, Arch Reeve, G. S. Yorke, Earl Wingart, A. O. Dillenbeck.

Foreign Department: Clayton P. Sheehan, I. A. Maas, Jack Sichelman, M. L. Ahern, S. S. Crick (Australia), J. C. Bavetta (Brazil), C. V. Hake (Japan), S. S. Horen (Spain), Gustave Mohme (Mexico City), E. F. Lomba (Spain), Carl Nielsen (Scandinavian), Carlos Zeno (Porto Rico), Ramon Garcia (Cuba), P. N. Brinch (Germany), A. S. Santos, C. A. Villaverde.

Educational Pictures: E. W. Hammons, Jack Skirball, W. J. Clark, Sol Edwards, Harvey Day.

Fax Mavietane News: Truman H. Talley, Laurence Stallings, Lowell Thomas, Lew Lehr, Ed. Thorgersen.

Guests: Charles Skouras, Arch Bowles, Jack Sullivan, Louis Hyman, George Weeks, George Skouras, Ed. Peskay, Larry Kent, A. E. McNeil, Percy Heiliger, Sam Fox, Leonard Greene, Elmer Rhoden, Rick Ricketson, Ed. Alperson, H. J. Fitzgerald.

From the field:

Eastern Division

Albany—Moe Grassgreen, manager; Ed. Hollander, H. S. Alexander, K. Goldsmith, B. Dare.

Boston—Tom Bailey, district manager; E. X. Callahan, manager; R. Heffner, J. Jennings, J. M. Cobb, H. Gold, M. Simons, S. Berg, N. Murray.

Buffalo—Sidney Samson, manager; W. C. Rowell, G. E. Dickman, M. W. Kempner, L. E. Blumenfeld.

Cincinnati—. J. Grady, manager; E. A. Burkart, J. A. Needham, L. J. Bugie, N. G. Shafer, J. B. Neff.

Cleveland—G. A. Roberts, district manager; I. J. Schmertz, manager; D. S. Davidson, E. R. Bergman, S. N. Lichter, F. J. Hunt, T. Scheinberg.

Indinapolis—G. T. Landis, manager; J. R. Neger, H. L. Hancock, G. J. Black, Thomas McLeaster, K. L. Dotterer, J. W. Christian.

New Haven—B. S. Simon, manager; Ed. Wright, S. Germaine, Sig. Horwitz.

New York—H. H. Buxbaum, manager; J. J. Lee, sales manager; Moe Sanders, Morris Kurtz, Joseph Schwartz, William Schutzer, Richard Gledhill, George Blenderman, Al Mendelson, Irving Dreeben.

Philadelphia—Edgar Moss, district manager; Sam Gross, manager; A. J. Davis, W. G. Humphries, B. R. Tolmas, F. J. Kelly, Al Truell.

Pittsburgh—Ira Cohen, manager; A. W. McCormick, Austin Interrante, C. C. Kellenberg, George Moore, Joseph B. Hanna.

Washington—S. N. Wheeler, manager; F. B. Klein, S. Diamond, J. A. Murphy, J. Skillman, Mrs. S. Young, C. G. Norris.

Canada

Calgary—V. M. Skorey, manager.

Montreal—Edward English, manager; W. J. O'Hara, J. F. Pearson.

St. John—R. G. March, manager.

Toronto—J. P. O'Loghlin, district manager; H. J. Bailey, manager; W. J. Reed, L. Lester, J. W. Powis, S. Glasier.

Vancouver—J. E. Patterson, manager.

Western Division

Atlanta—Harry Ballance, district manager; Paul Wilson, manager; M. Mitchell, R. H. Fairchild, Phil Longdon, H. P. Laseter, R. H. Ford, Don Reed.

Charlotte—H. R. Beiersdorf, manager; J. E. Holston, G. E. Ebersole, J. S. Hinson, Ed. Tucker.

Chicago—C. W. Eckhardt, manager; W. C. Gehring, sales manager; A. M. Van Dyke, George Benson, H. Wise, E. P. Grohe, H. Loeb, H. Goodamote, F. Sliter, M. Simon, F. Wagner.

Dallas—C. E. Hilgers, manager; L. C. Baxley, N. B. Houston, D. W. Scott, D. P. Rathbone, W. W. Rucker, J. E. Gribble.

Denver—R. J. Morrison, manager; H. Rennie, E. M. Loy, C. A. Larson.

Des Moines—S. J. Mayer, manager; H. Gottlieb, A. W. Riegelman, E. P. O'Neill, O. Clark, G. F. Halleran.

Detroit—Lester Sturm, manager; A. D. Knapp, E. A. Westcott, R. Carrow, L. Sanshie, F. Keillor.

Kansas City—W. E. Scott, district manager; G. W. Fuller, manager; W. J. Kubitzki, J. W. Woodward, C. Knickerbocker, W. Flynn, N. A. Tanner, H. R. Buckmaster.

Los Angeles—J. N. Dillon, manager; W. T. Wall, B. F. Robison, M. Sudmin.

Memphis—T. W. Young, manager; F. R. Dodson, F. I. Baskin, Nat Wyse, G. S. Calvert.

Milwaukee—J. H. Lorentz, manager; George Edgerton, M. Horwitz, S. Kohlberg, C. Michel, M. Kahn.

Minneapolis—M. A. Levy, manager; N. F. Hall, J. S. Cohan, F. G. Hallowell, J. M. Podoloff, E. Lorentz, W. Crystal, P. Lundquist, W. Clayson.

New Orleans—E. V. Landaiche, manager; Charles Clark, G. J. Broggi, G. R. Pabst.

Oklahoma City—R. A. Higdon, manager; M. W. Osborne, H. B. Kinser, C. L. James, J. O. Whelihan.

Omaha—J. E. Scott, manager; C. F. Reese, Henry Novitsky, H. P. Ironfield, R. A. Wagle, A. J. Mamlin.

Portland—Charles F. Powers, manager; C. L. Robinett, V. A. Whitcomb.

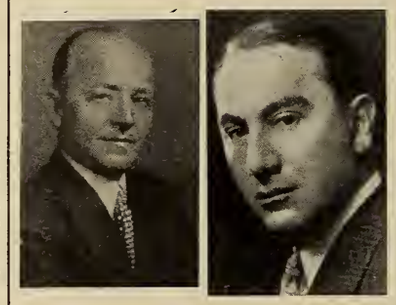
Salt Lake City—C. L. Walker, manager; J. D. McElhinney, J. L. Tidwell, V. J. Dugan, C. J. Hallstrom, C. A. Blasius.

San Francisco—Herman Wobber, district manager; G. M. Ballentine, manager; Al Laurice, F. C. Bernard, A. Eskin, J. W. Flanagan.

St. Louis—B. B. Reingold, manager; J. A. Feld, G. H. Ware, L. J. William, Miss F. Patke, W. Guinan.

Seattle—Herndon Edmond, manager; A. Gollofon, H. A. Frederick, J. W. Brooks.

They'll Sit In



Earle W. Hammons, president of Educational and J. H. Skirball, general sales manager, who left for the Fox convention in Chicago last night. There, they will sit in on the deliberations.

Deny Federal Move On Loew in Chicago

(Cantinued fram page 1)

ceed with any probe of Loew's planned theatre invasion, as reported to the recent Allied convention in Atlanta by Abram F. Myers.

Edwin Silverman of Essanness Theatres, one of the local circuits which has not bought Metro product because of its opposition to percentage terms and designated playing time, declined to comment prior to May 31. This is perhaps construable as indicating that the "dynamite" recently intimated ready to pop will be set off at that time.

May Sue Over Film Ban

A threat to take court action if the decision of N. Y. censor banning "Spring Shower," a DuWorld release, is not reversed was made yesterday by Arthur Garfield Hays following the arguing of an appeal before the state censor board in Albany. The film, directed by Paul Fejos, was denied a license in New York in March on the ground it would tend to corrupt morals.

In Chicago for Fox Sales Convention



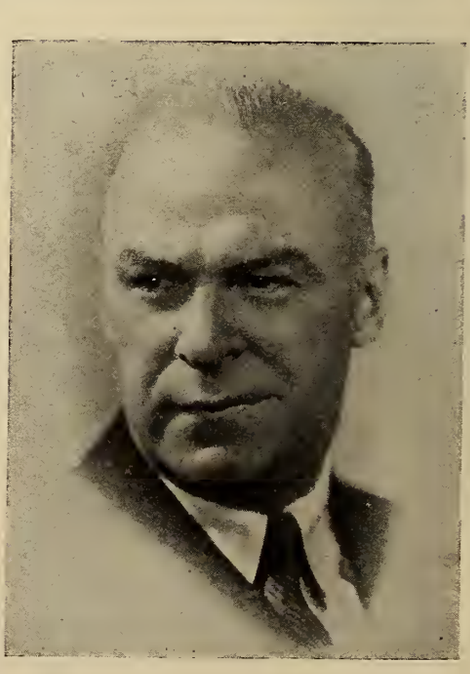
JOHN D. CLARK
General Sales Mgr.



E. C. GRAINGER
Eastern Sales Mgr.



W. J. KUPPER
Western Sales Mgr.



SIDNEY R. KENT
President



HERMAN WOBBER
Coast Representative



CLAYTON SHEEHAN
Foreign Sales Mgr.



C. E. McCARTHY
Ad. Pub. Head

They FEATURE the NEWSREEL

Exhibitors **KNOW** *what patrons want!*



UNIVERSAL NEWSREEL

with

GRAHAM McNAMEE

And here's a quarter page ad in the Sacramento Bee that

PROVES

what they want!

Purely Personal

FRANK MUDRA, Erpi office superintendent, was the guest of honor at a luncheon given by his associates at the Great Northern Hotel in celebration of his 25th anniversary with the Bell System. Among those present were S. T. ROCKWELL, JACK LAWLER, WILLIAM WEITZENBERG, SAM HENZEY, WAYNE BEERS, "DOC" FINCH, DAVE YOUNG, JIMMIE JAMIESON, ED ZAHN and WILLIAM METZGER. BERT SANFORD, northern division sales manager of Erpi, was toastmaster. Arrangements were in the hands of "DOC" KNIEWELL and CHARLES FENNING. A gold award emblematic of his quarter century of service was presented to MUDRA earlier in the day by J. E. OTTERSON, head of Erpi.

•

JACK KNIGHT of Paramount has been decorated with a Congressional Medal of Honor for gallantry under fire at the battle of St. Mihiel. It appears Congress just got around to the matter.

•

BILLY FERGUSON, ALBERT HOFFMAN and NICHOLAS VENTURA—all M-G-M'ers at the home office—celebrated birthdays yesterday.

•

DICK POWELL gets in today from Annapolis, where he has been filming scenes for "Anchors Aweigh." He returns to the coast Sunday.

•

GENE RAYMOND will be one of the guest stars on RUDY VALLEE's program Thursday night. He'll do a scene from "The Three Musketeers."

•

HERBERT T. KALMUS sailed last night on the *Bremen* for a month's trip to Germany, England and France.

•

GORDON MOLSON, Mascot casting director, has arrived here from the coast by plane to look for talent.

•

PATRICK MURPHY of J. M. Handy Pictures Service is the latest to apply for membership to the A.M.P.A.

•

BERNARD NEWMAN, Radio stylist, has flown in from the coast.

•

JEAN ARTHUR has arrived in town for a short vacation from the coast.

•

. . . Cincinnati

MAURIE WHITE, executive head of a local suburban circuit, turned his Forest Theatre over to the Better Films Council one night for the annual meet.

BILL ONIE, Republic franchise holder, shining up all the glassware in anticipation of the forthcoming regional convention.

Amend Chain Tax Bill

SACRAMENTO, May 28.—The Senate has amended the chain store tax bill to exempt film theatres.

Pa. Sunday Bill Favored

HARRISBURG, May 28.—Before adjourning for the week the lower house of the Legislature tonight received a favorable report from the Law and Order Committee on the compromise Sunday option bill.

Color New Industry Tonic, M.P. Club's Forum Is Told

By J. M. JERAULD

Color was described to the M.P. Club Forum yesterday as the new touch of showmanship needed by the industry and as a way of forestalling the future competition of television. All the speakers connected in any way with RKO Radio and Technicolor described "Becky Sharp" as an industry milestone comparable to "The Jazz Singer."

It was the first forum to call out the S.R.O. sign. Extra tables were brought in for late arrivals, and when there was no more space for these a crowd gathered in the corridor.

The speakers included Dr. Herbert T. Kalmus, head of Technicolor; Robert Edmond Jones, Miss Billie Burke, M. H. Aylesworth, John Hay Whitney, John F. Wharton, W. G. Van Schmus, Gene Raymond, Charles C. Pettijohn and Harry Hershfield. Those who took bows were Mrs. Natalie Kalmus, Ned E. Depinet and Jules E. Brulatour.

Dr. Kalmus said that 50 per cent of producers, distributors and exhibitors were now interested in color. He reviewed 15 years of progress in Technicolor development and admitted all its early faults. The early color films used an "additive" process, he said, which increased the density of the film, dimmed the whites and made enormous quantities of light necessary. In the new process, he said, a "subtractive" process is used which makes whites practically clear celluloid on the prints and gives the film practically the same luminosity that black and white photography possesses. The sound track is done in silver. As a result, he said, no more light is required than with ordinary prints.

Discusses Costs of Process

The fuzzy quality of Douglas Fairbanks' "The Black Pirate" has been removed, he asserted, and all shades have been captured by the three-color process.

In discussing its cost he said that, if it captures the public fancy, the increase will not matter. Print costs had been reduced gradually from 20 cents a foot to five and one-half cents, and he predicted further reduction with quantity production.

If Kodachrome is developed so that it becomes applicable to standard width film, he said, this would become the Technicolor laboratory method as a result of the cross-licensing agreement on patents worked out with Eastman.

Jones said color was no longer a technical problem, but an artistic one to be developed with use.

Aylesworth stirred a laugh by thanking his competitors, WHN and WMCA, for permitting him as president of NBC to speak into their microphones. He said that anything new which disturbed the routine of an industry was to be welcomed if it proved of lasting benefit.

"I often say," he continued, "that television is just around the corner. I'd like to say that it is away around the corner. It is different with color; it's here. It's cost will make no difference, if the public goes for it as I think it will. Quantity production will reduce the cost."

He paid a tribute to John Hay Whitney as a man who wasn't "willing to join the parade, but wanted to lead it."

Whitney responded briefly by calling attention to the crowd standing outside. "I hope we'll have the same at the end of our eight weeks at the Music Hall." He was that modest.

Van Schmus said he hadn't expected to speak, but as long as the opportunity had been given him he would like to answer the club wit who had said the Music Hall advertising should have an "R.S.V.P." at the bottom.

"Exactly," he agreed with emphasis. "That's the essence of advertising. It loses its point unless there is an R.S.V.P. at the box-office. I'll promise you the 'Becky Sharp' ads will have smash, and zip—punch—sockem!"

Wants Public Used to Color

Wharton made the assertion that the industry would do itself a service by getting the public accustomed to color before the introduction of television. He pointed out that television in black and white would seem flat in comparison.

By this time Louis Nizer, toastmaster, was catching the spirit of color and he pointed out that blue glasses were being used on the tables. He said he wanted to introduce a man who claimed to be an Indian, and predicted that if he ever were photographed in Technicolor he would appear blue.

Pettijohn responded. His color references included the fact that the industry's face was red as a result of the Supreme Court's NRA decision.

"There's nothing left of the code except Nizer's book," he went on.

Hershfield admitted he was for color. In fact, he said he was the first color comic, and this led him into a story about racial shadings, or lack of them.

He told of a Semite arguing with an Aryan over the antiquity of their civilization.

"This man told the Aryan," he said, "that when the Aryans were still eating acorns in the woods the Semites had already developed diabetes."

Dulzell Again CEA Head

Paul Dulzell was reelected chairman of the executive committee of Chorus Equity Ass'n. for a one-year term at the 16th annual meeting of the organization yesterday.

Others elected to the committee for three-year terms are Frank Wiener, Kathryne Richmond, Gean Woods, Gertrude Rittenhouse, Tina Marie Jensen, Gerald Moore and John Walsh. Henrietta Merriman was elected recording secretary.

Herbert Fowser Passes

DETROIT, May 28.—Herbert Fowser, 54, for more than 12 years salesman on the local Universal staff and recently an investigator for the Wayne County sheriff's department, died suddenly Saturday morning at the county jail. He is survived by his widow and two sisters. He was prominent in Masonic circles. Funeral services were held Tuesday morning with many film men attending.

Equity Splits Vote On Sunday Showings

The membership of Actors' Equity Ass'n is split on the subject of Sunday performances, with an almost even division of those attending the organization's annual meeting favoring either unconditional refusal to play on Sunday or acceptance of Sunday performances on a conditional basis for a one-year trial, a tabulation yesterday of the votes cast at the annual meeting revealed.

The voting at the meeting was 152 for the flat refusal to perform on Sundays and 152 for the conditional acceptance on a one-year trial. Alternate proposals put to the membership included a block organizational acceptance without qualifications, which was favored by 10 voters, and a one-year experimental acceptance, which received 36 votes.

The subject will be submitted now to the entire Equity membership for a vote and will then go to Equity's council for final disposition.

The annual meeting reelected Frank Gillmore as head of Equity and elected the entire regular slate of councilors by a substantial majority.

RKO Foreign Staff Due at Sales Meet

RKO Radio's foreign forces will be heavily represented at the company's sales convention to be held at the Drake, Chicago, June 17-19. Among those who have sent word they will be at the meeting are:

E. D. Leishman, managing director Radio Pictures International, Ltd., London; Ralph Hanbury, general manager, Radio Pictures, Ltd., London; H. W. Leasim, manager of Radio Pictures, S.A., Paris; Pierre Charles LeLong, manager of Radio Cinema, Paris; N. Cazaris of Arta Films, Bucharest, RKO's Roumanian distributors; Max Bossman of Brussels, RKO's Belgian licensees; Joost Smit of Amsterdam, RKO licensee in Holland; Douglas Lotherington, RKO sales manager at Sydney, Australia; Reginald Armour, manager of RKO's exchange in India; Luis Lezema, manager of RKO's Mexican exchange; Fred S. Gulbransen, manager for RKO in Panama; Jacobo Glucksman, New York representative of RKO's Argentine distributors.

H. F. Shaw Dinner Guest

HARTFORD, May 28.—Harry F. Shaw, New England director of Loew-Poli, was unofficially nominated for Mayor of New Haven at a testimonial dinner in his honor.

More than 200 friends and business associates and his business rivals, George Cruzen of Paramount and Barney Hoffman of Warners, attended. The affair was in honor of Shaw's first anniversary.

To Open Music Hall Roof

The Music Hall playground roof atop the theatre will be officially opened Friday night with W. G. Van Schmus, managing director of the house, acting as host to the entire staff.

Brandt Adds Two More

Harry Brandt has taken over the Electra, Brooklyn, and the Arian, Middle Village, L. I., making a new total of 36 for his circuit.

"Oil" at Strand June 5

"Oil for the Lamps of China" will have its world premiere at the Strand here on the night of June 5.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 127 NEW YORK, FRIDAY, MAY 31, 1935 TEN CENTS

Sales Heads for Keeping Present Code Contracts

Include Cancellation in Tentative Plan Until White House Acts

Sentiment of the sales managers of major distributors is for continuance of contract forms adopted under the NRA code without change. This would include retention of the 10 per cent cancellation clause.

Committed to no definite plan in view of the general uncertainty over the entire Recovery Administration program, the sales managers, nevertheless, are currently of the opinion the contracts should remain as they now stand and so expressed themselves at a joint meeting held with Will H. Hays at noon Wednesday.

The conference was called primarily as an open forum to discuss the probable course of the industry in the wake of the Supreme Court's decision ruling the NRA and all codes under it unconstitutional. The discussion was general and touched on a number of suggested procedures, but conclusions were purposely avoided on the general theory that speculation over the Administration's next step made it impossible to light upon any definite program for the industry to pursue.

While nothing was stated about future meetings, the probabilities are others will be held, but not until word emanates from the White House on steps to reconstruct some sort of a structure from the wreckage of the New Deal.

Flinn to Await Campi Ruling Before Dismissing His Staff

John C. Flinn will take no action on disbanding Campi and its 32 boards until he gets official word from Code Authority, he stated Wednesday afternoon on his arrival from the coast. Campi meets Monday to decide what action to take. Flinn added he had no authority to act and that it was up to Code Authority.

More than 100 employes are on the payroll of Campi throughout the country and will be paid their salaries until dismissed.

Industry Eyes On Washington For Guidance

Voluntarily continuing the basic labor provisions of NRA in effect, the industry continued its expectant wait over the holiday for word from Washington on the strategy to be followed in salvaging or replacing codes of fair competition. There appeared to be little to indicate that any official word would be forthcoming in advance of President Roosevelt's scheduled week-end radio address to the nation.

Meanwhile, hope of redrafting NRA along constitutional lines was reported in Washington, where Gen. Hugh S. Johnson, "father" of the act, returned to offer his services in an advisory capacity and messages poured in from the nation's industrial leaders urging the Administration to find a

(*Continued on page* 12)

Voluntary Use Of Codes Seen As a Stop Gap

By CLARENCE LINZ

WASHINGTON, May 30.—Possibilities of meeting temporarily the situation arising from the nullification of recovery codes by the Supreme Court, by inviting industry to turn its former codes into voluntary agreements, as provided for under Section 4 of the Recovery Act, were today under scrutiny by Administration officials and legal experts.

Close study of the Schechter poultry case decision, it is said, shows that the only provisions of the act flatly declared unconstitutional were those of Section 3, authorizing the President to prescribe codes.

Section 4, which did not enter into the case and therefore remains valid,

(*Continued on page* 12)

Fox Lists 54 Features and 110 Shorts

No Mention Made of 20th Century's Lineup

CHICAGO, May 30.—Fox confined its 1935-36 product announcement to 54 features, 110 shorts and 104 issues of Fox Movietone News today.

Detail was given the assembled sales force at the Blackstone here with no specific mention made as to the product contribution which will be made by 20th Century under its merger deal. The anticipation is that Darryl F. Zanuck will adhere to his program of 12 announced some weeks ago in New York, thereby placing the complete total to be handled by Fox next season at 66.

More than 250 executives, managers and salesmen from all parts of the United States and Canada and 10 foreign countries were in attendance to hear Sidney R. Kent and John D. Clark outline the company's plans for the new season.

A new trend toward spectacular productions and an increased use of music was revealed in the new program. Pictures of a spectacular nature include "Dante's Inferno," "Mysteries of Paris," "Under Two Flags," "Ramona," "Hawk of the Desert,"

(*Continued on page* 11)

Product Talks End G. B. Sales Session

The third and final day of the first annual G. B. sales convention at the Warwick Hotel Wednesday was featured by an address by Harry Brandt, president of the I.T.O.A., and talks by George Weeks, sales manager, and Arthur Lee, vice-president.

The session, which lasted only for an hour and a half, was followed by

(*Continued on page* 8)

Para. Enterprises May Get 10 Houses

Paramount Enterpries, theatre holding subsidiary of Paramount, may resume theatre operation if negotiations for the taking over of 10 Miami, Fla.,

(*Continued on page* 8)

Ticket Tax Return Probe Now Planned

WASHINGTON, May 30.—Thorough investigation by the Internal Revenue Bureau of admission tax returns filed

(*Continued on page* 8)

Members of U. A. Plan an Increase in New Output

HOLLYWOOD, May 30.—That United Artists producer-members will increase their output to fill in the gap caused by withdrawal of 20th Century product was indicated here today. At the same time it became known that Samuel Goldwyn feels the new president should not be a producer, thereby eliminating himself as a candidate for the post left vacant by Joseph M. Schenck's resignation.

Mary Pickford says she has been planning to produce for the past 18 months and hopes to have one, in which she will not appear as a star, ready for fall release. She will not appear in a picture unless she can find a story that appeals strongly to her.

Goldwyn, it is understood, will increase his output to six, and Charlie Chaplin is expected to have one upon

(*Continued on page* 8)

Kuykendall Looks For Theatre Chaos

COLUMBUS, Miss., May 30—"Complete annulment of the code will bring about immediate chaos in spots," declared Ed Kuykendall, M.P.T.O.A. president, yesterday.

"The little independent exhibitor benefited by it if anyone did, yet he complained most. Organized labor is

(*Continued on page* 12)

Rosenblatt to Coast On a Secret Mission

Compliance Director Sol A. Rosenblatt left by plane from Washington Wednesday afternoon for the coast on a secret mission. Efforts to learn from his office at the Capital the reason for the sudden trip were unsuccessful.

Several reports were linked with the

(*Continued on page* 12)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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French Extend Plan On Dubbing 6 Months

French restrictions, permitting the importation of 94 "dubbed" versions each six months, have been extended for a year from July 1, the foreign division of the Hays office learned by cable from Paris Wednesday. The regulations provide that the "dubbing" must be handled in France. At an annual rate of 188 pictures a year, the requirements of American distributors in that country are adequately met, it was Hays' association opinion.

Goulding-M-G-M on Deal

Edmund Goulding, who recently completed "The Flame Within," is negotiating a new contract with M-G-M. On Wednesday afternoon he talked to Irving Thalberg in Hollywood over the telephone. While here the director is completing plans for putting on a stage play and has not set a date for his return to the coast.

Maxwell on High Seas

LONDON, May 30.—John Maxwell, chairman of the board of B.I.P. sailed yesterday on the *Aquitania* for New York to confer with Arthur Dent and First Division executives on a releasing arrangement.

Goldsmith Quits Mascot

HOLLYWOOD, May 30.—Ken Goldsmith has resigned as supervisor for Mascot. He states he has a deal pending with a major company.

Purely Personal

TOM and STELLA HAMLIN of *Film Curb* are on an auto tour of several weeks. They will travel as far west as Wheatland, Wyo., MRS. HAMLIN'S home town. In their absence R. W. BAREMORE will be in charge of things at *Film Curb*.

•

M. H. AYLESWORTH, NED E. DEPINET, WILLARD MCKAY, HERMAN ROBBINS, EDGAR HATRICK, PHIL REISMAN, STANLEY GIBSON and SAM DEMBOW—these and others pre-holidaying it at "21" on Wednesday.

•

GEORGE BECH, consul-general of Denmark, and ROLF CHRISTENSEN, consul-general of Norway, have promised to attend the opening of "Loves of a Dictator" at the Roxy tonight.

•

HARRY H. THOMAS, ROBERT BENJAMIN, JULES CHAPMAN and AMOS HIATT, a First Division foursome, grouped at one table at the M.P. Club Wednesday.

Quip of the Day

Mox Shabbus, in a hurry and so wiring from Hollywood:
"Looks like the quip of the day should go to the exhibitor who mailed in his code assessment on Monday."

ROUBEN MAMOULIAN was the target of the barbs of the trade press at RUTGERS NEILSON'S office Wednesday afternoon. Technicolor was the main topic.

•

MIKE CLOFINE is expected to be discharged from the Cornell Medical Center over the week-end. He underwent an appendicitis operation last week.

•

NAT LEVINE, Mascot president, is in from the coast in search of talent and for conferences on plans for the new season.

•

MORTON DOWNEY finishes work today at the Brooklyn Vitaphone plant in a two-reel musical, "Dublin in Brass."

•

JACK GOETZ, accompanied by the missus and his two kiddies, is off for California. They'll be away a month.

•

M. H. HOFFMAN has arrived in town by plane for production conferences with H. J. YATES.

•

CHRIS BUCKLEY was in from Albany Wednesday and left the same night.

•

ARTHUR W. KELLY has temporarily called off that trip to the coast next week.

•

SIR GUY STANDING is at the Waldorf-Astoria from the coast.

•

SYLVIA SIDNEY has taken an apartment at the Lombardy.

•

AL SELIG has gone to Boston to exploit "Escape Me Never" for U. A.

•

JESSE HAMPTON, former producer and more recently an investment banker, leaves for the coast tomorrow on what is reported to be a trip to discuss plans for his reentry into the business as an independent producer.

•

BEN ANKER of Guatemala has arrived here for a short stay. While in town he'll make his headquarters with J. H. HOFFBERG.

•

HARRY M. WARNER plans to spend the entire summer on the coast. He will take his family along with him on June 5.

•

BEN SHLYEN may spend the summer in New York. Says this town is hot, but Kansas City is hotter.

•

E. A. SCHILLER expects to be here about June 10. After bigger and better fish in eastern waters.

•

CLYDE ELLIOTT, independent producer, planed to the coast over the holiday to talk pictures.

•

EDDIE CANTOR, not the actor, is now managing the New United, Brooklyn.

•

SIDNEY SAMUELSON returns from Ohio next week.

•

. . . Baltimore

AL ZELIS has been named salesman for Liberty.

MOE KOHN has taken over the Dainty from MILTON CAPLON.

JOSEPH B. FIELDS, proprietor of the Rivoli and Embassy, has taken a 10-year lease on the Brodie. As a result, JOE BRODIE expects to do some traveling.

Warners' "G-Men" Suit Up on June 7

CHICAGO, May 30.—Argument will be heard on June 7 in U. S. District Court here on a report of a hearing before a master of chancery of charges of unfair competition in advertising brought by Warners against the Indiana Amusement Enterprises and Publix-Great States.

The suits grew out of Warners' assertion that "Let 'Em Have It" was advertised at the Palace, South Bend, Ind., Indiana Amusement Enterprises house, and at the Palace, Peoria, Ill., Publix-Great States theatre, with the title of the United Artists picture subordinated to "G-Men."

At the hearing representatives of Publix-Great States testified they had discontinued the advertising practices objected to. They further stated that they were merely retaining the mention of "Government men" in their advertising. The court will determine whether their use of this phrase constitutes unfair competition.

Russians Due Monday

Boris Shumiatsky, head of the Soviet film industry; F. Ermlir, director of "Peasants," and V. Reisman, director of "Men on Wings," which opens in New York shortly, arrive from Moscow Monday on the *Normandie*. The trip is to study American film methods. Hollywood is on the agenda.

1st Div. Meets Monday

Directors of First Division will meet Monday to discuss financing and other germane topics. A session of the board was slated for Wednesday, but was not held.

RKO Cuts Its 1934 Deficit To $310,574

Radio-Keith-Orpheum Corp. reported a consolidated net loss for the year 1934 of $310,574, it was disclosed in a financial report issued Wednesday by Irving Trust Co., trustee in reorganization for RKO. The loss compares with a net loss of $4,384,064 for 1933, and a net loss of $10,629,503 for 1932.

The bulk of the improvement in the company's position last year is traceable to earnings of RKO Radio Pictures, which had a net profit for the year of $570,000, as compared with a loss of $663,000 the preceding year. Total income from film rentals and sales for 1934 amounted to $21,276,716. RKO Pathe Pictures, engaged mostly in the rental of the former Pathe west coast studio, reduced its 1933 loss of $627,000 to a loss of $270,000 last year. Pathe News, likewise, further reduced its losses last year as compared with the preceding year. The 1934 report showed a loss of approximately $25,000.

Cash on hand at the end of the year amounted to $4,659,505, or a gain of approximately $1,000,000 over the preceding year. Consolidated capital deficit amounted to $10,822,925 at the end of the year, as compared with $10,973,141 at the end of 1933. Consolidated operating deficit increased from $15,899,122 at the end of 1933, to $16,078,501 at the end of last year.

Income from theatre admission for the year amounted to $18,290,803. The report disclosed that RKO's interest in Radio City Theatre Corp. has been written down to $16,116 as a result of the transfer of operation of the Music Hall to Rockefeller Center and the withdrawal of the Center Theatre from RKO operation.

Income from wholly owned foreign subsidiaries amounted to $397,163 during 1934.

Warner-Ascap Split Coming at Year End

Warners and their music publishing subsidiaries have decided on a split from the American Society of Composers, Authors and Publishers, says *Motion Picture Herald* in its current issue. Licensing agreements on the current Warner music libraries are still to be reached, it is said.

Warners have notified broadcasters that after Dec. 31, 1935, negotiations for use of the Warner catalogues will have to be conducted directly with the company. Ascap is said to have told them any contract signed with it will guarantee use of Warner music, but the company has countered with the statement that it will take the issue to the U. S. Supreme Court if necessary.

Huling Goes to 'Frisco

LOS ANGELES, May 30.—Mel Huling, partner in Far West Exchanges, has switched to the San Francisco branch, replacing Bruce Johnson, whose future status remains undetermined. Far West is taking over the old U.A. office in San Francisco.

Short Subjects

"The March of Time"

(*First Division*)

In its fourth release, "The March of Time" continues to hug the high standard promised in its first release, suggested in its second and delivered in its third.

Far less controversial than the third, this subject is, nevertheless, continuously interesting and worthwhile. It divides itself into three subjects, merely called Washington, Russia and Pacific Ocean. The first, dealing with the New Deal, moves along quickly. By way of short clips, tied together with narration, it points up the major figures, pro and con, of the Roosevelt experiment and features Arthur Krock, Pulitzer Prize winner and chief of the Washington Bureau of the *New York Times*. The chapter poises the question of what will happen to the New Deal, but gets an unfortunate break since the Supreme Court answered the question on Monday.

The second chapter touches on the social program of the Soviets in Moscow, but concentrates on the extension of Stalin's influence to the vast regions east of the nation's capital. In a selection of material and in camera angles, the material is unusual and intriguing. The argument herewith presented swings around what beyond Sovietizing of Russia and Siberia and whether efforts will be made to make the rest of the world Bolshevik in context.

The inner workings of the navy, how the Naval War College plots futures on a checkerboard-like floor, and how the vessels of war go through their maneuvers are episodes in the final chapter which is dramatically tense, expertly edited and assembled.

K.

"Here's the Gang"

(*Universal*)

This Mentone short has a party in Yvonne Monoff's home as the background against which the usual variety entertainment is presented. Jacqueline Allen is the first artist presented and she sings delightfully. Paul Howard, a contortionist, follows her, and then Nayan Pierce and Don Carthay do some ballroom dancing. The Pope Sisters sing a "hot" number and Wolf Carter a cowboy ballad. The Society Pets wind up the reel with their clowning.

Fairly entertaining, this reel should please most audiences. Production Code Seal No. 0364. Running time, 19 mins. "G."

"Old Mother Hubbard"

(*Celebrity*)

The old, familiar nursery tale is here presented in picture form in a slightly modernized version. Mother Hubbard still has her bare cupboard, but in this case she is the washerwoman for the king. Her dog, while delivering the king's laundry, steals a chicken from the royal kitchen and gets his head stuck inside. His antics in trying to release himself so pleases the king that he rewards the old woman and her dog with great riches.

This reel, done in color, should be universally appealing. Exhibitors would do well to concentrate on the children angle here. Production Code Seal, No. 718. Running time, 7 mins. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"College Scandal"

(*Paramount*)

HOLLYWOOD, May 30.—This neat, expert murder mystery with an undergraduate background and cast looks and acts collegiate convincingly. Arline Judge plays a cute, determined sophomore in love with a senior, Edward Nugent, who is interested in Wendy Barrie, daughter of a mysterious French professor, William Stack.

Miss Judge's pursuit of Nugent is complicated by her sleuthing for the murderer of Nugent's two best friends with the latter next in line for death. Rehearsals of the college show add comedy from William Benedict and Benny Baker. Both are good.

The story by Beulah Marie Dix and Bertram Millhauser and the screen play by Frank Partos, Charles Brackett and Marguerite Roberts is involved, colorful and logical with the exception of one unexplained character.

The theme song, "In the Middle of a Kiss," by Sam Coslow, is good. Elliott Nugent's direction is smooth. Albert Lewis produced.

The excellent cast includes Mary Nash, Kent Taylor, William Frawley, Johnny Downs, Douglas Blackley, Joyce Compton, Sam Hinds, Douglas Woods, Margaret Armstrong, Edith Arnold, Helena Phillips Evans and Mary Ellen Brown. This is a good, average offering.

Production Code Seal No. 858. Running time, 75 minutes. "G."

Looking 'Em Over

"Tango Bar"

(*Paramount*)

Despite its stereotyped story, this production, made by Paramount's Spanish producing unit and starring Carlos Gardel, should offer a gay time to those familiar with the language of its players, thanks to its gloss, its fine photography, the capability of the cast, the sumptuousness of its settings and its satisfactory musical content.

Gardel, teamed with Rosita Moreno in one of those romances given plenty of obstacles to hurdle before the road to happiness is reached, sings a quartet of tunes, several of them tango numbers.

Gardel and Miss Moreno fall in love at first sight on a ship bound for Spain. The girl, a dancer, is under the influence of a crooked gambler, in one of whose shady deals she has become involved inadvertently.

The story is concerned primarily with Gardel's efforts to free the girl from the bond that holds her to the villain. The girl tries unsuccessfully several times to break away, but at the end with the help of Gardel she has thrown over the yoke. There are a number of amusing incidents worked into the story that add to the entertainment.

The film is without English titles.

In the supporting cast are Tito Lusiardo and Enrique de Rosas, among others. John Reinhardt directed.

No production code seal. Running time, 61 minutes. "G."

"What Price Crime"

(*Syndicate Exchanges*)

The "G Men" are in again, this time trying to break up a gang robbing government warehouses of munitions and selling them to other crooks. It's all fairly exciting but certainly not up to the production standards nor has it the entertainment values of preceding films of this type.

The yarn has Charles Starrett assigned to find the racketeers who killed a watchman and robbed a government storehouse. In order to get in with Noel Madison, who is suspected of being the leader of the crooks and who is interested in prizefighters, he enters the ring to become the leading contender for the title. Madison buys his contract and introduces him to his sister, Virginia Cherrill. Romance blooms between the two, but Starrett, now on the inside, uncovers the inforrmation he seeks and in a shooting finale the gang is captured and Madison killed. Miss Cherrill realizes Starrett only did his duty and marries him for a happy ending.

Others in the cast are Charles Delaney, Jack Mulhall, Nina Guilbert, Henry Roquemore and Gordon Griffith. Albert Herman directed. Photography of Harry Forbes fair.

Production Code Seal No. 840. Running time, 63 minutes. "G."

(*Additional review on page 8*)

Short Subjects

"Chain Letter Dimes"

(*M-G-M*)

A timely and interesting short subject is this kidding explanation of the current chain letter craze. The film seems to be trying to explain what the new fad is all about, but Pete Smith's remarks and some of the trick shots that accompany his cracks will have audiences laughing so that they will be apt to miss the point of it all.

This film should do well, and exhibitors would profit by playing it up big while the chain letter craze lasts. It should be played as soon as possible.

Production Code Seal, No. 883. Running time, 7 mins. "G."

"Happy Little Monkeys"

(*Harmon-Ising-M-G-M*)

Harmon-Ising's "The Happy Little Monkeys" is one of the cleverest of the series of their color cartoons. It shows the monks who "see no evil, think no evil, speak no evil" tempted by a leering red devil. When they weaken, and seem in danger of the leaping flames of inferno, story books open, famous characters including Rip Van Winkle, Tarzan, Boy Scouts and scores of others rush to the rescue. Lap dissolves of color and line are brilliant technical achievements. This one will be talked about, and is worthy of special billing.

"Memories and Melodies"

(*FitzPatrick-M-G-M*)

This short subject has two qualities that should put it over big everywhere, some astounding natural color photography and the music of Stephen Foster.

The story, built around an incident in Foster's life, is photographed against the background of a Kentucky plantation in the Civil War period. Especially impressing are the renditions of Foster's songs by a negro chorus.

This film is highly recommended. Production Code Seal, No. 802. Running time, 16 mins. "G."

Hal Roach Coming East

HOLLYWOOD, May 30.—Hal Roach will take a plane to New York Saturday to direct the winners of the movie beginners' contest sponsored by Roach in the *Daily Mirror* and in theatres. Gordon Douglas, his assistant, left by train today to help in the work. The winners will be used in a new Roach picture.

K. C. Gets Foreign Film

KANSAS CITY, May 30.—The Midway, Kansas City, Kan., is to adopt a policy of foreign films, capitalizing on the interest of the large Russian and Polish population in the neighborhood. It will be the only exclusive foreign picture theatre in this territory.

Ernest G. Comi Resigns

BOSTON, May 30.—Ernest G. Comi has resigned from the Comi Theatre Service and Supply Co., which is headed by P. Edward Comi. Raburn White is expected to join the organization as office manager.

Soon the whole

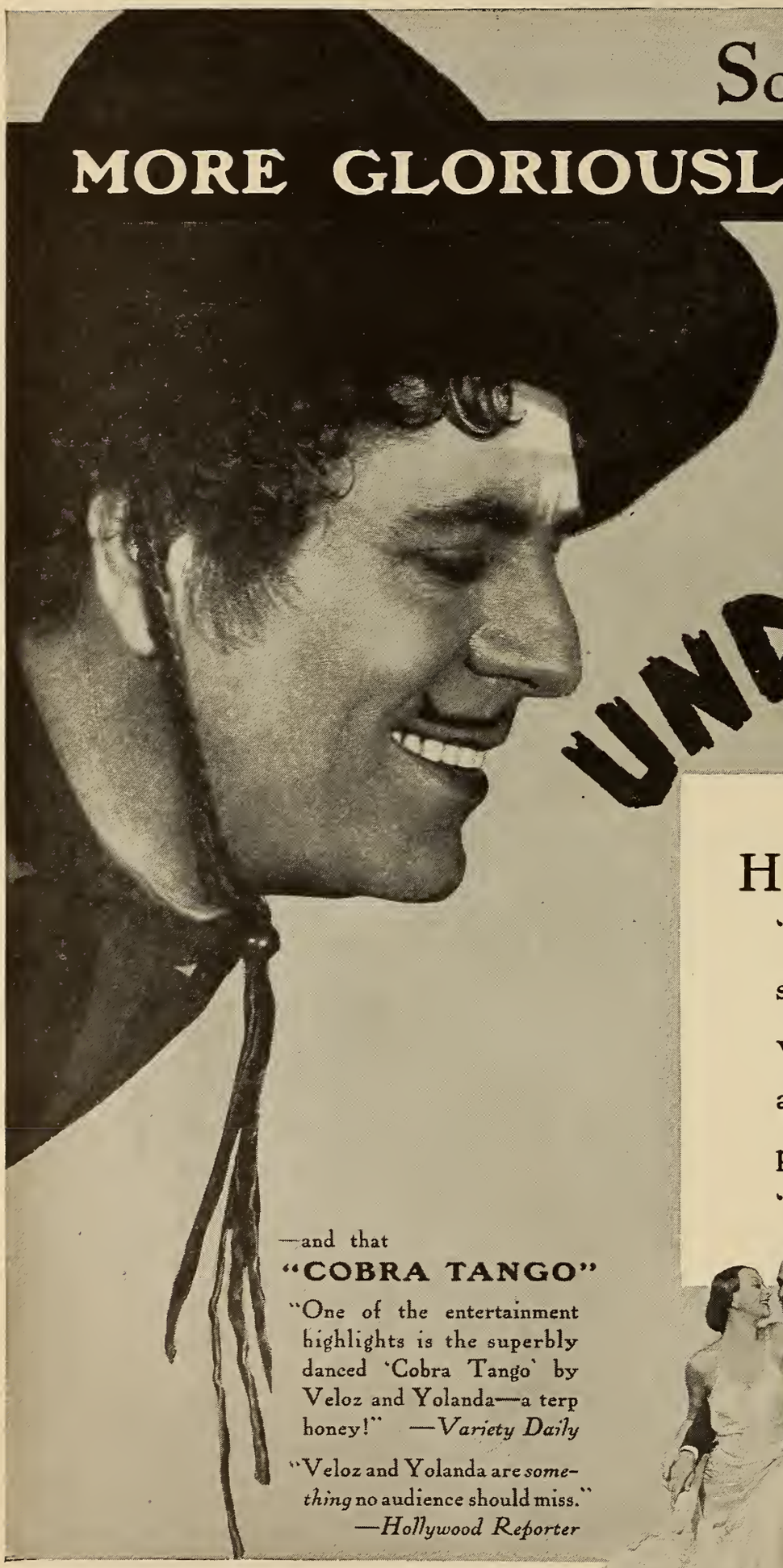
MORE GLORIOUSLY EXCITING

WARNER

BAXTER

UNDER THE

a B. G. De Sylva production



Hails Variety Daily:

"Certain to make the turnstiles click prosperously. A wealth of entertainment for all type audiences. Baxter plays his best character from 'Old Arizona' on!"

—and that

"COBRA TANGO"

"One of the entertainment highlights is the superbly danced 'Cobra Tango' by Veloz and Yolanda—a terp honey!" —*Variety Daily*

"Veloz and Yolanda are *something* no audience should miss." —*Hollywood Reporter*



country will acclaim it:

THAN HIS "CISCO KID!"

KETTI GALLIAN

PAMPAS MOON

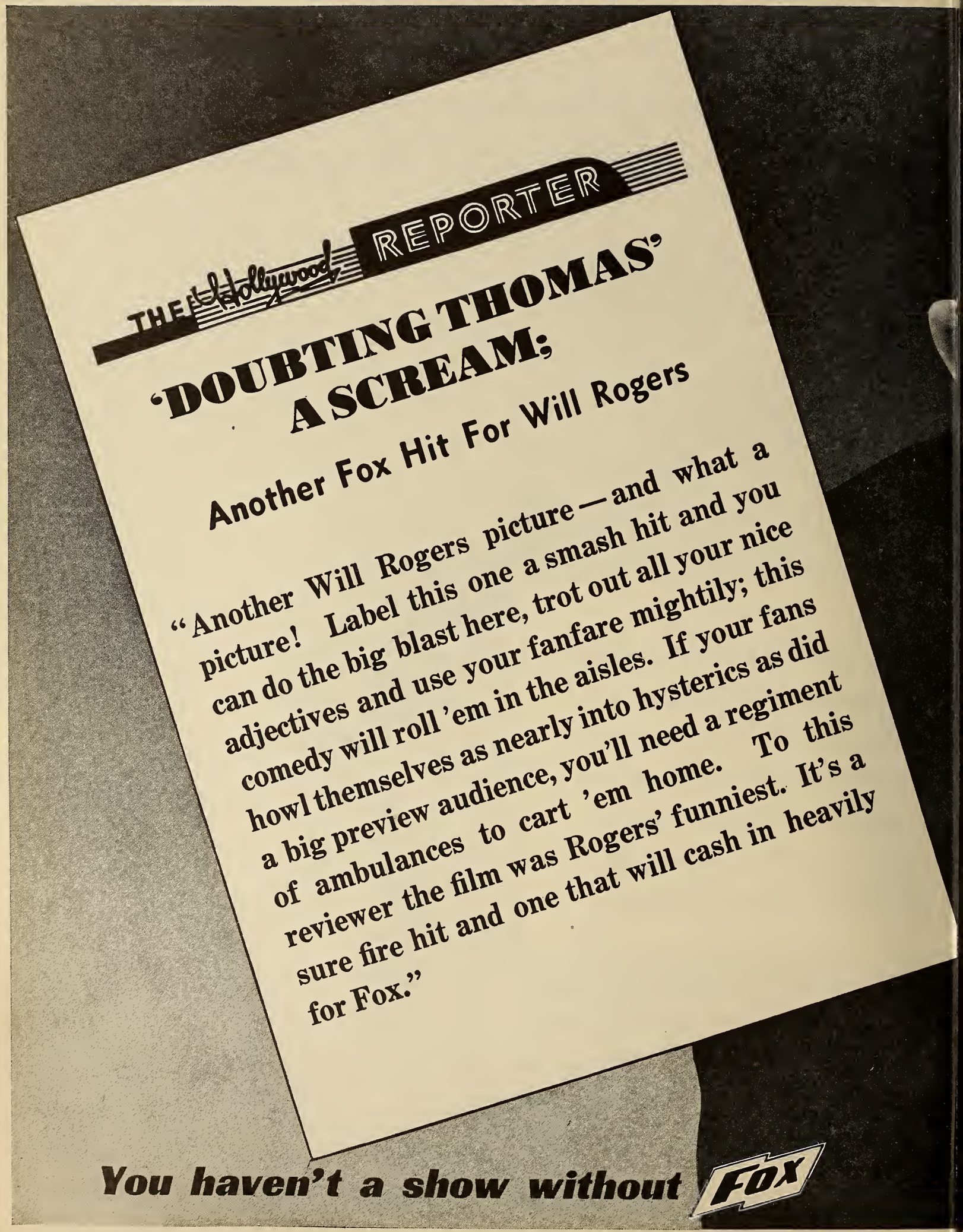
Directed by James Tinling. Screen play by Ernest Pascal and Bradley King. From an original story by Gordon Morris.

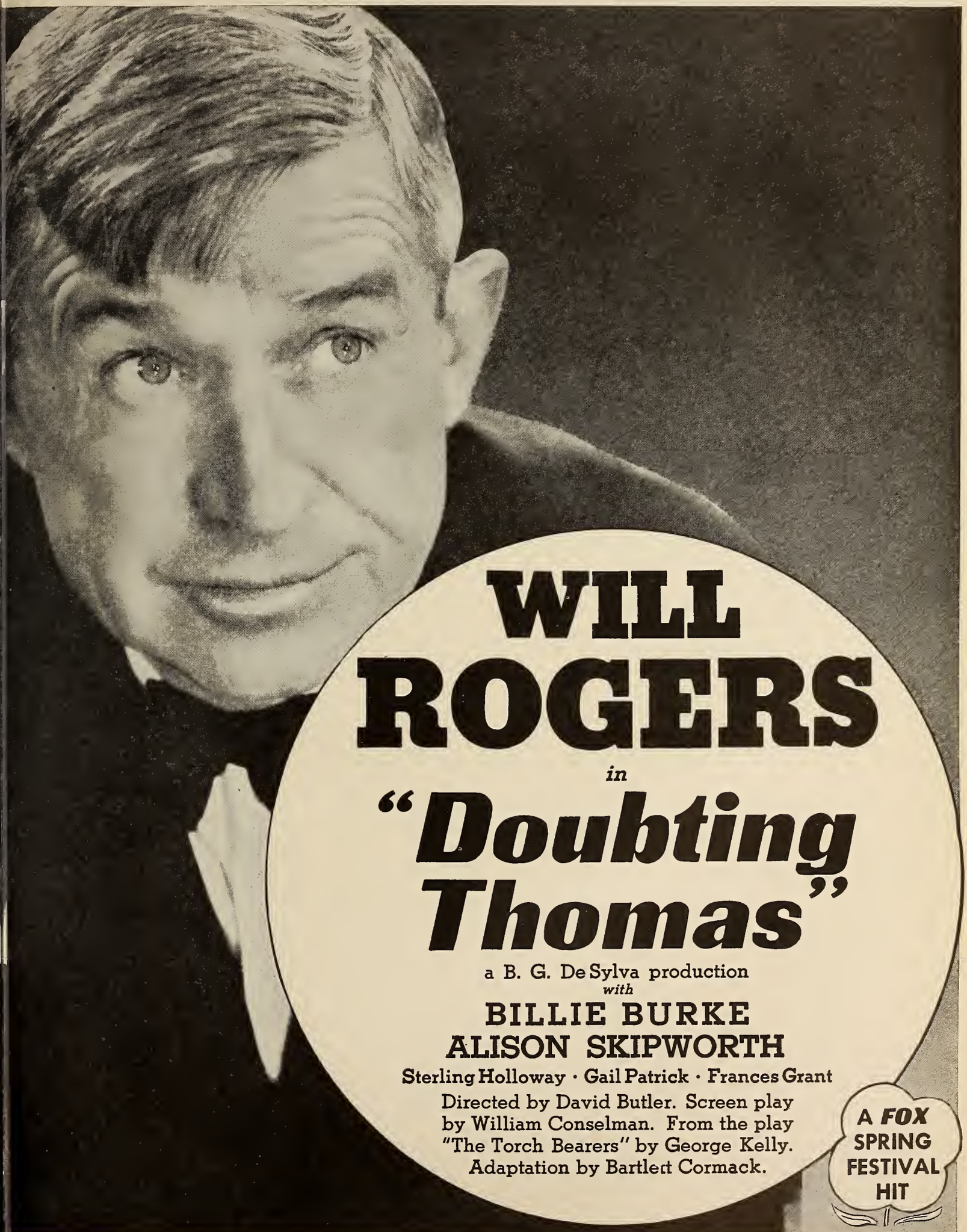
Whoops Hollywood Reporter: "Will click at box offices! Warner Baxter emerges with a sure fire performance for the fans. Direction, writing, cast, music swell. Should be a definite winner!"



A *FOX* SPRING FESTIVAL HIT

You haven't a show without FOX


THE Hollywood REPORTER
'DOUBTING THOMAS' A SCREAM;
Another Fox Hit For Will Rogers
"Another Will Rogers picture—and what a picture! Label this one a smash hit and you can do the big blast here, trot out all your nice adjectives and use your fanfare mightily; this comedy will roll 'em in the aisles. If your fans howl themselves as nearly into hysterics as did a big preview audience, you'll need a regiment of ambulances to cart 'em home. To this reviewer the film was Rogers' funniest. It's a sure fire hit and one that will cash in heavily for Fox."
You haven't a show without Fox


WILL ROGERS
in
"Doubting Thomas"
a B. G. DeSylva production
with
BILLIE BURKE
ALISON SKIPWORTH
Sterling Holloway · Gail Patrick · Frances Grant
Directed by David Butler. Screen play by William Conselman. From the play "The Torch Bearers" by George Kelly. Adaptation by Bartlett Cormack.
A FOX SPRING FESTIVAL HIT

U. A. Members Plan Increase In New Output

(*Continued from page* 1)

which he is now at work ready for the new season.

Goldwyn, it is reported authoritatively, feels that only two more pictures will be needed to complete a satisfactory schedule for U.A., inasmuch as 20th Century produced six last year, Goldwyn, three, and Chaplin one, making a total of nine.

There is talk to the effect that Walt Disney has been offered a producer franchise.

With the approval of Henry Duffy, sponsor of her stage engagement in "Coquette," Miss Pickford has been prevailed upon to end her tour in the play with the termination of her Portland engagement. She agreed owing to present press of business and left for Portland last night by plane, being due back here on Sunday. The canceled engagements cover Denver, Colorado Springs, Kansas City, Fort Worth, Dallas, Houston and San Antonio.

The cancellation of her stage appearances makes it possible for Miss Pickford to attend a meeting of U. A. directors and stockholders in New York on June 20. It is not revealed whether Schenck or a representative of Art Cinema will attend. Miss Pickford, Chaplin, Goldwyn and Douglas Fairbanks are expected to be present in person or by proxy.

See Film Benefits In Swedish Treaty

WASHINGTON, May 30.—Binding of the Swedish duty on American films at its present rate of 15.8 crowns per kilogram is seen by the Department of Commerce as one of the advantages to accrue to the United States from the reciprocal trade agreement signed May 25, which becomes operative 30 days after approval by the Swedish Riksdag.

Bond Heading West

Clayton Bond, chief film buyer for Warner theatres, leaves with Mrs. Bond for the coast tonight. He will include the Warner sales convention in Hollywood before he returns. Such a journey ordinarily is unusual now that the buying season is under way, but franchises which Warner theatres hold with various producers, place the circuit in what is regarded as its most favorable position in several seasons.

Flash Review

Dizzy Dames—Several entertaining elements engage this production, not too strong in story. . . .

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Kay Francis Operated On

LONDON, May 30.—Kay Francis is recovering here today in a nursing home from an operation for the removal of the salivary gland. She is expected to leave the hospital in a day or so.

With the G. B. Men

W. B. WESLEY was presented the famous Waxman tombstone labeled "Al E. Bye" but he didn't really deserve it. His predecessor was the real winner and WES merely acted on his part.

✣

JACK TROP distributed black enamel pencils to all the delegates. Each man's name was engraved in gold on his pencil. TROP had intended using them as place cards for breakfast, but he overslept so they were given out later.

✣

GEORGE ROSENBAUM will probably have a lot to explain to his brother when he returns home to Dallas, since he didn't answer all those phone calls put in for him from down Texas way.

✣

SPYROS SKOURAS created quite a bit of consternation in the ranks of the men handling the luncheon. First he was coming, then he could'nt make it, then he could. Finally he didn't come at all.

✣

O. O. FLAKE, recently assigned to the Dallas territory, sat up all night because it was too noisy to sleep. That's his story.

✣

GEORGE WEEKS, after two days of persuasion, finally persuaded MRS. RUSSELL BORG to sit at the convention dais for one of the sessions. She was the only feminine family member to attend with a delegate.

✣

HARRY BRANDT making quite a hit with his gags among the delegates and several were seen taking notes on several.

W. B. WESSLING in for his share of ribbing on the sugar he uses in coffee and tea. GEORGE WEEKS suggested the 16 lumps that went into his cups at breakfast stood for the Star Spangled Specials.

✣

CHARNAS of Chicago expressed himself to a table mate at breakfast with "nuts." The next thing he knew the waiter placed a bowl of grapenuts in front of him. It actually happened.

✣

RUSSELL BORG, the 300 pound bridegroom, getting more than his share of the ribbing, particularly for missing some of the parties.

✣

JACK MCCARTY of Omaha seemed to be the only one attending that liked the heat. He said it, or anything else, would be better than the weather he's been living through at home.

✣

IRVING JACOBS couldn't seem to decide if those phone calls were gags or not. But he wasn't taking any chances by answering page calls.

✣

JACOBS, here from Denver, was receiving condolences yesterday over the death of his aged mother.

✣

CHARLES LEACH led the giraffe down Broadway for its place in the French Casino show. Several residents of the Warwick are glad it's gone from its stand next to the elevators.

✣

JOHN FRANCONI visited NED E. DEPINET in his RKO offices while in town for the gathering. FRANCONI, up from Dallas, hadn't seen DEPINET since the latter left Dallas quite a few years ago.

Looking 'Em Over

"Alibi Ike"

(Warners)

Exhibitors that exploit this picture properly should do well. It deals with baseball and tieups with local teams, now that the leagues are beginning to hit their full stride, should aid business.

Joe E. Brown fans will laugh more than ever over his antics and any person liking baseball should appreciate them.

Brown tops his list of characterizations here as Ring Lardner's famous pitcher, "Alibi Ike." Olivia de Haviland, William Frawley, Roscoe Karns, Ruth Donnelly, Eddie Shubert, Paul Horney and Joseph Crehorn round out the cast.

The yarn concerns Brown's debut with the Chicago Cubs as a pitcher. He runs wild on the field and around the hotel with the team. Karns is his nemesis, continually heckling. When Brown becomes engaged to Miss de Haviland he breaks up the romance with his gags. Then Brown, despondent, gets mixed up with crooked gamblers but all ends well.

Director Ray Enright is to be commended for his handling of Lardner's story and his timing of the numerous comic situations. The photography of Arthur Todd is excellent. This one should have no trouble at the box-office where Brown registers.

Reviewed without production code seal. Running time, 68 minutes. "G."

Kent on Coast June 15

HOLLYWOOD, May 30.—Sidney R. Kent is expected here by Fox studio heads on June 15.

Hickey on M-G-M Tour

LOS ANGELES, May 30.—George A. Hickey, western district manager has left on a tour of M-G-M exchanges under his supervision.

Product Talks End G. B. Sales Session

(*Continued from page* 1)

the screening of "The Ghoul," "My Song for You" and "Loves of the Dictator" at the home office. In between pictures Weeks, Lee and A. P. Waxman, director of advertising and publicity, held individual conferences with the visiting delegates to thresh out their problems.

Brandt, who was scheduled to be co-speaker with Spyros Skouras, vice-president of National Theatres, who couldn't keep his engagement, talked on the quality of films. He stressed the point that exhibitors should buy their product on the merits of each picture and not on the reputation of the producer or distributor.

Following Brandt were Weeks and Lee. They outlined the tentative selling programs to be initiated in the fall with the 16 Star Spangled Specials and announced a few of the plans to be incorporated in the fall selling campaign.

All of the 52 delegates left for their home territories over the holiday yesterday.

Ticket Tax Return Probe Now Planned

(*Continued from page* 1)

by exhibitors in a number of the larger cities is planned by the Treasury Department, it was learned yesterday with publication by the Division of Applications and Information of the work-relief setup of applications filed by the department for some $14,500,000.

While part of the money would be used for the examination of 350,000 income returns which the normal force of the bureau is said to be unable to handle, much of the sum would be used for a special investigation in 20 metropolitan areas of industries subject to certain excise taxes, including that on admissions.

Among the cities in which the inquiry would be conducted, it was said, are New York, Buffalo, Chicago, Philadelphia, Pittsburgh, Detroit, Los Angeles, San Francisco, Cleveland, Cincinnati, St. Louis, Kansas City, Baltimore, Washington, Boston, Milwaukee, Minneapolis, New Orleans, Newark and Seattle.

Para. Enterprises May Get 10 Houses

(*Continued from page* 1)

houses from E. J. Sparks, Paramount theatre operating partner in the southeastern states, are consummated, according to a statement from Paramount on Wednesday.

The houses involved in the negotiations which may go to Paramount Enterprises early in June, are the Olympia, Rex, Rosetta, Community, Paramount, Roxy, Coral Gables, Flagler, Colony and the Miami Little Theatre. Most of the houses were originally owned by Paramount Enterprises.

Disposal of Sparks' Miami interests will not affect his operation of an additional 81 houses in the state, it was said.

Brandt Buys 16 Specials

Harry Brandt has bought the entire 16 Star Spangled Banner specials for his 36 houses.

RKO-RADIO has the honor to announce PIONEER PICTURES' presentation of a signal achievement in the art of the screen

BECKY SHARP

A MIRACLE OF BEAUTY....THE FIRST FULL-LENGTH PRODUCTION FILMED IN THE FULL GLORY OF THE NEW TECHNICOLOR



BEAUTIFUL ★ CHARMING ★ DANGEROUS



BECKY SHARP

One of the most astonishing private lives in the annals of the world . . . Portrayed by

MIRIAM HOPKINS

with

FRANCES DEE
CEDRIC HARDWICKE
BILLIE BURKE
ALISON SKIPWORTH
NIGEL BRUCE ALAN MOWBRAY

★

A ROUBEN MAMOULIAN PRODUCTION

RKO-RADIO PICTURE

Designed in color by
ROBERT EDMOND JONES

Presented by
PIONEER PICTURES
Produced by
KENNETH MACGOWAN

54 Features, 110 Shorts on Fox List

(*Continued from page* 1)

"Way Down East" and "The Farmer Takes a Wife."

More than 12 of the 54 pictures listed will feature songs and music, among these being "Redheads on Parade," "Argentina," "Here's to Romance," "The Dressmaker," and "Broadway Co-Ed."

While more than a fifth of the list will be produced from original stories which indicates an increasing demand by producers for original screen material, there will be productions based on the works of many contemporary authors, including Booth Tarkington, Kathleen Norris, Clarence Budington Kelland, Sophie Kerr, Cornelius Vanderbilt, Jr., Vina Delmar, Ben Lucien Burman, Courtney Riley Cooper, Zane Grey and others. Other productions will be fashioned from theatrical properties.

New personalities added to the Fox roster include Nino Martini, Metropolitan Opera and radio star; Tutta Rolf, Scandinavian star; Tito Guizar, radio baritone; Simone, French actress; and Ernestine Schumann-Heink, who will make her picture debut in "Here's to Romance."

Many Players Named

Will Rogers, Shirley Temple, Janet Gaynor and Warner Baxter head a list of stars and players who will be seen in Fox pictures next season. This list includes:

Lew Ayres, Astrid Allwyn, Thomas Beck, Mona Barrie, William Benedict, Barbara Blane, John Boles, Rita Cansino, Alan Dinehart, Jane Darwell, James Dunn, Rosita Diaz, Jack Durant, Alice Faye, Stepin Fetchit, Ketti Gallian, Pietro Gentili, Frances Grant, Jack Haley, Rochelle Hudson, Edward Everett Horton, Roger Imhof, Arline Judge, Paul Kelly, Rosina Lawrence, Charles Locher, Edmund Lowe, John J. McGuire, Frank Melton, Herbert Mundin, Warner Oland, "Pat" Paterson, John Qualen, Regina Rambeau, Bill Robinson, Gilbert Roland, Raul Roulien, Jackie Searl, Slim Summerville, Andrew Tombs, Claire Trevor, Edward Trevor, Blanca Vischer, Henry B. Walthall, Jane Withers.

The pictures scheduled for the new season will be divided among seven producers: Winfield Sheehan, vice president and general manager of production; Sol Wurtzel, Jesse L. Lasky, Robert T. Kane, B. G. DeSylva, Edward Butcher and John Stone. Four George O'Brien action pictures will be produced by Sol Lesser and John Zanft.

Pictures for the forthcoming season, which begins Aug. 1, include the following:

"In Old Kentucky," first of the Will Rogers starring vehicles, a modern version of Charles T. Dazey's stage comedy-drama. Prominent supporting roles are in the hands of Dorothy Wilson, Russell Hardie, Charles Sellon, Louise Henry, Alan Dinehart, Charles Richman, Etienne Girardot, Esther Dale, John Ince and Bill Robinson. George Marshall will direct.

"The Gay Deception," comedy romance, with Francis Lederer and Frances Dee, to be directed by William Wyler.

"Welcome Home," with James Dunn and Arline Judge, co-featured, and Rosina Lawrence, Raymond Walburn, William Frawley, Charles Sellon, George Meeker, Charles Ray and James Burke in the cast. James Tinling will direct.

"Redheads on Parade," musical, featuring John Boles and Dixie Lee, with Jack Haley, Patsy O'Connor, Raymond Walburn, Herman Bing, William Austin, Wilbur Mack and Alan Dinehart completing the cast. Norman McLeod is director.

"The Dressmaker," (tentative title) musical romance in a continental setting, presenting for the first time Tutta Rolf, Scandinavian star, with Clive Brook in the leading male role. Others in the cast include G. P. Huntley, Jr., Lionel Belmore, Nydia Westman, Robert Barrat and Andre Cheron. Harry Lachman will direct.

"Blue Chips," adapted from Vina Delmar's story, starring Warner Baxter.

"The Farmer Takes a Wife," from the stage play of the same name, starring Janet Gaynor and Henry Fonda of the original cast who makes this screen debut in his stage role. The balance of the cast includes: Charles Bickford, Slim Summerville, Andy Devine, Roger Imhof, Jane Withers, Margaret Hamilton, Frank Melton, Nick Foran and John Qualen. Victor Fleming is directing.

"Charlie Chan in Shanghai," with Warner Oland.

"Dante's Inferno," modernized version of the Italian poem with a cast headed by Spencer Tracy, Claire Trevor, Henry B. Walthall, Alan Dinehart, Robert Gleckler, Rita Cansino, Gary Leon, Willard Robertson, Morgan Wallace and Scott Beckett. Harry Lachman directed.

"Little Skipper," starring Shirley Temple.

"Beauty's Daughter," jointly featuring Edmund Lowe and Claire Trevor, in a romance adapted from the Kathleen Norris novel of the same name and directed by Allan Dwan.

"Steamboat Bill," Ben Lucien Burman's story of the shanty-boat people of the Mississippi, starring Will Rogers and featuring Irvin S. Cobb, Anne Shirley, Slim Summerville, Francis Ford, Eugene Pallette, Berton Churchill and Stepin Fetchit. Director, John Ford.

"Ball of Fire," story of "the private lives of movie stars," featuring Alice Faye and Jack Haley with roles in the hands of Mitchell and Durant. George Marshall will direct.

"Ramona," picturized from Helen Hunt Jackson's novel, with Gilbert Roland and Pietro Gentile in the leading male roles under direction of Eugene Forde.

"Thunder In the Night," society mystery drama. Edmund Lowe will play the lead with Paul Cavanagh, John Qualen, Karen Morley, Gene Lockhart, Russell Hicks, Gloria Roy, Bodil Rosing, Arthur Edmund Carew and Una O'Connor in supporting roles. George Archainbaud will direct.

"Hawk of the Desert," drama of the Sahara Desert, in which Warner Baxter will star under direction of James Tinling.

"Way Down East," with Janet Gaynor and Henry Fonda in the stellar roles, with Slim Summerville, Andy Devine, Sarah Hayden, Astrid Allwyn and Spring Byington in the support. Henry King to direct.

"Twins," the second Shirley Temple.

"Broadway Co-Ed," a comedy of youth with music, co-featuring Alice Faye and Jack Haley.

"Farewell to Fifth Avenue," comedy-drama of the social lights of the late 90's from "the memory and pen of Cornelius Vanderbilt, Jr.," which appeared in book form under the same title. Claire Trevor will be featured and Alan Dwan will direct.

"Shoestring Charlie," based on Courtney Riley Cooper's circus story, starring Will Rogers.

"Here's To Romance," musical starring Nino Martini, with Anita Louise, Genevieve Tobin, Maria Gambarelli and Mme. Ernestine Schumann-Heink in supporting roles. Direction has been assigned to Alfred E. Green.

"Under Two Flags," adventure-love story of the Algerian desert with Simone, French star, in her American debut.

"Song and Dance Man," adapted from the George M. Cohan stage play and jointly featuring James Dunn and Alice Faye.

"Poor Little Rich Girl," a Shirley Temple suggested by the picture of the same title in which Mary Pickford once starred.

"Efficiency Edgar," based on Clarence Budington Kelland's stories and played by Edward Everett Horton.

"Meal Ticket," co-featuring Jane Withers and Jackie Searl, to be directed by Marshall Neilan.

"Champagne Charlie," featuring Warner Baxter with Edmund Lowe and Rochelle Hudson.

"Police Parade," comedy-drama which tells the inside story of the career of a city policeman from the training school up. James Dunn, Alice Faye, Mona Barrie and Herbert Mundin are to be featured under the direction of Lewis Seiler.

"The Man From Home," in which Will Rogers will star.

"Your Uncle Dudley," story of a Mr. Fixit featuring Edward Everett Horton.

"Matinee Idol," a domestic tangle based on hero worship and featuring John Boles.

"Impersonation of a Lady," with Mona Barrie handling the impersonation.

"Argentina," a musical with an all-star cast.

Other productions scheduled include:

"Mysteries of Paris," by Eugene Sue.

"Caesar the Great," co-featuring Warner Baxter and Jane Withers.

"Captain January."

"Hard to Get."

"Brief Rapture."

"Thanks to You."

"Strangers in the Night."

"Time Out for Love."

"Work of Art."

Three untitled pictures complete the list of productions.

Four O'Brien Films on List

In addition there will be four George O'Brien action pictures. First will be "Thunder Mountain," Zane Grey's story which ran serially in *Collier's*. "Whispering Smith Speaks" will be second on the list, adapted from the story by Frank Spearman. The third will be a Harold Bell Wright story and the fourth is yet to be selected.

Following the announcement of the 1935-36 releases the convention discussed plans for advertising, publicity and exploitation. Charles E. McCarthy, director of advertising and publicity, opened the morning meeting. He was followed by Arch Reeve, advertising manager; A. O. Dillenbeck, of Hanff-Metzger Advertising Agency; Gabe S. Yorke, studio publicity director; E. W. Wingart, publicity manager; and James A. Clark, ad sales manager.

Truman Talley, producer of Fox Movietone News; Laurence Stallings, editor; Lowell Thomas, commentator; Lew Lehr, "newsette" announcer, and Ed Thorgerson, sports editor, followed the advertising forum and told of the plans for the reel.

Other addresses at the meeting were given by E. C. Grainger, eastern divisional sales manager, and Felix A. Jenkins. Following the distribution of prizes by Herman Wobber to the winners of the S. R. Kent Sales Drive for 1934-35, William C. Gehring, sales manager of the Chicago exchange, who will lead the new season's distribution drive, discussed his plans.

George W. Weeks, G. B.'s general sales manager, is here to address the convention.

Skouras Crowd Attending

Spyros Skouras, executive vice-president of National Theatres; Edward Peskay, buyer for Skouras Theatres Corp., and his assistant, Larry Kent, left for Chicago late Wednesday to attend the Fox sales meet.

What They Are Down For

Chicago, May 30.—Star and player assignments on Fox's 1935-36 schedule, as broken down from the company's announcement, follow:

Astrid Allwyn—"Way Down East."
William Austin—"Redheads on Parade."
Robert Barratt—"The Dressmaker."
Monie Barrie—"Impersonation of a Lady." Co-featured with Alice Faye, James Dunn and Herbert Mundin in "Police Parade."
Warner Baxter—Star in "Blue Chips" and "Hawk of the Desert." Co-featured with Jane Withers in "Caesar, the Great"; with Edmund Lowe and Rochelle Hudson in "Champagne Charlie."
Scott Beckett—"Dante's Inferno."
Lionel Belmore—"The Dressmaker."
Charles Bickford—"The Farmer Takes a Wife."
Herman Bing—"Redheads on Parade."
John Boles—Featured in "Matinee Idol." Co-featured with Dixie Lee in "Redheads on Parade."
Clive Brooke—"The Dressmaker."
James Burke—"Welcome Home."
Spring Byington—"Way Down East."
Arthur Edmund Carew—"Thunder in the Night."
Paul Cavanaugh—"Thunder in the Night."
Andre Cheron—"The Dressmaker."
Berton Churchill—"Steamboat Bill."
Rita Caseno—"Dante's Inferno."
Irvin S. Cobb—"Steamboat Bill."
Esther Dale—"In Old Kentucky."
Frances Dee—"Gay Deception."
Anoy Devine—"The Farmer Takes a Wife," "Way Down East."
Alan Dinehart—"Dante's Inferno," "Redheads on Parade," "In Old Kentucky."
James Dunn—Co-featured with Alice Faye, Mona Barrie and Herbert Mundin in "Police Parade"; with Miss Faye in "Song and Dance Man"; with Arline Judge in "Welcome Home."
Alice Faye—Co-starred with Jack Haley in "Broadway Co-ed"; co-featured with James Dunn in "Song and Dance Man"; co-featured with Dunn, Mona Barrie and Herbert Mundin in "Police Parade"; with Jack Haley in "Ball of Fire."
Stepin Fetchit—"Steamboat Bill."
Henry Fonoa—Co-starred with Janet Gaynor in "The Farmer Takes a Wife" and "Way Down East."
Nick Foran—"The Farmer Takes a Wife."
Francis Foro—"Steamboat Bill."
William Frawley—"Welcome Home."
Maria Gambarelli—"Here's to Romance."
Janet Gaynor—Co-starred with Henry Fonda in "The Farmer Takes a Wife" and "Way Down East."
Pietro Gentile—"Ramona."
Etienne Giraroot—"In Old Kentucky."
Robert Glecker—"Dante's Inferno."
Jack Haley—Co-starred with Alice Faye in "Broadway Co-Ed"; co-featured with Miss Faye in "Ball of Fire"; also in "Redheads on Parade."
Margaret Hamilton—"The Farmer Takes a Wife."
Russell Hardie—"In Old Kentucky."
Sarah Hayden—"Way Down East."
Louise Henry—"In Old Kentucky."
Edward Everett Horton—Star in "Your Uncle Dudley"; featured in "Efficiency Edgar."
Russell Hicks—"Thunder in the Night."
Rochelle Hudson—Co-featured with Warner Baxter and Edmund Lowe in "Champagne Charlie."
G. P. Huntley, Jr.—"The Dressmaker."
Roger Imhof — "The Farmer Takes a Wife."
John Ince—"In Old Kentucky."
Arline Judge — Co-featured with James Dunn in "Welcome Home."
Rosina Lawrence—"Welcome Home."
Francis Leoerer—"Gay Deception."
Dixie Lee—Co-featured with John Boles in "Redheads on Parade."
Gary Leon—"Dante's Inferno."
Gene Lockhart—"Thunder in the Night."
Anita Louise—"Here's to Romance."
Eomund Lowe — Co-featured with Claire Trevor in "Beauty's Daughter"; in "Thunder in the Night"; with Warner Baxter and Rochelle Hudson in "Champagne Charlie."
Wilbur Mack—"Redheads on Parade."
Nino Martini — Star in "Here's to Romance."
George Meeker—"Welcome Home."
Frank Melton — "The Farmer Takes a Wife."
Karen Morley—"Thunder in the Night.
Herbert Munoin—Co-featured with James Dunn, Alice Faye and Mona Barrie in "Police Parade."
George O'Brien—Star in four westerns. Two: "Thunder Mountain" and "Whispering Smith Speaks."
Patsy O'Connor—"Redheads on Parade."
Una O'Connor—"Thunder in the Night."
Warner Oland—"Charlie Chan in Shanghai."
Eugene Pallette—"Steamboat Bill."
John Qualen — "The Farmer Takes a Wife"; "Thunder in the Night."
Charles Ray—"Welcome Home."
Charles Richman—"In Old Kentucky."
Willard Robertson—"Dante's Inferno."
Bill Robertson—"In Old Kentucky."
Will Rogers—Star in "Steamboat Bill," "Shoestring Charlie," "The Man from Home," "In Old Kentucky."
Gilbert Roland—"Ramona."
Tutto Rolf—"The Dressmaker."
Bodil Rosing—"Thunder in the Night."
Gloria Roy—"Thunder in the Night."
Jackie Searl—Co-featured with Jane Withers in "Meal Ticket."
Anne Shirley—"Steamboat Bill."
Simone—Star in "Under Two Flags."
Ernestine Schumann-Heink—"Here's to Romance."
Charles Sellon—"Welcome Home," "In Old Kentucky."
Slim Summerville—"The Farmer Takes a Wife," "Steamboat Bill," "'Way Down East."
Shirley Temple—Star in "Little Skipper," "Twins," "The Poor Little Rich Girl."
Genevieve Tobin—"Here's to Romance."
Spencer Tracy—"Dante's Inferno."
Claire Trevor—Featured in "Farewell to Fifth Avenue"; co-featured with Edmund Lowe in "Beauty's Daughter"; "Dante's Inferno."
Raymond Walburn—"Redheads on Parade," "Welcome Home."
Morgan Wallace—"Dante's Inferno."
Henry B. Walthall—"Dante's Inferno."
Nydia Westman—"The Dressmaker."
Dorothy Wilson—"In Old Kentucky."
Jane Withers—Co-featured with Warner Baxter in "Caesar, the Great"; with Jackie Searl in "Meal Ticket"; in "The Farmer Takes a Wife."

Industry Eyes On Washington For Guidance

(*Continued from page* 1)

substitute for NRA to avert business chaos.

The Industry & Business Committee for NRA Extension, meeting in New York on Wednesday, and representing 150 groups operating under codes, wired the President a copy of a resolution which reported instances of "chiseling and cut-throat practices, so common prior to NRA, which ultimately means to the producer reducing wages and increasing hours" and called upon the Administration to enact new legislation "as promptly as possible."

In the film industry sentiment favoring the development of some new form of self regulation appeared to be increasing, but, in the absence of definite and official guidance, actual moves in this direction were regarded as premature and futile. With the breakdown of NRA and the nullification of the film code, unfair trade practices were left without check-rein except where specifically covered in sales contracts now in force.

Danger of Harm Present

Taking stock of the restrictions imposed upon the industry under the code, it became apparent that without the code unscrupulous operators in production, distribution or exhibition could easily throw large sections of the business into confusion without fear of an immediate accounting.

Without the code, distributors are free to offer inducements to breach contracts with competitors; to effect sales by threat, coercion or intimidation; to substitute stars, directors, authors, books or plays for those scheduled in contracts; to sell indiscriminately to non-theatrical accounts; to tie in shorts and newsreels with feature sales, or to designate playdates not specified in contracts.

Exhibitors, except where contracts specifically provide otherwise, could be deprived of rejection privileges, even on grounds of the picture's "unsuitability" for exhibition on a certain day or in a certain locality; he could be deprived of the 10 per cent cancellation privilege; overbuying goes unrestricted; reduced admissions and giveaways are unchecked except where banned by state law; clearance and zoning schedules are nullified; grievance and arbitration boards are dissolved along with all of the code machinery.

No Restrictions on "Raiding"

Producers may negotiate for the services of other producers under contract without restriction; they may offer inducements, even in the way of "unreasonable and excessive" payments to talent employed by competitors, as a result of the elimination of the star and talent raiding restrictions of the code; the Agency Committee is disbanded and agents guilty of unscrupulous trade contact may be dealt with without penalty, and defamation or intimidation of competitors is without restriction.

In addition, the general, basic provisions of N.I.R.A. are suspended, including those on maximum hours and minimum wages, child labor bans and the right to collective bargaining.

Voluntary Use of Codes Is Seen as a Stop Gap

(*Continued from page* 1)

authorizes the President to "enter agreements with and to approve voluntary agreements between and among persons engaged in a trade or industry, labor organization, and trade or industrial organizations, associations or groups relating to any trade or industry."

By translating the codes into voluntary agreements, it is pointed out, they can be retained practically unchanged, since Section 5 of the law, providing for the suspension of the anti-trust statutes, would still be applicable. The court did not rule upon the validity of such suspension.

Reports to Washington indicate that in a number of industries a large proportion of the members are anxious that some sort of code be retained, fearing that otherwise there will be an era of price-cutting which will force wages down and precipitate labor difficulties and depress business. In no other manner, it is declared, can this code protection be secured, since the court definitely ruled that the Government cannot impose codes under the act as originally written, nor, under any circumstances, undertake to control intrastate activities not indissolubly linked with interstate commerce.

While it is admitted that under voluntary codes the Government would have no power of enforcement and any control of intrastate activities would have to be secured by the free acceptance thereof by employers, it is believed in Administration circles that business generally is willing to accept such regulation as a preferable alternative to unrestrained competition, at least for such time as may be necessary for the Administration to devise and secure the enactment of legislation to succeed the Recovery Act.

The plan is considered purely as a stop gap and to bridge the period until legislation could be enacted. It is suggested that a simple resolution could be adopted by Congress extending temporarily those provisions of the Recovery Act not invalidated by the court decision. The new legislation, there were indications today, might take the form of a measure transferring the administration and enforcement of fair trade practice provisions to the Federal Trade Commission and extending the suspension of agreements there made.
the anti-trust statutes to cover the

This, however, would not solve the major problem which confronts the Administration of safeguarding the benefits secured for labor through the maximum hour, minimum wage and child labor provisions. There it is faced with the present apparent impossibility of writing a law which would cover labor engaged in intrastate commerce, in view of the prohibition thereon laid down by the Supreme Court. So far, it appears that the only control of the labor situation lies in the voluntary action of industry.

The need for quick action on this phase of the problem is considered imperative. Delay, it is feared, would be fatal, since any prolonged suspension of code provisions would result in a gradual breaking away from hour and wage limitations. In asking industry voluntarily to regulate labor conditions under Section 4 of the Recovery Act, Administration officials believe they would have the weight of public opinion behind them and that this would be sufficient to keep the great majority of employers in line.

So far as the trade practice provisions are concerned, it is said, they can be handled by the Federal Trade Commission under its trade practice submittal policy, with or without further suspension of the anti-trust laws, and while they might have to be revised if this suspension was not extended and confined to unfair methods of competition, it is believed satisfactory agreements could readily be drawn up for practically every industry.

Seals Off Films

Hollywood, May 30.—With the nullification of NRA, producers are eliminating the 15-foot flashes of the code seal from pictures. An estimated saving of $60,000 or more per year is expected to result.

The code seals use approximately 10 seconds running time. At the current rate of six cents per foot for raw stock, developing and printing, the cost would be 90 cents per seal. For 125 prints, the average domestic release, the cost would be $122.50 per production. On the basis of 500 features annually, the industry expends $61,250 per year for the display of the seals.

The American Federation of Actors released a statement Wednesday declaring the organization to be on record as "strongly opposed to any reduction of minimum wages for vaudeville, cabaret and outdoor amusement actors."

"The AFA," the statement declared, "feels that the minimum wages established by the film code constituted a bare living wage and any efforts to use the collapse of the NRA to further exploit variety actors will be opposed and fought with every weapon within our means."

The organization urges the passage of the Wagner-Connery Disputes Bill in Congress.

Sue to Release Films

SAN FRANCISCO, May 30.—A suit has been filed here in U. S. District Court in behalf of Nasser Bros. and Sam Levin Theatres against every film exchange in San Francisco demanding the release of all features impounded through cease and desist orders of Campi. The plaintiffs contend the nullification of codes nullifies the legality of the board rulings. A suit was also filed charging infringement against approximately 100 local theatres in behalf of Affiliated Theatres.

Kuykendall Looks For Theatre Chaos

(*Continued from page* 1)

hard hit by the decision. Those working for a livelihood must earn more than a bare living if theatres are to prosper.

"I think further study of the decision will show that it is not as sweeping and drastic as it seems at first. My opinion is that Congress will work up something to replace it."

Rosenblatt to Coast On a Secret Mission

(*Continued from page* 1)

departure. One had it he was going to tie up with one of the major studios. Paramount has been mentioned as well as RKO Radio. Other stories had him going to confer with producers on maintenance of wage and hour provisions of the NRA code, but this is denied in the east. Jack L. Warner, upon his arrival from England Tuesday night, told MOTION PICTURE DAILY his studio would continue to operate four shifts six hours each as heretofore.

Call Off Chicago Hearing

CHICAGO, May 30.—Following instructions to neither receive nor act upon complaints pending developments as a result of the Supreme Court decision, a session of the grievance board scheduled Tuesday to hear the Essaness move to restrain Loew building here was postponed indefinitely.

All other activities of the code boards have been suspended and speculation is rife as to the effect of the decision on trade practices.

There is also some apprehension over the possible effects on box-offices of relaxed control in other industries over wage levels. Exhibitors are about evenly divided on whether the death of the NRA will be beneficial or detrimental to box-offices.

Ohio Turns to State Code

COLUMBUS, May 30.—A quick survey of the Ohio situation indicates that exhibitors contemplate no immediate change in hours and wage scales pending a clarification of the situation, in accordance with suggestions of local Chambers of Commerce.

Code boards have suspended operations in accordance with wired instructions.

Governor Davey is hopeful that some form of code regulation can be continued in this state under the Ohio act modeled after the NIRA. O. W. L. Coffin, administrator, is working on the idea.

Originally scheduled to become inoperative 60 days from June 16, the measure passed by the Legislature recently extended the act. It is now awaiting Governor Davey's signature, in spite of the fact that a Cincinnati court recently declared the old act invalid in a case involving an exhibitor charged with paying operators less than the code scale.

No Changes in Virginia

RICHMOND, May 30.—No changes in working conditions or wages are expected in Virginia theatres as a result of the Supreme Court decision.

"We intend to stick by the principles of the NRA code," said Elmer H. Brient, secretary of the M.P.T.O. of Virginia.

Academy Agreements Not Hit by Decision

HOLLYWOOD, May 30.—Outlawing of NRA by the Supreme Court will not affect agreements reached for the benefit of workers by the Academy, it is held here. The Academy will continue as an independent organization, its officials say, and will keep on with the four agreements affecting studio workers. These are: agreement on free lance players; writers' code, directors' code, and conciliation and arbitration board.

Memorial Day is the first of six holidays on which players with weekly contracts will collect pay without working under the new studio Academy working agreements.

Some of the employes of the local code offices have already started looking for new jobs. Two take new posts on Monday.

K. C. Reactions Varied

KANSAS CITY, May 30.—The majority of exhibitors here seem pleased, or at least not much disconcerted, and the majority of distributors appear somewhat grieved at the death of the Blue Eagle from the double barreled shotgun blast fired Monday by the Supreme Court.

"One thing is definite," said Irwin Dubinsky of Dubinsky Brothers, "we now can run our business as we see fit."

"I think the NRA was a great thing, but feel it didn't give the individual enough leeway in business.

"The way I take it, the Supreme Court's action wipes out every action taken under the NRA. Code violators who paid fines, apparently, will be entitled to recover from the government. Even those stopped by operation of the code from carrying out certain plans—bank night, etc.—why won't they be entitled to recover damages from the government?

"Naturally we are interested in what the film business now will do. Some companies provided for arbitration in their contracts at the beginning of the present season, but a few, seeing that the NRA completely covered the situation, eliminated them. Will we go back to the film boards of trade?

"Although defeat of the NRA makes non-effective the present Kansas City schedule, it might very well be continued," Dubinksy feels. The schedule was worked out by film companies on a plan which followed closely the original schedule set up by the clearance board.

"The industry was paying little attention to the code, anyway," commented Jay Means, I.T.O. president and operator of the Oak Park and Bagdad. "Practically all exhibitors had grown restless under the code, and experienced a feeling of relief at the Supreme Court's decision, not so much because they were opposed to the code—many of them, in fact, favored it—but because chiseling was going on and they felt the restraint of the code under such circumstances was unfair."

Means doesn't look for any "wide-open season of bad trade practices. Bank nights, cash nights, etc., are fizzling out of their own weight or are working, depending on natural economic factors and not the code."

Grace Gannon, code secretary here, has notified members of the grievance and clearance boards that no further meetings will be held or action taken until further notice from Campi.

Golden Is Still Hopeful

Commenting on the U. S. Supreme Court's decision invalidating NRA codes, Edward Golden, alternate for W. Ray Johnston on the Campi setup, says:

"When the code was created we approached the situation with hope. Now that the U. S. Supreme Court has said there is no code, there is still hope."

Frisco Boards Suspend

SAN FRANCISCO, May 30.—Both code boards here have suspended all activity.

Wall Street

Eastman Off 4½ on Big Board

	High	Low	Close	Net Change
Columbia vtc (cl)	58¾	56¼	56½	.....
Consolidated	3¾	3⅝	3⅝	— ⅛
Cons. pfd (1¼v)..	14¾	14½	14⅝	.....
Eastman	144	141	141	—4½
Eastman, pfd	154¾	152	154½	+ ½
Fox Film "A"....	16⅛	15	15⅜	+ ½
Loew's	39⅜	38¼	38⅞	— ½
Loew's, pfd	106¼	106¼	106¼	+ ¼
M-G-M, pfd	27⅜	27⅜	27⅜	.....
Paramount	3⅜	3⅛	3⅜	+ ⅛
Pathe	⅝	⅝	⅝	.....
Pathe "A"	9	8¾	8¾	.....
RKO	2	1⅞	1⅞	— ⅛
Warner	3⅝	3½	3½	.....
Warner, pfd	22	21¾	21¾	— ¼

Technicolor Up on Curb

	High	Low	Close	Net Change
Technicolor	23⅝	22¼	23⅝	+ ⅝

Bond Issues Gain Slightly

	High	Low	Close	Net Change
General Theatre 6s '40	127⅛	12¼	12¾	+ ¼
General Theatre Equip. 6s '40 ctf	12¾	12⅜	12⅝	+ ¼
Loew's 6s '41 ww deb rights..	104⅜	104⅜	104⅜	+ ⅛
Paramount B'way 5½s '51	55	55	55	.....
Paramount Publix 5½s '50	89	89	89	.....
Warner Bros. 6s '39 wd	62¼	61	61½	+ ¼

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 29)

Passage of Sunday Bill Seen in Penn.

HARRISBURG, May 30.—Prospects for passage of the Sunday theatre opening bill are considered bright by its legislative backers. As favorably reported to the house it contains the original referendum provision permitting municipalities to decide whether theatres shall open after 2 o'clock. In addition, it has two amendments. One requires one day a week rest for employes and the other increases the fine for violations from $50 to $100.

The bill has been made a special order of business for Tuesday. It will come up for third and final reading.

Passage in the Senate of bills permitting Sunday polo and exhibition tennis matches has inspired the prediction by Assemblyman Schwartz that the bill will go through the Senate.

To Hold Trade Showings

Alliance Pictures Corp., a subsidiary of B.I.P. and headed by Arthur Dent, will show 10 pictures to the trade next week at the Chanin Auditorium starting Monday. The screenings will run until Friday, with two features being shown daily. The films are "Secret Agent," "Mimi," "Scotland Yard Mystery," "Dance Band," "Give Her a Ring," "Red Wagon," "Girls Will Be Boys," "Elizabeth of England," "The Old Curiosity Shop" and "Radio Parade of 1935."



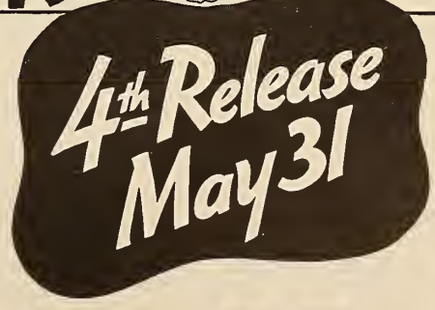




The new 4th issue of THE MARCH OF TIME brings to the screen three fast-moving, dramatic sequences: the "inside" on Washington politicians, the truth about Russia and the Pacific "war games"... all news subjects that can't fail to draw audiences from coast to coast.

THE MARCH OF TIME for June is backed by advertising campaigns in newspapers, on the air with "spot" broadcasting, and in national magazines.

Each month's issue of "The Newsmagazine of the Screen" spells bigger Box Office for theatres showing it. If *you* want details, write MARCH OF TIME DISTRIBUTORS, R. K. O. Building, New York City.



MARCH OF TIME

"Caliente" Is Frisco Leader With $22,000

SAN FRANCISCO, May 30.—It was a dull week everywhere in the downtown sector except at the Warfield, where "In Caliente," helped by the personal appearances of a number of players headed by Pinky Tomlin for one night, reached $22,000. This is over normal by $2,000.

"Ladies Love Danger" and "Dinky" at the Fox took a par $9,000. There were three holdovers. "My Heart Is Calling" reached $5,000 in its second week at the Embassy, "Let 'Em Have It," also in its second week, took $7,500 at the United Artists, and "G-Men," in the third week at the St. Francis, took $4,500.

Total first run business was $80,000. Average is $84,500.

Estimated takings:

Week Ending May 21:

"VILLAGE TALE" (Radio)

GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage, band. **Gross:** $12,000. (Average, $13,000)

Week Ending May 22:

"LADIES LOVE DANGER" (Fox)
"DINKY" (Warners)

FOX—(4,600), 15c-30c-40c, 7 days. **Gross:** $9,000. (Average, $9,000)

Week Ending May 23:

"MY HEART IS CALLING" (Gaumont-British)

EMBASSY—(1,200), 25c-35c, 7 days, 2nd week. **Gross:** $5,000. (Average, $6,500)

"WEREWOLF OF LONDON" (Univ.)
"COWBOY MILLIONAIRE" (Fox)

ORPHEUM — (3,000), 15c-30c-35c-40c, 7 days. **Gross:** $9,000. (Average, $9,000)

"G-MEN" (Warners)

ST. FRANCIS—(1,400), 15c-35c-40c, 7 days, 3rd week. **Gross:** $4,500. (Average, $7,000)

"LET 'EM HAVE IT" (U. A.)

UNITED ARTISTS—(1,200), 15c-35c-40c, 7 days, 2nd week. **Gross:** $7,500. (Average, $8,000)

"THE DEVIL IS A WOMAN" (Para.)
"PEOPLE WILL TALK" (Para.)

PARAMOUNT — (2,670), 25c-35c-40c, 7 days. **Gross:** $10,000. (Average, $11,000)

"IN CALIENTE" (Warners)

WARFIELD — (2,700), 25c-35c-40c-55c, 7 days. Stage, band. **Gross:** $22,000. (Average, $20,000)

Week Ending May 24:

"DON QUIXOTE" (Foreign)

CLAY—(400), 25c-50c, 7 days, 2nd week. **Gross:** $1,000. (Average, $1,000)

"Goin' to Town" Is Indianapolis High

INDIANAPOLIS, May 30.—"Goin' to Town" stirred up plenty of excitement here last week by reaching $7,000 at the Circle, above par by $3,000.

"Our Little Girl" was also in the hit class with a take of $5,500 at the Apollo.

Total first run business was $23,000. Average is $19,500.

Estimated takings for the week ending May 27:

APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $5,500. (Average, $4,000)

"GOIN' TO TOWN" (Para.)

CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $7,000. (Average, $4,000)

"COWBOY MILLIONAIRE" (Fox)

LYRIC—(2,000), 25c-40c, 7 days. Vaudeville. **Gross:** $6,500. (Average, $7,000)

"LES MISERABLES" (U. A.)

PALACE—(3,000), 25c-40c, 2nd week, 7 days. **Gross:** $4,000. (Average, $4,500)

Kern Loaned to Radio

HOLLYWOOD, May 30.—Jerome Kern has been loaned to Radio by M-G-M to do the music for the Lily Pons picture. He will report immediately.

Mae West Is Chicago Wow With $18,000

CHICAGO, May 30. — "Goin' to Town" set the pace for the Loop. It piled up $18,000 at the Roosevelt, over average by $7,000.

"Les Miserables" was strong at $19,000 in the United Artists, above the line by $2,000. "G-Men" was still in the big money in its third Loop week. It grabbed $8,000 at the Garrick, which is $3,000 on the profit side of the line.

Total first run business was $119,000. Average is $125,600.

Estimated takings:

Week Ending May 21:

"LES MISERABLES" (U. A.)

UNITED ARTISTS—(1,700), 30c-40c-60c, 7 days. **Gross:** $19,000. (Average, $17,000)

Week Ending May 23:

"RECKLESS" (M-G-M)

CHICAGO—(4,000), 25c-50c-68c, 7 days. Stage: Sylvia Froos, Nina Olivette & Co., Three Rhythm Kings. **Gross:** $31,000. (Average, $34,600)

"McFADDEN'S FLATS" (Para.)

ORIENTAL—(3,940), 25c-40c, 7 days. Stage: Prof. Lamberti, Bobby Gilbert, Milt Douglas, Mark Fisher. **Gross:** $15,000. (Average, $15,000)

"WEREWOLF OF LONDON" (Univ.)

PALACE—(2,509), 25c-35c-50c, 7 days. Stage: Rubinoff, Johnny Perkins, Ruth Petty, Sylvia Manon & Co. **Gross:** $14,000. (Average, $22,000)

"G-MEN" (F. N.)

GARRICK—(900), 25c-35c-50c, 3rd Loop week, 7 days. **Gross:** $8,000. (Average, $5,000)

Week Ending May 24:

"GOIN' TO TOWN" (Para.)

ROOSEVELT—(1,591), 25c-35c-50c, 7 days. **Gross:** $18,000. (Average, $11,000)

"THE DEVIL IS A WOMAN" (Para.)

APOLLO—(1,400), 25c-35c-50c, 3 days. **Gross:** $1,000. (Average, $8,000)

"BEHIND THE GREEN LIGHTS" (Mascot)

STATE-LAKE—(2,776), 20c-25c-35c, 7 days. Stage: Nine acts vaudeville. **Gross:** $13,000. (Average, $13,000.)

"One Night" Takes $7,600 in Buffalo

BUFFALO, May 30.—"It Happened One Night," on a return bill with "The Unwelcome Stranger" as companion piece, did $7,600, or $1,100 over normal in the Lafayette, while "Goin' to Town" was good for an overage of $400 at $8,400 in the Great Lakes.

Total first run business was $39,600. Normal is $42,800.

Estimated takings for the week ending May 24:

"THE FLAME WITHIN" (M-G-M)

BUFFALO—(3,500), 30c-55s, 7 days. Stage: George Olsen and His Music, with Ethel Shutta. **Gross:** $12,300. (Average, $14,300)

"THE PEOPLE'S ENEMY" (Radio)
"ONE NEW YORK NIGHT" (M-G-M)

CENTURY—(3,000), 25c, 7 days. **Gross:** $5,100. (Average, $6,000)

"GOIN' TO TOWN" (Para.)

GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $8,400. (Average, $8,000)

"STRANGERS ALL" (Radio)
"STOLEN HARMONY" (Para.)

HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $6,200. (Average, $8,000)

"IT HAPPENED ONE NIGHT" (Col.)
"THE UNWELCOME STRANGER" (Col.)

LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $7,600. (Average, $6,500)

Ira Loew Is a Father

LYNN, May 30.—Ira Loew, chief projectionist at the Capitol, is the father of a baby girl. Ira is the brother of E. M. Loew, owner of the Capitol and a string of other theatres in New England.

Vocal Combat

San Francisco, May 30.—There's a better show going on here in front of the Capitol than there is inside. The show in front consists of a duel between a regular circus-voiced spieler and a leather-lunged union picket.

Every time the spieler exhorts the passing pedestrians to step right up and buy their tickets the picket counters with an appeal to buy his union papers.

Temple Film Big Detroit Hit, $25,300

DETROIT, May 30.—"Our Little Friend" and "Let 'Em Have It" were sensational. The Shirley Temple opus jammed the Fox all week, getting a $25,300 gross, which is over par by $10,300.

The United Artists film hit $17,200 at the United Artists. This tops normal by $7,200. All the other first runs found the going rough as a result.

Total first run business was $86,300. Average is $70,000.

Estimated takings for the week ending May 23:

"PEOPLE'S ENEMY" (Radio)
"LADIES LOVE DANGER" (Fox)

ADAMS—(1,770), 10c-40c, 7days. **Gross:** $4,200. (Average, $5,000)

"OUR LITTLE GIRL" (Fox)

FOX—(5,100), 15c-55c, 7 days. Stage: Gus Arnheim orchestra and five acts vaudeville. **Gross:** $25,300. (Average, $15,000)

"RECKLESS" (M-G-M)
"TRAVELING SALESLADY" (Warners)

FISHER—(2,975), 10c-40c, 7 days, 2nd run. **Gross:** $4,100. (Average, $5,000)

"FLAME WITHIN" (M-G-M)

MICHIGAN—(4,100), 15c-55c, 7 days. Stage: Five acts vaudeville. **Gross:** $22,600. (Average, $20,000)

"FOUR HOURS TO KILL" (Para.)
"HOLD 'EM YALE" (Para.)

STATE—(3,000), 10c-40c, 7 days. **Gross:** $3,500. (Average, $5,000)

"LET 'EM HAVE IT" (U. A.)

UNITED ARTISTS—(2,070), 15c-55c, 7 days. **Gross:** $17,200. (Average, $10,000)

"UNWELCOME STRANGER" (Col.)

BROADWAY-CAPITOL—(3,448), 10c-40c, 7 days. Stage: Olsen & Johnson "Goin' Places." **Gross:** $9,400. (Average, $10,000)

Johnsons Plan Another

KANSAS CITY, May 30.—Martin and Osa Johnson leave in two months for an 18-month stay in British North Borneo where they will film another expedition picture, they said while visiting friends here. They plan to vary their type of production and give the new film a story outline. It will most likely be a Fox release.

Three Names in 2 Days

HOLLYWOOD, May 30.—Within the last two days "Masquerade" has had three different titles in addition to its latest change to "Escapade." The other two titles suggested and dropped were "Gentlemen Never Tell" and "The Velvet Mask."

Retitles Lorre Picture

HOLLYWOOD, May 30.—"Mad Love," starring Peter Lorre, has been changed by M-G-M to "The Hands of Orlac."

Mae West Top Draw in K. C.; Gets $14,000

KANSAS CITY, May 30.—Strong bills at downtown first runs and heavy exploitation zoomed the week's aggregate gross to $48,000, a red letter figure for Kansas City. "Goin' to Town," given a big campaign, made the best comparative showing, $14,000 in nine days of a 16-day run at the Newman where $7,700 is normal for the period.

"G-Men," at the Mainstreet, was another leader, taking $14,300 against par of $8,000. It was held. Despite potent competition, the Midland garnered $9,500 on "Les Miserables," exceeding average by $1,500. The Tower's $7,500 for "Mr. Dynamite" and stage show was $500 above par.

"Baboona" disappointed at $2,700, below the Uptown's normal. Personal appearance of Mr. and Mrs. Martin Johnson the opening day helped materially.

Total first run business was $48,000. Average is $34,200.

Estimated takings:

Week Ending May 23:

"G-MEN" (F. N.)

MAINSTREET—(3,100), 25c-40c, 7 days. **Gross:** $14,300. (Average, films only, $8,000.)

"LES MISERABLES" (U. A.)

MIDLAND—(4,000), 15c-25c-40c, 7 days. **Gross:** $9,500. (Average, $8,000.)

"GOIN' TO TOWN" (Para.)

NEWMAN—(1,800), 25c-40c, 9 days. **Gross:** $14,000. (Average, 9 days, $7,700.)

"MR. DYNAMITE" (Univ.)

TOWER—(2,200), 25c, 7 days. Stage: Barney Grant & Co., Babs Laval, Hal Young, James Evans & Co., others. **Gross:** $7,500. (Average, $7,000.)

Week Ending May 24:

"BABOONA" (Fox)

UPTOWN—(2,000), 25c-40c, 7 days. Stage: Mr. and Mrs. Martin Johnson, opening day only. **Gross:** $2,700. (Average, $3,500.)

Transfer of Boston Met Gets Court O. K.

BOSTON, May 30.—The Metropolitan, largest house in New England, will be taken over by a subsidiary of New England Theatres, Inc., under a 10-year lease. Judge Hugh D. McLellan of the U. S. District Court has confirmed the report of Arthur Black, master in the reorganization proceedings of Metropolitan Building, Inc., and approved the plan of reorganization. The approval is dependent upon the filing of the necessary assents by creditors and the confirmation of the lease by the court after it has been presented in final form.

Under the scheme, the Metropolitan will be held by New England Theatres, Inc., at a graduated rental of 12½ per cent of the first $1,100,000 of gross, less admission tax; 15 per cent of the next $400,000, and 17½ per cent of all receipts over $1,500,000. The minimum for the first five years will be $156,000. The weekly average is estimated at $22,000, although hit shows often lift the gross above $35,000.

Hammerstein to Para.

HOLLYWOOD, May 30.—Oscar Hammerstein, 2nd, has secured his release from his M-G-M contract, and has signed with Paramount to do the screen play for the Jan Kiepura picture.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 130 NEW YORK, TUESDAY, JUNE 4, 1935 TEN CENTS

Para. May Be Free of Court In Two Weeks

Board Change, Cuts in Shares Approved

Reorganized Paramount may be rid of the shackles of court and trustee supervision within two weeks, it was stated by Alfred A. Cook, counsel for the debtor, at the special meeting of stockholders of the company yesterday. The meeting approved a proposal to change the number of directors from 20 to not less than 16 and not more than 18 and for the classification of the directors into one, two and three-year terms of service, and also approved the proposed changes in the capital stock of the company.

The meeting adjourned until today to permit the filing of the change in directorate with the secretary of state which must be done prior to the election of new directors. Tomorrow's

(*Continued on page 6*)

Paramount and RKO Talk Product Deal

Preliminary discussions on a product deal between Paramount and RKO have been started. The talks are expected to wind up with a new Paramount franchise to replace the one which expires Aug. 1.

Under the present 10-year franchise, RKO had the right to cancel on 15 months' notice. This clause in the contracts has been complied with and the deal ends at midnight July 31.

While it has not definitely been decided whether the Paramount deal

(*Continued on page 6*)

Cleveland to Keep Up NRA Wage Level

CLEVELAND, June 3.—A survey of local distributors and exhibitors indicates that the Supreme Court decision scrapping the NRA will not affect either wages or hours in local circles. All exchanges will continue under the NRA provisions. Warner, RKO and Loew houses state they will also maintain present wage scales and working hours.

Say Ohio May Drop Jump in Censor Fee

COLUMBUS, June 3.—Ohio may repeal the law imposing a $3 per reel censorship fee on newsreels, MOTION PICTURE DAILY learns from an apparently reliable source. The law becomes effective July 16. Withdrawal

(*Continued on page 3*)

Fox Contract Case to Get Fall Hearing

Supreme Bench to Rule On Muller's Fight

By BERTRAM F. LINZ

WASHINGTON, June 3.—Legality of film contracts containing an arbitration provision will be considered by the U. S. Supreme Court at its fall term as a result of an order today granting Fox Film's petition for review of a decision of the Minnesota Supreme Court holding the contract void.

The matter had previously been brought before the court by Fox, but the original appeal was dismissed February 18, on the ground that the writ of certiorari previously announced had been "improvidentially granted" because no final judgment had been entered.

The case was returned to the Supreme Court as a result of the de-

(*Continued on page 2*)

On Coast for More Product—Lichtman

HOLLYWOOD, June 3.—Upon his arrival here late last night Al Lichtman, vice-president of United Artists, said his mission was to confer with U. A. members on additional product totaling about 24 films. He said he had heard nothing about David O. Selznick, Walter Wanger or Emanuel Cohen joining U. A., although he admitted the company would need product. Lichtman, accompanied by his wife, wouldn't comment on the possibility of his becoming president.

Samuel Goldwyn, Mary Pickford and Charlie Chaplin met behind closed doors today, with Lichtman not present.

Goetz to Keep His 20th Century Jobs

William Goetz is expected to continue as general manager and associate producer for 20th Century under

(*Continued on page 8*)

See Break in Chicago Front

Chicago, June 3.—The Coston circuit, controlled by Warners, is understood to have closed a product deal with M-G-M covering current and next season's releases.

The Coston theatres were part of the Windy City group, including Essanness and houses booked by the buying combine headed by Aaron Saperstein, which have persistently refused to accede to Metro's percentage and preferred playing time terms.

Whether or not the Coston deal, just closed, presages a change on that front was an open question yesterday with no answers. The contract, however, was viewed by those familiar with the situation as indicating the first break in the exhibitor line.

Schenck Plan For Fox Met Is Approved

Formal court approval was given the amended Joseph M. Schenck-Fox Theatres' reorganization plan for Fox Metropolitan Playhouses by Federal Judge Julian W. Mack following a hearing yesterday on final amendments to the plan. The hearing was enlivened by the near-comic presentation by J. Herbert Stern, who described himself as a "financier," of a new offer for Fox Met of cash and securities representing 100 cents on the dollar.

Stern's offer, he said, would give Fox Met bondholders $200 cash and $800 in new 4½ per cent, 10-year, convertible securities for each $1,000 bond presently outstanding. The new securities, he said, would be convertible into 40 shares of new common

(*Continued on page 8*)

K-A-O and Keith Ask for Registration of Securities

By CLARENCE LINZ

WASHINGTON, June 3.—Applications have been filed with the Securities and Exchange Commission for registration on the New York Stock Exchange of 64,304 shares of seven per cent cumulative preferred stock of Keith-Albee-Orpheum Corp. and $6,036,000 of first general six per cent gold mortgage bonds of B. F. Keith

(*Continued on page 3*)

Move Studied For Voluntary Industry Code

Reactions to Be Sought; Campi to Liquidate

A voluntary intra-industry machinery, perhaps predicated on ground covered in certain of the clauses in the now illegal NRA code, may follow in the wake of the Supreme Court's recent decision.

Nebulous, but under consideration sufficiently to have been discussed at a special meeting of Campi yesterday when the affairs of that body were ordered into immediate liquidation, the plan is understood to call for a general industry survey through the facilities of Campi in an effort to learn the reactions of the trade at large. The fact-finding effort will take about three weeks to complete after which additional meetings will be held.

"Immediate and economical" liquidation of Campi was authorized at yesterday's meeting and placed in the hands of the standing finance committee composed of Nathan Yamins,

(*Continued on page 6*)

Loew Deal to Take Mayfair Is Closed

Loew's, Inc., yesterday closed its deal for the Mayfair, now a Walter Reade operation, and will take possession of the house next week. The date of operation has not been determined, but the plan provides for a shift of the grind policy now current at Loew's New York to the new acquisition. The New York closes its doors Sunday night. The 44th-45th St. block on which it and the Criterion stands is to house a one-story taxpayer.

Ohio Playdate Law To Get Court Test

COLUMBUS, June 3.—A test of the constitutionality of the pending Ohio state law which would prohibit the designation of play dates in film contracts used within the state is in preparation and will be filed immediately

(*Continued on page 2*)

Levine Denies Deal With First Division

Nat Levine, Mascot Pictures' head, yesterday denied reports that his company was negotiating with First Division for distribution by that com-

(*Continued on page 2*)

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Ohio Playdate Law To Get Court Test

(*Continued from page* 1)

after the law goes into effect on July 6.

Preparation of the test suit is understood to be under the direction of the M.P.P.D.A. with a member distribution company as the plaintiff. The law was passed by both branches of the legislature at the session just closed. It was declared unconstitutional by Attorney General John W. Bricker, and Governor Davey refused to sign it, explaining that he preferred the measure to become a law without his signature in order to hasten any court action to determine its legality.

Levine Denies Deal With First Division

(*Continued from page* 1)

pany of Mascot's 24 pictures for next season.

"No negotiations of any kind have started with Pathe either on a financing deal or on a distribution deal through First Division," Levine said. "Mascot is set financially and is proceeding with production of its new season lineup."

He added that the "sole purpose" of his present visit here from the coast is to line up story and talent material for the new productions.

H. J. Chapman Gaining

OMAHA, June 3.—H. J. Chapman, manager of the Columbia branch office, is in Lutheran Hospital recovering from an operation.

Purely Personal

RICHARD DIX and MADGE EVANS, on their way to Europe to co-star in "The Tunnel" for G. B., will reach New York Thursday morning. DIX will sail on the *Normandie* and Miss EVANS will leave on the *Aquitania.*

•

KATE HOROWITZ, long a Warner employe and for some years secretary to HERMAN STARR, was married last night to ABE BROCKMAN. The nuptials were held at her home.

•

The CHARLES BOYERS (PAT PATERSON), who arrived here yesterday, will board the *Normandie* on its first return trip to France. They are due back in the fall.

•

GRETA GARBO is on her way east from Hollywood en route to Sweden. She returns to the coast in the fall under a new two-picture contract with M-G-M.

•

JACK FIER, Mascot sales manager, leaves soon on a 10-day sales tour. His itinerary will include Boston, Albany, Buffalo, Cleveland, Chicago, Kansas City and Atlanta.

•

HERMAN GOLDBERG of the Warner home office is the proud father of a baby girl born Sunday. The new addition will be named BARBARA.

•

JOHN MAXWELL, head of British International Pictures and Associated British Cinemas, is due from London on the *Aquitania* today.

•

CONSTANCE CUMMINGS stepped out of the lead in "Accent on Youth" last night to resume film work. CLAUDIA MORGAN went in.

•

JACK RAPPAPORT, manager of the Paramount branch in Havana, is in town vacationing before the annual sales convention.

•

W. A. V. MACK, formerly of Pathe, has been appointed to the Buffalo sales staff of G. B. by GEORGE W. WEEKS, sales manager.

•

MILT SILVER has finished authoring on "The Man from Chicago," a play in which MATHIA MARCH was the collaborator.

•

HERMAN ROBBINS and GEORGE DEMBOW shot a 95 at Progress Sunday and now there's no stopping them.

•

IRWIN LESSER of the New York exchange has been elected to the Paramount 100 Per Cent Club.

•

SHEMP HOWARD and ROSCOE ATES are working on a Vitaphone short at the Brooklyn plant.

•

LYLE TALBOT will arrive at the Warwick with his father from Hollywood today.

•

GEORGE SHUTE has another yarn in the current issue of *New Movie.*

•

. . . Pittsburgh

BERT STEARN, United Artists exchange manager, and PATRICIA PARKER drove down to Wheeling, W. Va., and were quietly married at the home of DICK KEMPNER, Warner city manager.

MRS. JOE E. BROWN has been visiting JOHN H. HARRIS and MRS. HARRIS for several days. She's looking over a good eastern prep school for JOE E., JR.

S. TILDEN STERN, Warner artist here, has sold water colors.

BILL SCOTT has installed a fish pond in back of his new Squirrel Hill home.

BOB SENFTS are back in town after a brief holiday in Florida.

MILTON BROUDY, son of the Stanley's orchestra conductor, has gone to work for the Columbia exchange.

JOE FELDMAN is in New York spending his annual two-week vacation.

H. M. Warner Party Departs for Coast

H. M. Warner and his party, occupying a special car, leave at 5 P. M. tonight for the company's sales convention in Los Angeles June 10-23. In the group will be Mrs. Warner, Joseph Bernhard, Warner theatre chief, and Mrs. Bernhard; Sam E. Morris, foreign sales manager; Max Milder, managing director in England; D. E. Griffiths, British sales manager; Robert Schless, company representative in Paris; Sam Sax, in charge of Vitaphone production in Brooklyn, and Lita and Betty Warner.

The regular New York delegation leaves 7 P. M. tomorrow night on a special train which will make scheduled stops en route to pick up distribution and theatre men. The special is due to arrive in Los Angeles on Sunday, one day ahead of the opening of the first session.

LOS ANGELES, June 3. — A. W. Schwalberg, Warner exchange superintendent, is here concluding arrangements for the company's sales meeting.

Chicago Theatre Opens Today

CHICAGO, June 3.—The Beverly, new Warner theatre, opens Tuesday afternoon with "Go Into Your Dance."

Laemmle to Chicago

ALBUQUERQUE, June 3.—Carl Laemmle, Sr., passed through here tonight en route from Hollywood to Chicago where Universal will hold its sales convention June 5-8.

James R. Grainger, general sales manager of Universal, left for Chicago yesterday to prepare for the company's sales convention.

Hoffman Deal Impends

M. H. Hoffman of Liberty Prod. is here discussing a deal under which his company will produce a series of pictures for distribution through Republic next season. He is striking out for retention of his company name and expects to conclude negotiations prior to his departure west in a few days.

"U" Answers Mastroly

LOS ANGELES, June 3.—Carl Laemmle today filed a general denial in answer to Frank Mastroly's suit against Universal for living expenses while in New York.

De Outo Back on Coast

LOS ANGELES, June 3. — Paul de Outo, G. B. manager here, returned today from the company's convention in New York.

Fox Contract Case to Get Fall Hearing

(*Continued from page* 1)

cision of the Minnesota court on April 11 upholding the contention of A. B. Muller, an exhibitor, that the contract was illegal in its entirety because it contained an arbitration provision and the company therefore could not collect for pictures which had been refused by the exhibitor.

Two contracts were involved, calling for the delivery of 46 pictures with an aggregate rental of $1,838. It was contended by Fox that Muller refused to accept or play or pay the license fee for any of them.

Muller contended that the contracts were formulated as the result of a combination and conspiracy between the 10 large producers and distributors in violation of the anti-trust laws; were in restraint of trade and interstate commerce, and illegal and void. It was argued that the printed portion of the contracts was substantially the same as the contract construed in the Paramount case in New York known as the arbitration clause, which there had been held illegal and unenforceable.

The Minnesota decision held that the illegality of the arbitration clause permeated and voided the whole contract.

Educ'l Holds to Present Schedule

Educational will maintain its current quota of releases for 1935-36.

Fifty-two two-reelers in six series and 58 one-reelers in five series are planned, although in the latter division Movietonews, Inc., will deliver two groups.

The two-reelers:

12 Star Personality Comedies variously starring Joe Cook, Buster Keaton and Ernest Truex.
12 Musical Comedies.
8 Coronet Comedies.
8 Frolics of Youth.
6 Tuxedo Comedies.
6 Young Romances.

Others to appear in the two-reelers include Buster West and Tom Patricola who recently signed for six more pictures; Warren Hull who will continue in the Young Romances, Tom Howard and George Shelton.

The one-reelers:

26 Terry-Toons.
10 Song and Comedy Hits.
10 Treasure Chests.
6 Adventures of a Newsreel Cameraman.
6 Along the Road to Romance on the Magic Carpet of Movietone. The latter two will be produced by Movietonews, Inc.

A number of the one-reelers which, like the two-reelers, are to be distributed through Fox are completed. This morning, Al Christie starts a Buster West-Tom Patricola at Astoria.

Meyer Purchases Library

HOLLYWOOD, June 3.—Abe Meyer, of the Meyer Synchronizing Service, has acquired the Pathe film library, which includes about 3,000,000 feet of stock shots.

KAO and Keith Seek Approval Of Securities

(Continued from page 1)

Corp., all of the stock and bonds having been issued.

Statements filed with the commission show that Keith is a wholly owned subsidiary of KAO, which has 29 subsidiaries, 13 of which are inactive local realty companies. In addition, KAO reported ownership of 99.85 per cent of the bankrupt Orpheum Circuit which has 40 subsidiaries.

In addition to the seven per cent preferred stock, KAO has outstanding 1,206,381 shares of an authorized issue of 2,000,000 shares.

Holders of 10 per cent or more of any class of securities included the Chemical Bank and Trust Co., N. Y., as trustee, 21,674 shares, or 33.71 per cent, of the seven per cent and 1,204,613 shares, or 99.85 per cent, of the common, and M. J. Meehan & Co., N. Y., 25,600 shares, or 39.81 per cent, of the seven per cent stock.

Directors' remunerations during 1934 as reported by the company showed that Herbert Bayard Swope, chairman of the board, received $11,245; L. E. Thompson, president from Sept. 6, $25,140; David Sarnoff, $140; M. J. Meehan, nothing; M. H. Aylesworth, $320.

The three high salaries paid last year were Thompson's; N. J. Blumberg, vice-president, $23,830, and A. E. Roech, vice-president, $18,080, but 11 others received a total of $78,484, and seven who resigned received $82,841, including a former lawyer and assistant secretary who received $23,490 for 87 weeks and the former president who received $20,400 for 13½ months.

Stock Holdings Listed

Stock holdings of officers and directors included: Leon Goldberg, vice-president, 200 shares seven per cent preferred; A. J. Handel, assistant secretary, 10 shares; Malcolm Kingsberg, vice-chairman of the board, 200 shares; Peter J. Maloney, director, 200 shares; M. J. Meehan, director, 26,800 shares; William F. Whitman, assistant secretary, 25 shares.

KAO reported an indefinite term contract dated April 10 of this year with Swope under which, in addition to salary, he and certain other officers and employes to be named by him were to receive the first $50,000 of consolidated net profits in excess of seven per cent of the outstanding preferred stock and 10 per cent of the consolidated net earnings in excess of seven per cent and $50,000. Half of the $50,000 and 40 per cent of the additional 10 per cent was to go to Swope, with the rest divided among those named by him.

The B. F. Keith report named only two directors not included in the KAO list, J. E. Lambert receiving $14,310 and Goldberg $10,560. The company reported that it paid the RKO Service Corp. $222,597 for management service last year and RKO Film Booking Corp. $26,699 for booking service.

Stock holdings of officers included M. H. Aylesworth, director, $5,000 in gold bonds; Goldberg, vice-president, $15,000; Kingsberg, vice-chairman of the board, $15,000, and O. R. McMahan, comptroller, $1,000.

The commission also has received an application for registration on the Chicago Stock Exchange of $7,995,800 of first lien six per cent gold bonds, all issued, of Loew's Theatre & Realty Corp.

The company, a wholly owned subsidiary of Loew's, Inc., has five wholly owned and four partly owned subsidiaries, and is interested in 19 theatres in New York, New Jersey, Ohio, Virginia, Tennessee, Missouri, and Rhode Island.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Love Me Forever"

(Columbia)

HOLLYWOOD, June 3.—Even though Grace Moore sings beautifully and with superb charm, and Victor Schertzinger directed with expert artistry, "Love Me Forever" falls short of "One Night of Love."

Opening strong with "El Bacio" in an interesting ice skating combination of song and rhythmic action, the film concentrates less on the romance between Miss Moore and Robert Allen and more on the heart effect of a middle-aged gambler, Leo Carrillo, who finances the songbird's career and is thwarted in love by her rise to fame. The climax finds Carrillo rubbed out by a rival gangster for non-payment of gambling debts as he listens to her triumph at the Metropolitan. It's Carrillo's picture.

Miss Moore's singing registers strikingly at the opening and later with the "Neapolitan Love Song" and an aria from "Rigoletto," but at the finale, singing from "La Boheme," the duet is thrown to Michael Bartlett, tenor. Minus popular melody, "La Boheme" lacks the showmanship punch for a hurrah finish.

All the performances of the cast are good with Carrillo overshadowing the others. Allen in a small part, nevertheless challenges Hollywood's romantic leads. Luis Alberni, as a comic; Spring Byington, as Miss Moore's maid, and Douglas Dumbrille, heavy, are also good. Bartlett, in for one song, should go places.

Production values are not all that could be desired, with the photography good but not startling.

The musical accompaniment is well focused by Schertzinger's sympathetic coordination. The story is by the director, screen play by Jo Swerling and Sidney Buchman.

Scheduled for trimming and revision, the finished production should ride on Miss Moore's reputation and on the strength of her previous vehicle, even though "Love Me Forever" may leave audiences wishing to applaud more of Miss Moore's thrilling singing and root for more young romance.

No production code seal. Running time, 101 minutes. "G."

Looking 'Em Over

"Mimi"

(Alliance)

Selling efforts of American exhibitors must, of course, be centered on Douglas Fairbanks, Jr., in this blend of music, romance, tragedy and spectacle. Gertrude Lawrence's name also is known.

"Mimi," the title footage states, is "freely adapted from Munger's 'La Boheme.'" Puccini's music is used effectively at intervals, with a song by Miss Lawrence and the "Barcarolle" from "Tales of Hoffman," the latter played by a full orchestra as the background music for a masked ball.

Much of the background is laid in the Latin quarter of Paris in the era of candles and gaslit theatres. Mimi, played by Miss Lawrence, deserts a wealthy actor, Lamotte (Austin Trevor) and joins Rodolphe, an aspiring dramatist (Fairbanks). Her love for him and her faith in his talent inspire him to work, and instill some purpose into his aimless friends, a painter, a poet and a musician. Her plea to Lamotte gets a hearing for his play, "La Boheme."

In the first flush of Rodolphe's success, Sidonia, a well known actress (Diana Napier) stirs Mimi's jealousy. In an angry moment at the masked ball she decides to go back to Lamotte, but changing her mind, flees in a rainstorm. She passes away on the opening night of the play.

The moods contrast sharply, the pace shifts interestingly. There are gripping emotional moments. In some of these Fairbanks is deficient. It is an ambitious effort upon which plenty of money has been spent. The photography is exceptional at times. Two stronger principals could have raised it from merely a good picture to an outstanding attraction.

Previewed without production code seal. Running time, about 95 minutes. "A."

Mo. Session Ends; Tax Is Increased

KANSAS CITY, June 3.—After the longest but one regular session in the state's history, the Missouri legislature has adjourned without passing any measures affecting the industry except the one per cent sales tax.

Gov. Guy B. Park has indicated he will sign the sales tax measure, which will produce an estimated $10,000,000 to $11,000,000 annually.

Just how exhibitors will collect the one per cent on admissions, especially on dime nights, is something that will have to be worked out by the state auditor. The tax, which will become effective 90 days after it has been signed by the Governor, must be passed on to the consumer.

As it was, there were numerous scares during the session. One of the most serious of these was a drastic censorship bill.

Killed also were a footage tax and an SRO bill; a 10 per cent admission tax; a bill prohibiting bank night and cash night specifically, and covering also other methods of reducing admissions; chain store tax that would have affected theatres; a bill providing for licensing of billboards by counties.

A bill imposing taxes of from $3 to $15 a year on slot machines and vending devices was passed and signed.

Say Ohio May Drop Jump in Censor Fee

(Continued from page 1)

of newsreels from the state has been threatened, it is understood.

The Legislature recently passed a bill increasing censorship fees on features from $1 to $3 per 1,000-foot reel. Newsreels previously had been declared exempt from censorship, and were not included. Subsequently, however, it was decided that they be returned to censorship requirements.

Cal. Session Near End

SACRAMENTO, June 3.—The Legislature has started what is expected to be the last week of its longest session to date with the one per cent gross transactions tax, income and other nuisance levies scheduled for a battle on the floors of both branches.

Hollywood is backing the transactions tax. It is predicted it will pass the House and be killed in the Senate. It is also expected a compromise income tax will be passed with rates about one-fourth of the Federal rates.

Russians at M. P. Club

Russian film problems will be detailed today at the weekly forum at the M. P. Club. B. Shumiatsky, head of the Russian picture industry, will headline the group which will speak. V. Verlinsky, president of Amkino; F. Ermler, director of "Shame" and "Peasants"; Y. Reisman, director of "Men on Wings"; V. Nilsen, dean of the Soviet cameramen; G. Melamed, vice-consul of the U.S.S.R., and Boris Morros are others slated for talks.

Degree for Connolly

CINCINNATI, June 3.—An honorary degree of Doctor of Laws will be conferred upon Walter Connolly by his alma mater, Xavier University, at the 95th annual commencement exercises Wednesday evening.



Welcome To New York

S.S. NOR

Congratulations on your record run across the

"OIL FO

LAMPS

which will launch

AT THE N. Y. STRA

and in Chicago, Los Angeles, Pittsburg

It's worth traveling

Starring Pat O'Brien, Josephine Hutchinson, Jean Muir,

Another nationally promote

WARN



Officers and Men of the
MANDIE

tlantic in time to catch the world premiere of

R THE

F CHINA"

own record runs

ND TOMORROW

altimore, and other keys this week!

3192 miles to see!

ast of Thousands . . . . . Directed by Mervyn LeRoy

nopolitan production from

BROS.

Para. May Be Free of Court In Two Weeks

(*Continued from page* 1)

meeting will reelect eight of the present directors and eight new ones, who will constitute the new board of 16, and will also vote on a proposal to change the name of the company from Paramount Publix Corp. to Paramount Pictures, Inc., and to pass on other proposed changes in the new charter and by-laws.

With Adolph Zukor, Paramount president, acting as chairman of the meeting, both provisions put to the stockholders yesterday were carried without dissenting votes. The proposal to reduce the capital stock from $40,000,000 to $845,631, to reduce the par value of the common stock from $10 each to $1 each, and to reduce the number of shares of common from 4,000,000 to 845,631, was approved by a vote of 2,326,661 shares. The second proposal changing the number of directors was approved by a vote of 2,324,603 shares, and none dissenting.

The reduction in the number of shares outstanding is provided for in the Paramount reorganization plan under which stockholders of the old company are given ¼ share of new stock for each share of the old. The changes in the directorate provisions specify that four directors will serve for one year, six for two years and six for three years, and that there will be annual elections thereafter.

3,211,119 Shares Outstanding

According to the company's records, there are outstanding 3,211,119 shares of Paramount stock. The proxy committee represented 217,288 shares, stockholders present in person represented 5,974 shares, and the stockholders' committee, of which Cook is also counsel, 2,110,222 shares, or a total of 2,327,484 represented at the meeting, which is in excess of 72 per cent.

Cook stated that it is hoped to have an order directing the trustees of Paramount to turn over the assets and properties to the new company ready for signing by Federal Judge Alfred C. Coxe on June 17. This would end the company's rehabilitation processes.

In reply to a query put to Zukor by a stockholder as to the future business plans of the company, Cook intervened to say that "Zukor is now in the hands of arrogant and repulsive lawyers, but a report will be made shortly. We are biding our time," he said, "and when the proper time comes the stockholders will be advised of our plans. We are not closing our eyes to the interests of stockholders."

Later, Cook said that it is hoped to have the new securities of the company ready for delivery to creditors and stockholders by the first week in July. They are being prepared for printing by the American Bank Note Co., he said, to avoid the issuance of temporary certificates.

There is a possibility that the new board to be elected today may meet later in the day to elect officers, or, again, the meeting may be deferred for several days, Cook said.

Fred K. Conn, holder of about 4,500 shares, came from Tampa to attend the session. Also in attendance were Barney Balaban, Norman Collyer, Gerald Brooks, Eugene Zukor, Walter Cokell, A. E. Dillenbeck and H. A. Levy. Bernard Lubin and A. Hollander served as inspectors.

Following the meeting, Cook remarked that the proceedings of the day were less interesting than a coming Paramount picture he had seen previewed a few days before.

Indications in Paramount creditor circles now are that Zukor may assume business direction of the Paramount studio, serving in a financial advisory capacity to the new Paramount board and acting as principal liaison between the studio and home office. In this event, four candidates are brought to the fore as possible successors of Zukor as president. They are John E. Otterson, head of Erpi; George Schaefer, Paramount general manager; Matthew Sloan, head of the Missouri-Kansas-Texas railroad, and Harold Talbott, financier and chairman of the executive committee of Chrysler Motors. Of the four, Otterson is regarded as having by far the largest amount of creditor support.

Ask Action for Allied

An order to show cause why Federal Judge Alfred C. Coxe should not approve the more than $5,000,000 claim settlement of Allied Owners Corp. against Paramount was filed with the Federal court yesterday by the Paramount trustees for hearing on June 6.

The Allied Owners' claim settlement is embodied in the Paramount reorganization plan but has never been individually approved by the court due to the inability of the Allied Owners' trustees to complete the reorganization of that company. Approval of the settlement now is essential to the winding up of Paramount's reorganization. The Allied settlement calls for the issuance to the company of new Paramount securities in settlement of a $5,000,000 claim, the payment of $150,000 in cash, the purchase of the Alabama at Birmingham, and the leasing of the Paramount, Brooklyn; Paramount, Fremont, O., and Paramount, Glens Falls, N. Y.

Court to Study Yoost Appeal

A petition for leave to appeal from Federal Judge Alfred C. Coxe's order confirming the settlement of Erpi's $1,900,000 claim against Paramount was made to the U. S. Circuit Court of Appeals here yesterday by William Yoost, a Paramount bondholder, and taken under advisement by the court.

Yoost has opposed the settlement's provisions calling for renewal of recording license agreements with Erpi, contending that the fees are "exorbitant." His petition to appeal the order was opposed by counsel for the Paramount trustees. A decision from the court is expected within the next few weeks.

Paramount and RKO Talk Product Deal

(*Continued from page* 1)

will be on a year-to-year basis, only half of the distributors product is involved, the other 50 per cent going to Loew's on a previous long-term franchise.

Re-sign J. W. Ruben

HOLLYWOOD, June 3.—M-G-M has signed J. Walter Ruben to a new contract.

NRA Ends; Ups Pay

Peru, Ill., June 3.—End of the code has brought a five per cent increase in pay to all employes of E. E. Alger, owner of a circuit of 10 houses. About 100 are affected.

Alger said abolition of the NRA would permit him to operate more profitably without restrictions on competition.

Erpi Men on Stand In Anti-Trust Suit

WILMINGTON, June 3.—R. E. Anderson, Erpi treasurer, and Edwin C. Shriber, of Norfolk, Va., an Erpi sales representative, testified for the defendants today as the Erpi-General Talking Pictures' anti-trust suit trial started its seventh week in U. S. District Court here.

Anderson testified concerning license agreements between Erpi and theatre operators and owners. Questioned concerning previous testimony of Jacob Levin of New York, given by the General Talking Pictures' salesman several weeks ago, Shriber denied there was any discussion with the operators of theatres in Hopewell and Williamsburg, Va., to the effect that unless houses were equipped with Western Electric sound they would be unable to secure pictures such as those of M-G-M. Levin had previously testified that operators of these theatres were satisfied with De Forest sound.

Cleveland Session Off; Board to Act

CLEVELAND, June 3.—The regular meeting of the Cleveland M. P. Exhibitors' Ass'n., previously announced for June 4, has been postponed indefinitely by order of the board of trustees. Instead of the general meeting, the board will meet on June 4, to confer further on local duals.

It is unofficially stated that an effort will be made to hold duals to one change a week, and that not to be on Sunday. It is also rumored that the association will try to put over a policy whereby no feature picture will be shown on a double feature program at any time that has previously played a downtown seven-day run.

Barnstyn Gets "Tarzan"

J. C. Barnstyn yesterday closed a deal with Ben Cohen of Burroughs Tarzan Enterprises, Inc., for the world rights to "New Adventures of Tarzan," both in feature and serial form. Barnstyn sails today on the *Statendam* for Holland, where he will spend the next six months with his brother. Cohen is seriously ill at the Hotel Astor and has been ordered by his doctor to spend the next four weeks in bed.

Delay Moving Pat Drew

KANSAS CITY, June 3.—Pat Drew, Paramount electrician injured in the TWA "Sky Chief" crash several weeks ago, still is at the Samaritan Hospital, Macon, Mo. Scheduled to be taken to a Hollywood hospital over the week-end, Pat was too ill, although Dr. Strathearn, Paramount studio doctor, arrived May 31 from the coast for that purpose.

Move Studied For Voluntary Industry Code

(*Continued from page* 1)

chairman; Sidney R. Kent and Harold S. Bareford.

John C. Flinn was empowered to engage Price, Waterhouse & Co. to make an audit of the accounts. The secretarial staffs of the 31 clearance and zoning boards and grievance boards and the Hollywood office are being instructed to transmit all records to a central storage place in New York and leases terminated at the earliest possible date. The secretarial staff will be discontinued June 15.

Legal matters pending before Code Authority and the local boards have been referred to the standing legal committee consisting of Austin C. Keough, chairman; J. Robert Rubin, Willard S. McKay and Yamins.

At the meeting, Rubin acted as chairman and there were present L. E. Thompson, Dan Michalove, Austin C. Keough, Sidney Justin, Bareford, Jack Cohn, E. A. Golden, Charles L. O'Reilly, Yamins, Walter Vincent, Tyree Dillard, Jr., counsel, and Flinn.

During the life of the code, approximately 2,300 cases were heard by the various boards. About 70 people had been on the Campi payroll, 50 in the field and 20 in the home office.

K. C. Bank Night Suit Off

KANSAS CITY, June 3.—The suit of Jack Johnston, Ritz, McPherson, Kan., and R. W. McEwan, bank night distributor for Kansas and Missouri, scheduled for the Federal court last week, will not be taken into court, although the suit will be ready for filing at any time the present situation changes.

Johnston and McEwan were going to seek an injunction to prevent local exchanges from stopping film service to the Ritz on order of the local grievance board.

McEwan reports that a number of exhibitors -who stopped using bank night when the grievance board began ruling against them now are going to use it again. Among these are C. A. Schultz, Commonwealth Theatres, Inc.; Granada, Lawrence, Kan.; Ritz, Chillicothe, Mo.; Strand, Creston, Ia., and Frank Cassil's Rialto, St. Joseph.

Rosenblatt Flies to Capital

LOS ANGELES, June 3. — Sol A. Rosenblatt today flew to Washington, where he will remain the next few weeks cleaning up NRA business. Later he will go to New York to open his own law offices. He stated definitely he would not join Nathan Burkan. Rosenblatt said the NRA's going would affect 60 or 70 on the film code payroll, with 2,400 on other code rosters throughout the country being dropped.

New Republic Directors

HOLLYWOOD, June 3.—Louis B. Collins and Arthur Lubin have been signed to directorial contracts by Republic Pictures, with each scheduled to make four pictures for coming release. Collins's first assignment will be "Legion of the Lost" and Lubin will work first on "Black Sheep."



Good in the Studio
Better *on the Screen*
when **CERTIFIED PRINTS** *from* **CONSOLIDATED** *are used*

The months of work, the takes and retakes, the dreams and aspirations—the print is the final product of all this... the sum and substance of the money and effort expended on your production. Certified Prints are equal to this tremendous responsibility because they're made by an organization with 22 years experience, in a plant recognized as the world's most modern, scientific motion picture laboratory.

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CONSOLIDATED FILM INDUSTRIES, INC.

NEW YORK HOLLYWOOD

Schenck Plan for Fox Met Approved

(Continued from page 1)

stock for each $800 note. There would be 1,000,000 shares of new common authorized, of which 600,000 would be issued at once to Stern and his undisclosed associates and 400,000 shares would be set aside for the exercise of the conversion rights. A minimum of $1,000,000 would be made available to the new Fox Met company under the offer, Stern said.

After hearing Stern's proposal, Judge Mack observed that the plan differed only slightly from the one proposed by Si Fabian, which was rejected by the court as less favorable to Fox Met bondholders than the Schenck-Fox Theatres plan. The court indicated, however, that it would have no objections to Stern's proposal, or any other, being placed before the bondholders for their consideration during the 15-day period in which they may either assent to the Schenck-Fox Theatres' plan or withdraw their bond deposits from the protective committee which will vote its deposits in favor of the Schenck plan. Stern indicated that he would follow this procedure and have copies of his proposal printed and sent to Fox Met bondholders in the hope of eventually obtaining enough support for it to block acceptance of the Schenck plan and obtain the required 25 per cent creditor sponsorship to permit him to formally place his own plan before the court.

Won't Reveal Associates

Stern declined to disclose his associates and when asked by the court what his occupation was, replied "a financier, or whatever you want to call it." He was contemptuous of the cash considerations involved in the Schenck plan, remarking at one juncture that "the money in this is very small—in fact, it's a joke," and plainly showed his irritation over the lengthy legal procedure involved in drawing up a reorganization plan and getting it before the court and creditors.

"Why are you just coming into court with your proposal now?" Judge Mack asked Stern, pointing out that reorganization plans had been under consideration for weeks past.

"I was ready three weeks ago," was the reply, "but Bogue (referring to Morton G. Bogue, of counsel to the Fox Met bondholders' committee) gave me a triple play. He sent me to Kresel (Isidore Kresel, attorney for the Schenck-Fox Theatres' plan) and Kresel sent me to Littlefield" (Walter Littlefield, of counsel for Irving Trust Co., trustee of Fox Met).

At another point, apropos of nothing before the court, Stern declared that "a new deal for the motion picture industry was under way which would result in the entire business being placed in the hands of Rockefeller, through the Chase bank, Floyd B. Odlum's Atlas Corp. and the interests I (Stern) represent. Rockefeller," he said, "already owns Fox, Loew's and RKO. Odlum will get Paramount and some others and we will have the rest of it."

Stern was represented by David W. Kahn, an attorney who figured in several other projected bids for Fox Met a year ago which never materialized. One of these involved a $3,000,000 cash bid for the circuit by interests which were never disclosed. Another reputedly had Joseph Plunkett, former RKO theatre head, figuring in it as a principal. Still another reportedly had Walter Reade and Joseph V. Storrs as proponents.

Following various criticisms and suggestions of the accepted amendments to the Schenck plan, Judge Mack declared that he would enter an order holding the amended plan to be fair and equitable and feasible, and would permit the bondholders' committee to begin soliciting assents to the plan to obtain the necessary two-thirds' creditor affirmation to place the plan in effect. This will be undertaken within the next few days and 15 days will be granted the committee to complete the work. Judge Mack set June 27 as the date on which the committee is to report back and, if the necessary assents are on hand, the plan will be finally affirmed and placed in effect on that date.

No objections to the plan were voiced as a result of Schenck's recent arrangement to become chairman of the board of Fox Film, although the question was raised by Archibald Palmer, bondholders' attorney, as to whether Schenck, in his new position, could make good his agreement, contained in the plan, to furnish Fox Met with the product he controls on "fair" terms.

In reply to this question Kresel, as a representative of Schenck, suggested the possibility that the 20th Century product now that it is to be released by Fox, might well be claimed by Fox Met as covered by the franchise it holds for Fox product.

Goetz to Keep His 20th Century Jobs

(Continued from page 1)

the company's new affiliation with Fox, he intimated yesterday upon his arrival from London on the *Normandie*. He said the production setup will be settled at a powwow to be held on the coast in three weeks and which will be attended by Joseph M. Schenck and S. R. Kent. He was accompanied by his wife. He was away eight weeks, visiting London and Paris, spending most of his time in the former city.

Rufus LeMaire, talent scout for M-G-M and business agent for George Arliss, also arrived on the French liner. He denied reports he had been made a producer by Louis B. Mayer. He said he talked to Mayer over the transatlantic phone and no mention of the job was made.

Both Goetz and LeMaire discovered a new actress, Marcelle Chantel. She leaves with them by plane today for the coast to make tests. If the tests are successful a joint deal for her services will be made. LeMaire also interviewed other talent while abroad and is having tests made of the people in England and sent on to Hollywood. The M-G-M scout asserted that the plays abroad are brutal and there is no material for pictures. Arliss is now working on the first of two films he will make for Gaumont British, the second of which will start in September. He added Arliss has no other contractual obligations.

Max Gordon denied he had closed a deal with M-G-M whereby the film company will participate in financing stage shows produced by him. He admitted there had been discussions, however, but no papers have been signed. He said he was not returning to the coast.

Martin Beck stated that he had done nothing abroad to interest the film industry.

Jack Connolly, general manager of Pathe News, described his trip as an inspection tour of all offices. He was away three weeks, he said, during which time he visited France, Italy and London. He said "The Informer," shown on the boat Sunday night, was the only American film screened.

A. J. Richard of Paramount News made several important changes in the staff abroad, particularly the Paris office, where he installed a new manager. He would not discuss the changes.

Jack Lait, Hearst writer, also came back on the boat.

B. Shumiatsky, head of the Soviet film industry, was accompanied by F. Ermler, director. They plan to leave for Hollywood to study American production ideas.

Wall Street

Columbia Gains on Big Board

	High	Low	Close	Net Change
Columbia. vtc (c1)	55⅞	55	55⅞	+1⅜
Consolidated	3½	3½	3½	.....
Cons., pfd (1¼v)	14½	14¼	14¼	.....
Eastman	140½	140	140	+ ¾
Eastman, pfd	156	155½	156	+1
Fox "A"	15¼	15	15⅛	.....
Loew's	38¾	38⅛	38¾	.....
Paramount	3½	2⅞	3½	+ ½
Pathe	⅝	⅝	⅝	.....
Warner	3⅜	3½	3⅜	+ ⅛

Technicolor Up on Curb

	High	Low	Close	Net Change
Technicolor	25⅞	24½	25⅞	+1⅝
Trans-Lux	2⅜	2⅜	2⅜	— ⅛

Little Activity on Bonds

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	12	11⅝	12	— ¼
Keith B. F. 6s '46	79½	78⅛	79	+ ⅞
Loew's 6s '41 ww deb rights	104¼	104¼	104¼	.....
Paramount B'way 5½s '51	54½	54½	54½	.....
Paramount F. L. 6s '47	87	87	87	.....
Paramount Publix 5½s '50	88	88	88	+ ⅛
Warner Bros. 6s '39 wd	61¼	60½	61¼	+ ¾

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 3)

Newman Will Try Giveaways in K. C.

KANSAS CITY, June 3.—The cause of giveaways in Kansas City will receive a material boost on Tuesday when the Publix Newman, downtown first run, inaugurates screeno. The theatre may adopt other schemes as well, said George S. Baker, manager.

Baker said he was forced to the move by the spread of various schemes among subsequent and neighborhood houses and would abandon giveaways if the others would do likewise.

Other downtown first runs, Loew's Midland, RKO Mainstreet and the Tower, are not planning premiums. The Uptown, neighborhood first run, gives gift stamps along with other Fox Midwest houses.

Operation of Dubinsky's coupon idea at the Liberty. 20-cent subsequent run almost adjacent to the Newman, is credited with clinching the first run's decision to join the parade.



COMFORTABLE VISION

● Immediately upon entering the theatre patrons enjoy the comfortable vision which High Intensity Projection permits. This screen light greatly improves black and white and makes colored pictures especially pleasing. National High Intensity Projector Carbons make available to theatres of every size a comfortable level of general illumination and the brilliant, snow white, screen illumination which only High Intensity Projection provides.

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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 129 NEW YORK, MONDAY, JUNE 3, 1935 TEN CENTS

Roosevelt May Ask a Special NRA Session

Study Moves to Permit Drafting of New Law

By BERTRAM F. LINZ

WASHINGTON, June 2.—Possibilities that the President will ask Congress to adjourn at the end of this month to return at the end of the summer for a special session to consider new recovery legislation are seen as further study of the Supreme Court NRA decision develops more fully the difficulties which will be encountered in writing new laws.

In order that the government might not lose the advantage of the trained personnel which has been built up in the NRA, it is proposed that an appropriation be made to care for sala-

(*Continued on page 4*)

MPTOA Asked to Keep NRA Scales

Recommendations to M.P.T.O.A. members to voluntarily maintain NRA minimum wage and maximum hour provisions in their theatres were issued on Saturday by Ed Kuykendall, president, following discussions with officers and directors of the organization.

"We propose to prevent by voluntary effort any increase in unemployment or decrease in wages in our theatres pending the solution of the tremendous problems presented by the Supreme Court's NRA decision," Kuykendall said.

Skourases Back for Talks on Contracts

With all principal points settled, talks between Spyros and Charles Skouras, Fox Film and Chase National executives on the 10-year operating contract for National Theatres will be resumed this week.

Charles Skouras came on from Chicago after attending the three-day Fox sales meet with his brother. He is definitely set on staying east until signatures are affixed to the pact, which is 65 pages and provides for $1,500 weekly for each of them.

Fox Acquires House In Wisconsin Moves

MILWAUKEE, June 2.—The acquisition by the Fond du Lac Amusement Co., a Fox unit and operator of the

(*Continued on page 2*)

Schenck Denies Fox Seeking Complete Ownership of G. B.

By BRUCE ALLAN

London, June 2.—Persistent reports scurrying through the British trade that Fox is negotiating to acquire complete ownership of Gaumont British are denied by Joseph M. Schenck, newly elected chairman of the board of the former company.

Fox is not interested in buying G.B., but in maintaining its current holdings which are understood to be approximately between 45 and 49 per cent.

He added his switch to Fox was actuated by a desire of many years' standing on his part to become associated with Sidney R. Kent and emphasized that complete friendship with all hands prevails in both Fox and United Artists.

Lord Beaverbrook, long dominant factor in the former Provincial Cinematograph Theatres, Ltd., which were subsequently absorbed in the G.B. structure, is reported behind Schenck in his negotiations for the Deutsch-Donada circuits which would become affiliated with the United Artists Theatre Circuit, Inc., as Schenck explained here on Friday.

Para.'s New Setup to Be Voted Today

Paramount gets off to its new corporate start today with the holding of a special meeting of stockholders to approve changes in the capital structure of the company and in the provisions of its charter, to adopt new by-laws and to change the name of the company from Paramount Publix Corp. to Paramount Pictures, Inc. The meeting will be resumed tomorrow for the election of the new board of directors of 16 members.

Changes in the board of 11 members as now constituted will result in the

(*Continued on page 2*)

Fox Chicago Sales Sessions Are Ended

CHICAGO, June 2.—The Fox annual sales convention came to a close here last night with the 264 delegates who constituted the largest sales gathering in the company's history starting the return jaunts to their respective territories.

The final day's session of the three-day convention was devoted to screenings of new product in the afternoon, preceded by regional conferences conducted by John D. Clark, general sales manager; William J. Kupper and E. C. Grainger, divisional sales managers, and William Sussman and Nat Finkler. An ad sales meeting was presided over by James A. Clark.

The home office contingent left for New York today.

Allied, RKO Smoke Peace Pipe in N. W.

MINNEAPOLIS, June 2.—The threatened battle between Northwest Allied and RKO came to an abrupt halt here yesterday when the RKO exchange was advised by Jules Levy, Radio sales manager, that vaudeville would be dropped by the Orpheum here on June 6, thus removing the cause of the dispute.

The exhibitor organization last week declared war on Radio Pictures as a result of the Orpheum's continued use of bargain shows. In meetings here and at Faribault, Mor-

(*Continued on page 4*)

Summer Heat Hits Broadway Grosses

Summer weather took a terrific toll at the Broadway box-office lineup last week. "Escape Me Never," which received unanimous praise from newspapers. garnered a fair $72,000 at the Music Hall. "Under the Pampas Moon" is expected to wind up in the 50's.

"The Girl from 10th Avenue," with Eva Le Gallienne, George Jessel and Gertrude Neissen on the stage, wound up with $34,000 at the Capitol. The Roxy with "Mr. Dynamite" ended its week with $25,000. Decoration Day was a lifesaver for the house with more than $6,000 taken in on that day.

Mae West's third week at the Paramount was good for $20,000. "Goin'

(*Continued on page 2*)

Report U. A. Heads Divide On Lichtman

Fairbanks Mentioned as Schenck Successor

HOLLYWOOD, June 2.—Election of Al Lichtman to succeed Joseph M. Schenck as president of United Artists would not meet the unanimous accord of all company members, a source close to one of them informed MOTION PICTURE DAILY over the week-end.

Asked if he thought Douglas Fairbanks would be acceptable, this source stated it was his opinion that Fairbanks more than anyone else might bring harmony faster to the company. He believes even Mary Pickford would favor a Fairbanks candidacy and reminded that some years ago the latter was rumored for the presidency. At the same time, this spokesman added he did not think Fairbanks would care about returning to such an active job.

So far there is no visible move on the part of U. A. owners to bid for

(*Continued on page 4*)

Warners Half-Year Loss Is $133,515

Warner Bros. Pictures, Inc., and subsidaries, report a net operating loss of $133,515 for the 26 weeks ending Feb. 23. This is after all charges, including amortization and depreciation and Federal income taxes and compares with a profit of $38,856 for the same period the previous year.

Before deducting Federal income taxes there was a net operating profit

(*Continued on page 2*)

Cosmopolitan Plans Six, States Hatrick

Cosmopolitan will have six features on the Warner-First National lineup next season, Edgar B. Hatrick, general manager of Hearst's film interests, states. Two of the half dozen will star Marion Davies.

Miss Davies has just completed "Page Miss Glory" and has another

(*Continued on page 2*)

Milwaukee to Take Vote on Dual Bills

MILWAUKEE, June 2.—The I.E.P.A. is having ballots printed for distribution by Milwaukee county houses so audiences can vote on double features.

The poll will be conducted the week of June 3 and will ask patrons

(*Continued on page 2*)

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Report Browne Going West on Union Fight

HOLLYWOOD, June 2. — George Browne, president of the I.A.T.S.E., is due here shortly for discussions looking toward settlement of the union jurisdictional dispute.

WASHINGTON, June 2.—Headquarters of the I.A.T.S.E. did not know whether George E. Browne was going to the coast when queried on the coast report.

Local offices of the I.A.T.S.E. on Saturday referred all queries on George Browne's reported trip to Hollywood to Washington. No information was available here.

Sybil Jason Is Signed

HOLLYWOOD, June 2.—Sybil Jason, six-year-old English actress, has been handed a term contract by Warners. Her first picture for the company will be "Little Big Shot."

Little Miss Jason arrived from England on April 9, when MOTION PICTURE DAILY reported she was to be signed by Warners.

Laemmle Gets Delay

HOLLYWOOD, June 2.—Carl Laemmle has obtained a short stay from the Superior Court for filing his answer to Frank Mastroly's suit to determine whether Universal should pay his living expenses in New York while he was filling an executive post there.

Purely Personal

MRS. ALBERT SANDERS has announced the engagement of her daughter, MRS. MARGARET VIRGINIA WAGNER, to HOWARD S. CULLMAN. The wedding will take place this week attended only by members of the immediate family.

•

KENNETH MACGOWAN arrives here by plane this week from the coast for the opening of "Becky Sharp" at the Music Hall June 13. He will return to the coast June 16.

•

DOUGLAS LOTHERINGTON, RKO sales manager at Sydney, has arrived in New York from the coast. He will stay here until the start of the sales convention at Chicago June 17.

•

M. H. AYLESWORTH and W. G. VAN SCHMUS have not decided to go to the coast unless one first invites the other to be his guest.

•

CHARLES BOYER arrives in town today from the coast and plans to sail for Europe later in the week on the *Normandie.*

•

DICK FRANK, manager of the U. A. New Orleans exchange who came up here to visit his mother who was sick, has returned to the Crescent City.

•

RICHARD DIX will sail Wednesday for England where he is scheduled to co-star with CONRAD VEIDT in "The Tunnel" for G.B.

•

EDWARD GOLDEN is planning to make a tour of all Republic exchanges following the Cincinnati regional June 7-8.

•

GEORGE GOLDSMITH is in Hollywood after picture talent for Broadway shows.

•

JACK BARNSTYN sails on the *Statendam* tomorrow for a six months' visit to his brother in Holland.

•

GEORGE SKOURAS is moving his home from Mamaroneck to Long Island, probably around Great Neck.

•

M. H. HOFFMAN of Liberty Prod. is in from the coast. At the Park Central.

•

. . . *Buffalo*

NATE STEIN, who left here on a bicycle in 1922, returned recently as head of Cinemercial Advertising Co. of Hollywood. He is also an aide to JOHN W. CONSIDINE, JR., M-G-M producer.

THOMAS BURKE, chief of the M. P. Division of the Bureau of Foreign and Domestic Commerce, talked to the Buffalo Kiwanis Club and Lockport Rotary.

LOU BREESE, maestro at Shea's Buffalo, is leading an orchestra at the Cataract House, Niagara Falls, four nights a week.

Schaefer on Way Back

HOLLYWOOD, June 2.—George Schaefer, Paramount general manager, left for New York today after conferences on new product with Henry Herzbrun and Ernst Lubitsch.

135 on Warner List

Hollywood, June 2.—A check-up at the Warner-First National-Cosmopolitan studios in Burbank reveals 21 stars, 54 featured players, 22 directors, and 38 writers on the contract list, a total of 135.

Warners Half-Year Loss Is $133,515

(*Continued from page* 1)

of $119,736.75, an increase of $40,881.24 over the same period for the previous year.

The net profit from operations for the 26 weeks before amortization and depreciation of properties and Federal income taxes was given as $3,151,045.78.

During the period $754,214.32 was credited to deficit account. This represented a profit of $740,993.08 on redemption of funded indebtedness retired during the period and other items amounting to $13,221.24.

The consolidated balance sheet as of Feb. 23, 1935, shows total current assets of $18,848,333.85, including cash of $4,182,603.80. Current liabilities (other than mortgages and funded debt maturing within one year) were $12,404,441.48.

Cosmopolitan Plans Six, States Hatrick

(*Continued from page* 1)

to make on the current season's program. Her next film is not set. Hatrick plans to leave for the coast this week to complete details on the star's next. He will also attend the distributors' sales meet.

"The Green Light," which ran serially in *Cosmopolitan,* will be one of the six the Hearst company will make next season.

Summer Heat Hits Broadway Grosses

(*Continued from page* 1)

to Town" winds up a fourth and last week Thursday night with "The Glass Key" following. "The Informer" in six days at the Palace had a nice run with $11,500. The fourth week of "G-Men" tallied $19,000.

Yankelevich to Coast

Jaime Yankelevich, president of Compania Argentine de Films, who has been here for some time, left yesterday for Hollywood by motor. The purpose of his visit to the coast studios is to search for talent and to study new color developments.

Palmer to Hays Office

HOLLYWOOD, June 2.—Kyle Palmer, former Washington correspondent for the *Los Angeles Times,* joins the local office of the M.P.P.D.A. July 1 in an administrative capacity and assisting Fred Beetson and Joseph I. Breen.

Brin-Berman Set Deal

L. K. Brin has closed a deal with Lou Berman for the Popular Pictures franchise for Wisconsin and Michigan. Berman left for Chicago on Saturday on another deal.

Para.'s New Setup to Be Voted Today

(*Continued from page* 1)

resignation of Austin C. Keough, Walter B. Cokell and Dr. Julius Klein from the board, the re-election of the remaining eight present members and the election of eight new members. The eight to be reelected are Gerald Brooks, Duncan G. Harris, Percy H. Johnston, Henry R. Luce, Charles A. McCulloch, Maurice Newton, Frank A. Vanderlip and Adolph Zukor. The eight new directors to be elected are Stephen Callaghan, Robert K. Cassatt, H. A. Fortington, William S. Gray, Jr., John D. Hertz, Floyd B. Odlum, Charles E. Richardson and George J. Schaefer.

Officers will be elected at a subsequent meeting of the board, to be held about the middle of the month, and this election will be followed immediately by the discharge of Charles D. Hilles and Eugene Leake, trustees of Paramount in reorganization. The discharge of the trustees will mark the formal ending of the company's rehabilitation processes.

Fox Acquires House In Wisconsin Moves

(*Continued from page* 1)

Fond du Lac, of the Retlaw is seen as the first step in a move by Fox in Wisconsin to acquire houses in at least 10 other spots in the state. The Fox has gone dark.

In Milwaukee, a neckwear company, which operated a stand in the Majestic before that house was converted into office space, has leased the lobby of the Garden, formerly operated by L. K. Brin. This may portend the future of that downtown house, except that reports have it the Garden will reopen in the fall under the Fox banner. If this occurs, it will give Fox four houses on the avenue as against one for Warner, one for Standard Theatres, and the independent Riverside, operated by E. J. Weisfeldt.

Independents see in the Fox move of raising admission prices at its Riviera and Tower a plan to make key houses of these neighborhood spots.

Milwaukee to Take Vote on Dual Bills

(*Continued from page* 1)

whether they want double features at increased prices or a single feature with shorts at present prices. Trailers and newspaper publicity will be used in connection with the poll.

Indications are that if the trend leans heavily toward single features, the association will adopt this policy regardless of the Fox circuit. It is reported that H. J. Fitzgerald, general manager of the Fox circuit, has declared that he would rather raise admission prices than eliminate double features, and the poll is being conducted with this statement in mind.

Hays Files New Brief

Arthur Garfield Hays has filed a second brief with the censor board in an effort to get it to lift the ban on DuWorld's "Spring Shower."

EXTRA SPEED

SUPER X "Pan" is much faster than regular Super Sensitive. Under normal conditions its extra speed gives definitely better shadow detail . . . general improvement in quality. And under adverse light it often means certain success instead of probable failure. Combining this great speed with startling fineness of grain, Eastman Super X marks a substantial advance in motion picture photography. Eastman Kodak Company, Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, New York, Chicago, Hollywood.)

EASTMAN *SUPER X*

PANCHROMATIC NEGATIVE

Roosevelt May Ask a Special NRA Session

(Continued from page 1)

ries and wages of the organization during the interim. As things now stand, the NRA will go completely out of existence on June 16.

Thorough consideration of the matter has convinced Administration officials that voluntary codes will not answer the purpose, since they can be nullified by a very few members in any industry who refuse to abide by their conditions. Only a few states have recovery laws of their own and most of those will probably be found unconstitutional on the same ground of excessive delegation of power which nullified the national act. There would, therefore, be no way of keeping intrastate business in line.

Administration leaders point out that the consideration of new legislation framed to meet the objections of the Supreme Court might be a matter of months, and appear to believe that best results could be achieved by giving Congress a vacation while officials drafted new laws.

Minnicks Awarded $3,500

WHITE PLAINS, June 2.—Mr. and Mrs. Paul Minnick have been awarded $3,500 for damages sustained in the explosion in front of the RKO Theatre, Yonkers, several months ago. They sought $250,000.

Hammett Aids Stromberg

HOLLYWOOD, June 2.—Dashiell Hammett has been made editorial aid to Hunt Stromberg at M-G-M with his first assignment being the adaptation of "The Foundry," slated for Wallace Beery.

Skouras Takes the Glen

Skouras Theatres has taken over the Glen, Glen Cove, L. I., until recently operated by Jack Fink. Skouras also has the Cove and now operates both theatres in the town.

Wall Street

Most Off on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1)	54½	53½	54½	—1
Consolidated	3½	3½	3½	.....
Cons. pfd. (1¼v.)	14¼	14¼	14¼	.....
Eastman	139⅜	138	139¼	— ¼
Fox "A"	15⅝	14¾	15⅝	— ¼
Loew's	38¾	38	38¾	.....
Paramount	3	2⅞	3	.....
Pathe	⅝	⅝	⅝	— ⅛
Pathe "A"	8¼	8½	8¾	— ¼
RKO	1⅞	1⅞	1⅞	+ ⅛
Warner	3⅜	3¼	3¼	— ¼
Warner pfd.	21½	21½	21½	— ½

Technicolor Down on Curb

	High	Low	Close	Net Change
Sentry Safety Control	⅜	⅜	⅜	.....
Technicolor	23¼	22⅝	23¼	— ¼

Bond Market Weakens

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	12¼	12¼	12¼	— ⅛
Paramount F. L. 6s '47	87	87	87	— ¾
RKO 6s '41 pp	40	40	40	.....
Warner 6s '39 wd	61¼	60⅝	60⅝	— ⅞

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 1)

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"No More Ladies"

(M-G-M)

HOLLYWOOD, June 2.—This modern, sophisticated comedy-drama paraded in swanky settings and sparkling with brilliant nonchalance affords Joan Crawford and Robert Montgomery intriguing, sympathetic and highly engaging roles. Irving Thalberg produced handsomely.

Joan and Robert decide to try marriage, knowing their personalities will cross-fire. Miss Crawford believes herself strong enough to hold Montgomery, formerly philandering bachelor credited with starting a chain of broken hearts.

When Montgomery tarries in town, spending the evening with an old flame, Miss Crawford retaliates, invites all his former sweethearts for a week-end party, then leaves, going off with Franchot Tone. Tone, previously divorced because of Montgomery's peccadillos with his wife, brings Bob to his senses and reunites him with Joan.

On this pattern Director Edward H. Griffith has fashioned a production which swings gayly, surfaced with brittleness, undershot with heartache. Florida, cocktail bars, smart homes and fashionable restaurants are visualized.

Miss Crawford in this rises many notches as a finished actress, maintaining stylized pulchritude. The supporting cast of Charlie Ruggles, Montgomery's stewy cousin, and Edna May Oliver, Miss Crawford's blunt grandmother, extracts the utmost from the smart dialogue of the Donald Ogden Stewart-Horace Jackson screen play of A. E. Thomas' stage play.

Strong marquee names, plus the genuine feminine appeal of a story accentuating the heart problems of the young married, give this high box-office rating.

Production Code Seal No. 891. Running time, 89 minutes. "A."

"The Raven"

(Universal)

HOLLYWOOD, June 2.—Re-uniting Boris Karloff and Bela Lugosi in this chiller suggested by the Poe poem, Lugosi, mad student but expert surgeon, saves the life of Irene Ware and falls in love with her.

Enraged by the objections of Samuel Hinds, her father, to the match, he plans a gruesome revenge with the aid of Karloff, who is in his power because of an operation he (Lugosi) had performed making Karloff's appearance grotesque. Inviting Miss Ware, Lester Matthews, her fiance, Hinds and others for a week-end visit, he traps them into a pit and pendulum and other Poe-conceived torture devices in his museum cellar. With Miss Ware and Matthews about to be crushed in the walled room and Hinds waiting death from the pendulum, Karloff rebels and frees the victims, shoves Lugosi into the death room and dies from a bullet wound.

Director Louis Friedlander paced the action deftly to maintain suspense throughout, keeping the audience ever conscious of the weird undercurrents. The performance of Miss Ware arouses sympathetic concern for her peril and Karloff and Lugosi breathe fantastic menace at every appearance. The production of David Diamond is always in the mood with credit due the photography by Charles Stumar and the art direction by Albert Dagostino.

The picture will completely satisfy audiences craving thrills and chills. Production Code Seal, No. 790. Running time, 63 minutes. "A."

Gary Cooper Quits Hollywood Hussars

HOLLYWOOD, June 2.—Gary Cooper has resigned from the Hollywood Hussars, stating that an investigation has shown "that the Hussars are not the social group I had thought but the men behind it are trying to organize a national, semi-military organization of political nature."

Col. Arthur Guy Empey, head of the Hussars, in commenting on Cooper's resignation said:

"There is no hard feeling. The organization has outgrown the purpose for which Cooper organized it and intends to expand nationally. Cooper feels he doesn't want to be part of so extensive a body. The Hussars, however, are not a Fascist or a political group."

Soviet Film Heads To Visit Hollywood

HOLLYWOOD, June 2.—The Soviet government will send a delegation of four film executives here late this month. The delegation will be headed by an important official. The purpose of the visit is not yet known, but it is reported that several conferences with producers and members of the local Hays office are planned.

In the meantime, the Academy has postponed action on the Soviet request for permission to fictionize scripts until the arrival of the delegates.

B. Shumiatsky, head of the Soviet film industry, accompanied by F. Ermler, director of "Shame" and "Peasants," arrives here today on the *Normandie*.

Report U. A. Heads Divide On Lichtman

(Continued from page 1)

Schenck's one-sixth interest which he stated in London on Friday he proposes keeping. It was pointed out here acquisition of that interest by any other U. A. owner would place two-fifths in the same hands and so upset the balance of power. On the other hand, a purchase of the Schenck interest could be allocated in like share among the other owners, thereby avoiding concentration of voting power in one group.

Walter Wanger refuses to confirm or deny reports that he had been offered a producer post with U. A. beyond remarking the rumored proposal for him to make six or eight pictures with finances guaranteed plus an option to buy into the distributing company after the year "sounded good to him."

Emanuel Cohen, now in New York, is another who is reported flirting with U. A.

Emanuel Cohen could not be reached for a statement Saturday. He was away on a fishing trip.

Al Lichtman flew to Hollywood on Saturday.

Allied, RKO Smoke Peace Pipe in N. W.

(Continued from page 1)

ris and Detroit Lake exhibitors had authorized the board of governors of the Allied unit to represent them for one year in film sales deals with Radio.

The New York decision came after it had been reported here that Minnesota Amusement Co. was willing to go along with the independent exhibitors in a refusal to play Radio product unless the Orpheum's policy was changed. Minnesota has contended that it was forced to adopt combination bargain shows at the State in order to meet the Orpheum's competition. The State now is expected to resume a straight film policy on June 13.

Affiliated Theatres Drop Stars from Ads

All use of star ratings or other similar picture judging symbols will be eliminated from affiliated theatres' advertising matter on pictures released after Saturday. Abandonment of use of the stars applies to all forms of theatre advertising, including publications, marquee, trailers, theatre fronts and lobbies, billboards and programs. It will not apply, however, on pictures released and reviewed prior to today but only now being played in a theatre subscribing to the agreement.

It is reported that numerous independent theatres in the metropolitan territory also are voluntarily eliminating the stars from their advertising. For affiliated theatres, the policy will be a national one.

Plan "Science" Series

Six "Popular Science" shorts will be included on Paramount's lineup next season.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 128 NEW YORK, SATURDAY, JUNE 1, 1935 TEN CENTS

Schenck Says He Will Be Fox Studio "Coordinator"

Roosevelt to Seek New NRA Legislation

Makes Intention Known; Critical of Court

By CLARENCE LINZ

WASHINGTON, May 31.—Sharply critical of the Supreme Court's decision in the NRA case as throwing the country back to "the horse-and-buggy stage," President Roosevelt today indicated that he would accept the challenge of the court and seek new legislation to save the gains made by the Recovery Act without violating the principles laid down this week by the nation's high tribunal.

What form the new legislation will take, it was indicated, has not yet been determined, but it was intimated that the Administration is less concerned with the NRA than with the effect of the decision on the AAA and other agencies, including the SEC.

A series of announcements from the White House, it was said, will deal

(*Continued on page 4*)

Mascot-First Div. Talk Distribution

Negotiations are under way for First Division distribution for Mascot pictures next season, it was learned yesterday. Expectations are that the deal may be closed within the next few days, giving First Division the 24 pictures planned by Mascot for new season production.

Nat Levine, head of Mascot, arrived from the coast by plane Thursday to

(*Continued on page 3*)

Paris Amusements Shutdown Delayed

By PIERRE AUTRE

PARIS, May 31.—The complete shutdown of all forms of entertainment which was scheduled here for today because of excessive taxes has been

(*Continued on page 3*)

It Was Too Much

The March of Time was advised by wire from Columbus yesterday that clips of children bathing, which usually means in the nude, must be cut from the Russian sequence of the company's fourth release.

Myers Advises Allied to End NRA Contacts

WASHINGTON, May 31.—Allied is advising its members that no independent exhibitor should sit or act on code boards, or pay assessments. They are also being warned by Abram F. Myers, general counsel, that there is a question as to the validity of state NRA acts passed for the purpose of supporting the Federal enactment.

At the same time Myers urges exhibitors not to reduce wages or increase working hours.

"The motion picture code, under the Supreme Court ruling, is to all intends and purposes dead because it is unenforceable," says Myers. "Any scheme

(*Continued on page 4*)

Campi Scheduled to Hold Two Meetings

Campi is slated to hold two sessions next week. By request of the members, a special meeting will be held to discuss what action is to be taken for either continuance or disbanding Code Authority and its various agencies

(*Continued on page 4*)

Election on His Return—Schenck

London, May 31.—A new president for United Artists will not be named until after he returns to New York, declared Joseph M. Schenck today. He said he did not know who his successor will be. Schenck plans to leave here on the *Normandie* and is due back in New York on June 20.

He said under the arrangement with Fox the company's name in the future will be Fox 20th Century.

U. A. Moves to Fill Gaps in Release List

HOLLYWOOD, May 31.—Indicating United Artists owners propose losing no time in filling the gap created by switch of 20th Century to Fox, negotiations are under way with three units for release through the company. Mary Pickford is authority for the statement.

She also admits that U. A. has been

(*Continued on page 2*)

Hamrick, FWC Pool Their Seattle, Portland Holdings

SEATTLE, May 31.—John Hamrick, independent first run operator here and in Portland, and Evergreen State Amusements, Fox West Coast subsidiary, have pooled their theatres in both cities.

The deal swings these Hamrick houses into the F.W.C. alignment: Orpheum, Music Box and Blue Mouse. Evergreen operates the Coliseum, 5th Ave. and Paramount. Hamrick recently returned from New York and has been busy with his lawyers since his arrival here.

Frank L. Newman, Jr., former manager of the Paramount, has been switched to the 5th Avenue. Herbert Sobottka goes to the Paramount where he replaces Harry Woodin, resigned.

The Paramount has gone to duals and has dropped vaudeville.

PORTLAND, Ore., May 31.—F.W.C. becomes the dominant theatre factor here through a pool just closed with John Hamrick. His three houses, the Music Box, Blue Mouse and Orpheum, now formidably augment Evergreen State Amusements, the F.W.C. subsidiary, which on its own operates the Paramount, Mayfair, Hollywood and Liberty.

Will Keep His Holdings In U. A. and Remain Theatres' Head

By BRUCE ALLAN

LONDON, May 31.—Joseph M. Schenck will be the "coordinator" of Fox production under his new association which makes him chairman of the board of that company. He will also retain his holdings in United Artists.

In a press interview at the Savoy here today he made these statements and, at the same time, cleared up some of the mystery surrounding his sudden switch to Fox. In summary, he made it apparent that he proposes concentrating his personal activities on Fox-20th Century without relinquishing his substantial interest in United Artists.

Winfield Sheehan's status as vice-president in charge of Fox production continues without change, while Darryl F. Zanuck, who is to bear the title of a Fox vice-president, joins the ranks as an additional producer, Schenck declared.

It is his intention to continue as the active head of the United Artists Theatre Circuit, Inc., Schenck made it clear. The purpose of his trip chiefly concerns theatres and a long-impending deal which will tie U. A. with the Deutsch and Donada circuits, not Fox.

The object, according to Schenck, is to keep the circuits independent and away from any domination by either Gaumont British or Associated British Cinemas.

Earlier reports which developed in

(*Continued on page 2*)

20th Century Deal Enthuses Fox Men

CHICAGO, May 31.—News of the 20th Century alliance with Fox for next season was received enthusiasti-

(*Continued on page 3*)

173 Under Contract

Paramount has 173 players, writers and directors under contract. To collaborate on the company's 1935-36 lineup of 65 features, there are available 80 writers, 74 players of star and feature rank and 19 directors.

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Pioneer-RKO Close For 2 Color Films

HOLLYWOOD, May 31.—Pioneer Pictures Corp. and RKO have signed contracts for the release of two major Technicolor productions during the coming season. John Hay Whitney acted for Pioneer and J. R. McDonough, president, acted for RKO and the pictures will be produced by Merian C. Cooper who is now engaged on "She" and "The Last Days of Pompeii," both black and white.

Titles for the new films will be announced shortly.

Johnston Says 100 Will Be at Session

More than 100 franchise holders and salesmen will attend the Republic regional meeting in Cincinnati June 7-8, W. Ray Johnston, president, states. All exchanges from as far west as Dallas will attend the first session. The second is tentatively set for June 20-21 at San Francisco.

Botsford Back at Home

HOLLYWOOD, May 31.—A. M. Botsford, assistant to Henry Herzbrun at Paramount, has returned to his home from the Good Samaritan Hospital. He is recovering from an operation for appenditicis.

Erpi Men Meeting Here

The road show licensees of Erpi will hold their annual convention here June 3, 4 and 5. E. S. Gregg, manager of the distributing department, will be in charge of the meetings.

Schenck to Be "Coordinator" At Fox Studio

(*Continued from page* 1)

the speculation following his association with Fox that London Films and British and Dominions, both releasing through United Artists, might eventually be found allied with Fox, were discounted by Schenck's comment that these companies definitely will continue their present releasing arrangements.

Insofar as the deal with the Deutsch and Donada interests is concerned, the plan provides for the current management to continue. Schenck or Maurice Silverstone, the latter U. A.'s managing director in England, will join the board. United Artists Theatre Circuit will supply the finances and United Artists, the distributing company, will benefit by additional outlets for its product.

Schenck also added that none af the United Artists personnel will join Fox.

Aside from his self-described position as production "coordinator," he announced a big production expansion program for Fox in England, an activity, incidentally, which, Schenck added, he will take charge of personally. Fox, under this plan, proposes to finance independent producers, concentrating activity at the new Korda studio as well as the B. & D. plant.

Twelve a Year Planned

Twelve a year will be made at a minimum of $400,000 a picture, which Schenck said he viewed as the minimum negative cost for the type of product he has in mind and all of them will be aimed at the American market. He was extremely candid about Fox's current production effort here when he declared quota films are not pictures. Until this phase of his new activities crystallizes, it is anticipated, therefore, that Fox's proposed buy of the Wembley studio probably will be held up.

Exactly what he had reference to was not amplified, but Schenck, at one point, made this statement:

"If Gaumont would distribute through Fox, we would take British pictures from them."

The speculation is that he was referring to the distribution of G.B. product through Fox in England, not in America.

In the meantime, MOTION PICTURE DAILY learns United Artists' salesmen here have been instructed to proceed slowly on new contracts pending the company's product announcement for next season. Gossip strongly links U. A. and Schenck with General Distributors, Ltd., the company formed by C. M. Woolf, following his retirement as joint managing director of Gaumont British. The company is registered at £270,000, with a stock structure providing for 250,000 shares in 10 per cent participating preferred £1 stock and 400,000 deferred with a par value of one shilling each.

Woolf's finances will be raised partially by public flotation and partially from Lady Yule. The studio planned in connection with the company will be built on the Iver Hall estate near Windsor, will cost £250,000 and will cover four floors. Charles Boot, well known promoter, will be the builder. Schenck today admitted he plans to discuss production with Woolf.

By report at least, Alexander Korda's London Films appear tied in with the Deutsch Donada theatre deal. He has five more to deliver on his current U. A. contract.

Wall Street

Eastman Pfd. Gains on Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	56¾	55¼	55½	—1
Consolidated	3½	3½	3½	— ⅛
Cons., pfd (1¼v).	14½	14¼	14¼	— ⅜
Eastman	140½	139½	139½	—1½
Eastman, pfd	155	154½	155	+ ½
Fox "A"	15¾	14¾	14⅞	— ½
Loew's	39¾	38½	38¾	— ⅛
Paramount	3⅜	3	3	— ⅜
Pathe	¾	¾	¾	+ ⅛
Pathe "A"	9	9	9	+ ¼
RKO	2	1¾	1¾	— ⅛
Universal, pfd	34	34	34	—1
Warner	3⅝	3½	3½	.....
Warner, pfd	22⅛	22	22	+ ¼

Technicolor Off Slightly on Curb

	High	Low	Close	Net Change
Technicolor	24⅜	23½	23½	— ¼
Trans-Lux (.10K).	2½	2½	2½	.....

Para. F. L. Bonds Drop 2½ Points

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf.	12¾	12⅜	12⅜	— ¼
Keith B. F. 6s '46	78⅛	78⅛	78⅛	+ ⅛
Loew's 6s '41 ww deb rights	104½	104¼	104¼	— ⅛
Paramount B'way 5½s '51	54½	54½	54½	— ½
Paramount F. L. 6s '47	87¾	87¾	87¾	—2½
Paramount Publix 5½s '50	89⅝	89½	89½	+ ½
RKO 6s '41 pp	40⅛	40	40	— ¾
Warner Bros. 6s '39 wd	61¾	61⅜	61½	.....

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of May 31)

U.A. Moves to Fill Release List Gaps

(*Continued from page* 1)

negotiating with David O. and Myron Selznick to become producers.

David O. refuses to discuss the matter.

"I have nothing to say," was his only comment. "I'm not saying boo to anybody; I have no idea what I am going to do."

Before leaving for Portland to complete her stage engagement Miss Pickford denied reports she would be the next U. A. president.

"I wouldn't want to be president," she said. "We have been negotiating with a powerful man in the industry to take over the presidency and believe he will join us. However, we will not have an announcement until a week from Monday."

She predicted an expansion in U. A. during the coming year, saying that she would produce four pictures, in one of which she would star.

United Artists producers are getting set for next season.

Samuel Goldwyn faces his busiest production year in many. "The Dark Angel" is before the cameras. In final stages of preparation are "Dreamland," to star Eddie Cantor, and "Barbary Coast," to star Miriam Hopkins. The story Rachel Crothers is writing for Miss Hopkins is reported nearing completion and will go into work as soon as "Barbary Coast" is completed.

Charlie Chaplin's first in some years is in the editing stage.

Reliance will make four next year. "Amateur Girl" and "The Melody Lingers On" will get going shortly. "Robin Hood," starring Robert Donat, is the third and "The Last of the Mohicans" is the fourth.

In London Alexander Korda is completing two scripts. One is on "100 Years From Now" and the other "The Man Who Could Work Miracles."

Herbert Wilcox of B. and D., London, is at work on "Come Out of the Pantry," starring Jack Buchanan. "Peg of Old Drury," starring Anna Neagle, starts in two weeks.

Purely Personal

JOSEPH SCHILDKRAUT is in town from Hollywood. He is the owner—proud, according to reports—of "Tomorrow Is a Holiday" by LEO PERUTZ and HANS ADLER. Yesterday and today, as well as tomorrow, are holidays for a lot of film executives this week.

•

LILLI and ARTHUR MAYER set sail on the good ship *Platano* for Mexico, via Guatemala, today. From that picturesque terrain, MRS. MAYER will travel on to Hollywood. ARTHUR returns here in mid-July a temporary bachelor.

•

REG WILSON, G. B. special representative in the field, leaves for a visit to Atlanta, Charlotte, Memphis and New Orleans. He hopes to leave today.

•

MADGE EVANS leaves Hollywood for New York tomorrow. She will sail next week on the *Aquitania* for England.

•

WELDON WATERS, ad sales supervisor for Paramount in the east, returned yesterday from Philadelphia.

•

ALFRED SAK leaves for St. Louis and San Antonio today after being here for about two weeks.

•

J. H. HOFFBERG begins life at 40 Monday when he celebrates that anniversary.

•

NANCY CARROLL lunching at "21" with LOU LUSTY paying the tariff.

•

. . . *Salt Lake City*

J. S. MCLEOD of the M-G-M exchange maintenance department has gone to Seattle after a short stay here.

MAX GOLDSTEIN, Salt Lake City manager for F. W. C.; WILL STEEGE, head of the Montana division, and RICK RICKETSON, Rocky Mountain division manager, are back from conferences in Los Angeles.

THOMAS WALSH, RKO Radio exchange head, is in from a tour of Montana.

Allied Plan Is Delayed

Approval of a plan of reorganization for Allied Theatre Owners was postponed until June 7 when it came up yesterday before Federal Judge Robert A. Inch in Brooklyn. The delay was again due to the fact that the U. S. Treasury Department has not agreed upon a settlement of an income tax claim against the corporation.

20th Century Deal Enthuses Fox Men

(Continued from page 1)

cally by the Fox sales cohorts when delivered to the company's annual convention in session here by Sidney R. Kent, Fox president.

After detailing the new alliance, which also brings Joseph M. Schenck, former head of United Artists, into the Fox organization as chairman of its board, Kent told the sales force that this development was the "best indication" as to whether or not his goal "was to make Fox the biggest company in the industry."

Kent was introduced to the meeting by John D. Clark, general sales manager, who is presiding at the three-day convention at the Blackstone Hotel which winds up on Saturday. With 264 Foxites in attendance, the meeting is held to be the largest sales convention in the company's history.

The conventioneers attended a screening of "Dante's Inferno" late Wednesday night and additional screenings of new Fox product were on the program throughout today. Regional sessions, to be conducted by Clark, William J. Kupper and E. C. Grainger, divisional sales managers, and William Sussman and Nat Finkler, together with a meeting of the ad sales department, to be presided over by James A. Clark, will wind up the business sessions Saturday. The final afternoon of the meeting will be devoted to additional screenings of new product.

Grainger substituted for Spyros Skouras, who was unable to attend the session, on today's speakers' list. Barney Balaban and William K. Hollander, both of B. & K. Theatres, were guests at today's sessions.

Louis Hyman, vice-president of Principal Distributing Corp. and his associate, Sol Lesser, have flown here from the coast to attend the convention.

Allwyn to "Way Down East"

HOLLYWOOD, May 31.—A long term contract has been awarded to Astrid Allwyn by Fox. She has been assigned to "Way Down East," starring Janet Gaynor and Henry Fonda. Reginald Denny will have a featured role in "Here's To Romance," the initial Nino Martini starring vehicle. Etienne Girardot and Arthur Treacher are the latest additions to the new Shirley Temple opus, "Curly Top." The cast includes John Boles and Rochelle Hudson.

McNutt's First Is Set

HOLLYWOOD, May 31.—Patterson McNutt's first assignment as a producer for Fox will be "Fly by Night" by Eric Hatch. William Slavens McNutt, brother of the producer, has been borrowed from Paramount to do the screenplay. David Butler will direct and cast assignments will be announced later.

Rename Will Rogers Film

HOLLYWOOD, May 31.—The title of Fox's new Will Rogers picture formerly known as "Steamboat 'Round the Bend" has been changed to "Steamboat Bill."

Cast for "Thunder" Set

HOLLYWOOD, May 31.—With the addition to the cast of Luis Alberni, production on "Thunder in the Night" will get under way at the Fox studios Monday. Also in the cast are Paul Cavanaugh, Una O'Connor and Gloria Roy. Warren Hymer and Edward Pawley have been added to the cast of "The Lord's Referee" at the same studios.

Ties with Book Sales

HOLLYWOOD, May 31.—Sol Lesser is timing production of "Thunder Mountain," Zane Grey story, to catch the peak of the book sale. Lesser will put his picture into work July 5. He estimates that the book, which has just gone on the market, will then be at the height of its popularity. George O'Brien will play the lead in the production.

Robinson with Temple Again

HOLLYWOOD, May 31.—Fox will cast Bill Robinson in another Shirley Temple film.

Four Temple Tunes Ready

HOLLYWOOD, May 31.—Ray Henderson has completed four tunes which will be used in "Curly Top," Shirley Temple's next picture for Fox. Shirley will sing two of the numbers and do a dance routine conceived by Jack Donahue. The other numbers will be sung by John Boles, leading man, and Rochelle Hudson.

Two Fox Releases Completed

HOLLYWOOD, May 31.—Production on Fox's "Orchids to You" has been completed. Also finished is George O'Brien's "Hard Rock Harrigan," Sol Lesser production which Fox will release.

Halt in Spanish Schedule

HOLLYWOOD, May 31.—Fox will suspend production for the summer on its Spanish films, on which it is well ahead of schedule.

Close Portuguese Deal

Word has been received at the RKO home office that Robert Trillo, RKO manager in Spain, has closed a deal with Alliance Films of Oporto, Portugal, for Portuguese distribution of the entire 1933-34 and 1934-35 lists, including "La Cucuracha" and the company's other shorts.

By Michigan's Shores

CHICAGO, May 31.—President SIDNEY R. KENT inned and outed on the Century, generating more horsepower with his opening address than all the motors spinning concurrently at the Indianapolis Speedway and in every hotel radio.

✚

CLYDE ECKHARDT, Chicago manager and titular most to the conventioneers, was all over the hotel, the old smile wider than usual, the old mitt working like a windmill, and the reason—son JACK was to take the orange blossom test on Friday. Already a grandfather, dad says matrimony's oke.

✚

HARRY BUXBAUM bet a perfect card—five straight also rans—and decided that crack about man's best friend is a nag is a gag.

✚

EARLE W. HAMMONS, J. H. SKIRBALL, SOL EDWARDS and W. J. CLARK of Educational annexed the bridge championship on the special Chicago bound and Peacock Alley seethed with vows of vengeance between sessions.

✚

BILL SUSSMAN and IRVING LINCER were given a rising, sitting and standing vote of thanks for the swell job done in making convention arrangements so well that they stay made. Fox is the password to everything the Congress offers and that's everything.

✚

EARL WINGERT picked the winner in the last race and it paid $12.50 for every deuce on its nose to vindicate the advertising and publicity department's tradition that the show's never over while there's a one-sheet standing.

✚

HERMAN WOBBER flew in from 'Frisco and would like to fly back when the meet is over, but hasn't been able to make a deal as yet with the Chicago weather man, who's making up for all that rain he didn't turn on last summer.

✚

WALTER BROWN of Federal Ross Service was up and down Peacock Alley renewing old friendships and distributing key to the city.

ROGER FERRI, HARRY BALLANCE, TOM BAILEY, ERNEST LANDAICE, PAUL WILSON, ROY HEFFNER, TOM MITCHELL, SAM HINSON, TOM YOUNG and about as many more ganged on famous old "Pete's Steak House" Wednesday night and inadvertently started a Recovery Riot on Dearborn St. BALLANCE said it would save bookkeeping if everybody gave him three bucks and he paid the check. Everybody did. The check plus tip boiled down to $2.15 a head and BALLANCE, fists full of dollar bills, followed the rest into the street yelling for each to give him 15 cents and take a dollar bill. They closed in on him and he started shelling out, but the bargain sounded at least as good as the chain letter thing to people going by. When BALLANCE realized what was going on he'd made an even half-dozen plain citizens very, very happy. (Remember the name—BALLANCE!)

✚

CLAYTON SHEEHAN, abroad last year at convention time, made his first address to the sales organization under the Kent regime.

✚

EDDIE COLLINS came to town on a duly announced and publicized diet and stuck with it 10 minutes.

✚

GABRIEL YORKE of Los Angeles, where they don't wear 'em, bought a straw hat so he wouldn't be conspicuous, and then it rained, just as it does (or does it?) in the old home town.

✚

BARNEY BALABAN and WILLIAM K. HOLLANDER were guests of the convention at its opening session.

✚

C. V. HAKE, Japan, bellied the opening session with his story about racketeering and cutthroat methods in the Orient wherein a belligerent native client operating under nobody's code but his own bursts in without leave, plunges three murderous knives into the desktop—thud, thud, thud—and demands his deposit back or else. He gets it—the deposit.

Mascot-First Div. Talk Distribution

(Continued from page 1)

discuss the deal with First Division and Pathe officials. Pathe has been working on a new financial setup for First Division, and with this nearing completion it is reported that Pathe backing for Mascot may also figure in any distribution agreement reached with First Division. Mascot, hitherto financed by Consolidated Film, is doubling its production schedule next season. Several new First Division exchanges may also be established if the Mascot deal is consummated.

It is also understood that First Division may effect a reciprocal distribution deal with a British company in order to obtain foreign representation for the pictures it handles here.

Mascot Listing 24 Pictures

HOLLYWOOD, May 31.—Mascot has announced 24 pictures for next year, which will include four or five specials, 12 program pictures, eight musical westerns starring Gene Autry, and four 12-episode serials.

"Tiger Talley," from Reginald Campbell's book, is the first special on the list with "Pocahontas," based on the life of the Indian girl, listed as second. "The Leathernecks Have Landed" and "You're on the Air" complete the list.

Other features on the new program are: "$1,000 a Minute," by Everett Freeman; James Oliver Curwood's "Swift Lightning," Peter B. Kyne's "Film Star's Holiday," "My Brother's Keeper," an original by Gerald Beaumont; "Hitch Hike Lady," "Thirty Fathoms Below," "One Sweepstake Rare," "Blue Ribbon Holiday," "Alma Mater Princess," "You're in the Navy," "Thirteen Girls in Love" and "The Missing Skull."

Nat Levine, Mascot president, put in a busy day here yesterday. He didn't have time to talk to anyone or submit to any interview, but promised to call all the editors personally when he had the time and something to talk about.

Paris Amusements Shutdown Delayed

(Continued from page 1)

postponed until June 5 because of the present government crisis and the expected fall of the cabinet.

Organized branches of amusement—legitimate and film theatres, music halls, vaudeville spots, night clubs, sports exhibitions, dancing, skating, restaurants, cafes and orchestras—have informed the government they will close unless cuts are made in taxes. Since the move is a climax to agitation dating back to the March session of Parliament it is expected in some quarters relief will be forthcoming from a new cabinet.

Seigel, Cohen Take Two in Philadelphia

Arthur Seigel and Max Cohen, operators of a local string of houses including the Harris, Selwyn, Prospect and Ritz, Bloomfield, N. J., yesterday took over two downtown Philadelphia houses.

Seigel, stepson of Albert Warner, and Cohen will continue the same policies of duals at pop prices at the two new Quaker City additions.

Roosevelt Will Seek New NRA Legislation

(Continued from page 1)

with problems raised by the decision and possibly outline the steps to be taken to counteract its effects.

The need for new legislation today was seen as possibly keeping Congress in session throughout a large part of the summer and nullifying the plans of leaders to have it adjourn early in July.

At the Capitol, where confusion still reigns, it developed that difficulties may be encountered in dealing with tax legislation. Engrossed in efforts to push the legislation extending the Recovery Act, the Ways and Means Committee up to this week had found no time to consider the extension of the admission and other nuisance taxes. Since Monday the committee has been trying to determine the effects of the decision on legislation which was pending before it.

Committee leaders are hopeful that they will be able to take up the tax bill during the week of June 10, which will necessitate quick action in House and Senate.

Campi Scheduled to Hold Two Meetings

(Continued from page 1)

throughout the country. On Thursday the regular session is scheduled to be held, but this is likely to be called off Monday.

No business can be transacted on Thursday unless plans are developed by Washington between now and then for continuing the code in a modified form.

Compliance Administrator Sol A. Rosenblatt is expected to fly from the coast in time for Monday's session. He is also due in Washington Monday and in this event may send Deputy Administrator William P. Farnsworth on to attend the special conclave.

HOLLYWOOD, May 31.—Denying emphatically he will join M-G-M, Paramount, RKO or any other company, Compliance Administrator Sol A. Rosenblatt states he is here on a holiday visiting his sisters.

Rosenblatt insists he will return to private law practice on June 16, but reports persist in linking him with one of the major companies.

Casey Wants Pacts Kept

HOLLYWOOD, May 31.—In view of the Supreme Court's NRA decision, Pat Casey, studio labor contact for the producers, has asked all studios to continue right along with the labor code provisions already applied in Hollywood until Washington advises regarding a new bill that it is understood is now being framed.

Acceptance of Casey's request is expected.

Brandt Appeals for NRA Scales

With talk current of increasing working hours and reducing wages in local theatres, Harry Brandt, president of the I.T.O.A., yesterday appealed to members and exhibitors at large to maintain conditions in force under the NRA.

As an advocate of the plan to adhere to the NRA schedule, Brandt stated he would continue without change the same hour and wage scales in all of his 36 houses.

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MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Charlie Chan in Egypt"

(Fox)

HOLLYWOOD, May 31.—Audience entertainment with commercial showmanship is the keynote of this, the newest of the Charlie Chan adventures.

With treasure-laden tombs of the ancient kings as the locale, it builds weird mystery, suspense, accented drama, smartly spotted comedy and bits of romantic love interest. Walter Oland, in his familiar role, is given a well contrived story with which to work.

Assigned to learn the reason for archaeological relics going astray, he encounters a series of thrill-packed situations which combine the awesome taboos of long dead dynasties with devilish modern plottings.

Using his well-known Oriental philosophy, together with ultra-modern methods of criminal trappings, Chan establishes the motives for the killings and tabs the killer. Although the mechanics of the plot are familiar, Oland's performance, together with convincing contributions of Jameson Thomas and Frank Conroy as the suspected menaces, those of Pat Paterson and Thomas Beck in carrying the romance angle, Stepin Fetchit and Paul Porcasi in comedy roles plus the unique setting give the picture an intriguing sock. Lew King directed well.

A better than average attraction for neighborhood and smaller theatres. Good showmanship should assure satisfactory box-office returns.

Production Code Seal No. 905. Running time, 74 minutes. "G."

In the Sick Bay

Mort H. Singer, midwest circuit operator and partner of RKO, is ill at his suite in the Warwick. He is expected to be out of bed in a few days.

Leo Klebanow is ill at his home. His illness is not regarded as serious.

Max Fellerman's son has recovered from a recent mastoid operation.

Richardson Lunch Guest

BALTIMORE, May 31.—F. H. Richardson of *Motion Picture Herald*, was introduced to about 50 theatre managers at a luncheon at the Hotel Emerson by William K. Saxton, Loew's City manager. Richardson gave a talk on projection.

To Make Lawrence Film

LONDON, May 31.—The trustees of the late Col. T. E. Lawrence, famous World War figure, have granted London Films permission to make a picture based on his career. Leslie Howard is being considered for the title role.

"U" Vanguard Leaves

Joe Weil, exploitation director, and Andrew Sharick, accessory manager of Universal, left by plane for Chicago last night to prepare for the company's sales convention which opens at the Stevens Wednesday.

Richard Wallace Better

HOLLYWOOD, May 31.—Richard Wallace, Paramount director who was injured in the Atlanta, Mo., plane crash recently, is convalescing at his home. He is expected up and about shortly.

Academy to Move Today

HOLLYWOOD, May 31.—The Academy will move from its present headquarters at the Roosevelt Hotel to the Taft building Saturday. The organization will take over an entire wing on the 12th floor.

The move is made necessary by the expansion of the Technicians' Branch and the need for more space for committee meetings. The Academy has been at the Roosevelt since 1930.

Loses Donat's Services

LONDON, May 31.—The Warners today lost their case for the services of Robert Donat, Justice Goddard ruling the artist was not under contract to the company.

The question involved was what company was to get the services of Robert Donat, whose popularity here skyrocketed with success of "The Count of Monte Cristo." Warners and Reliance both claimed him.

RKO Plans 2 Outings

RKO has two outings set for next month. Indian Point is the destination in both instances, the first to be held June 17 and the second June 24.

Yesterday, RCA held a golf tournament at the Rockefeller links at Tarrytown. Ned Depinet and Jules Levy represented RKO Radio.

Delay Color Suit Again

SAN FRANCISCO, May 31.—Attorneys for Leon Douglas, who is suing Fox for alleged infringement of color patents, has secured an extension to June 5 in which to answer 35 interrogatories propounded by Fox attorneys. This is the fourth extension.

RKO Albee Drops Vaude

For the first time since the house opened 10 years ago, the RKO Albee dropped vaudeville from its program last Thursday. Circuit heads have not decided whether to make the plan permanent or resume acts after the summer.

Myers Advises Allied End NRA Contacts

(Continued from page 1)

for continuing the present code by voluntary action without new enabling legislation would expose all concerned to the gravest hazards. Independent exhibitors sitting on Code Authority or local boards should perform no act or deed under the code unless or until new legislation is passed.

"Also, independent exhibitors are under no legal obligation to obey any of the requirements of the code. Even in states having enabling acts it is believed that the illegality of the codes makes unlawful their adoption by the state. This view has been taken by the attorney general of at least one state. Further and more definite advice on this point will follow. Under no circumstances should exhibitors pay assessments to Code Authority for the period subsequent to May 27. In fact, it would be wise to withhold all payments until further notice.

"It is my earnest hope that no exhibitor will reduce the wages of his employes or increase their working hours unless compelled to do so in order to continue operations. Apologists for NRA have claimed great social and economic gains as a result of the wage and hour provisions of the codes. These claims have been disputed, but should be given the benefit of the doubt. Certainly a decrease in spending power resulting from a general let-down in employment and wages would not be beneficial."

Waxman Has a Novel Yearbook for G. B.

A. P. Waxman has just issued a striking G. B. yearbook on the coming 16 Star Spangled Specials in the form of a brown leather folding desk pad, measuring two and a half feet in width and a foot and a half deep. The pad is stamped in gold on the outside with the company's initials and its giraffe monogram.

Enclosed in the pad are 16 four-color photo-offsets of the stars of the features on heavy stock suitable for framing in offices or lobbys. The heads, reproductions from oil paintings by the portrait painter, A. Ginsberg, are of George Arliss, Walter Huston, Madge Evans, Conrad Veidt, Richard Dix, Robert Donat, Madeleine Carroll, Jessie Matthews, Claude Rains, Fay Wray, Boris Karloff and Lupe Velez.

Bank Night Goes to Court in Cleveland

CLEVELAND, May 31.—Application has been made in Common Pleas Court here for a temporary injunction to prevent M. B. Horwitz from conducting a bank night at the Haltnorth. The action has been filed by Jerome Friedlander, attorney for the Fountain. A hearing has been set for June 3.

The application is based on the contention that bank night is a lottery and unfair competition.

Flash Preview

No More Ladies—Strong marquee names, plus the genuine feminine appeal of a story accentuating the heart problems of the young married, give this high box-office rating.

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 131 NEW YORK, WEDNESDAY, JUNE 5, 1935 TEN CENTS

Otterson New Paramount Head; Zukor Is Chairman

Code Revival Is Abandoned By President

Sole Aim Is Continuance Of Skeletonized NRA

By BERTRAM F. LINZ

WASHINGTON, June 4.—Abandonment of all plans to revive codes was admitted today by President Roosevelt with the announcement he would seek only the continuance of a skeletonized NRA until April 1, next, for the gathering of statistical data on the basis of which, next session, Congress may be asked to enact new legislation on the industrial recovery program halted last week by the Supreme Court decision.

It was made known, however, that legislation to protect the gains of labor under the codes would be sought requiring all Federal purchasing agencies to place their contracts only with corporations or contractors who live up to certain "minimum requirements"

(*Continued on page* 18)

Trade Bill Sought As NRA Substitute

By CLARENCE LINZ

WASHINGTON, June 4.—Organizations in the industry doing an interstate business would be subject to Federal control under the terms of a bill introduced in Congress today by Representative Shanley creating a Federal Commerce Control Commission to salvage and take over such

(*Continued on page* 18)

Republic Heads to Cincy Meet Today

Republic's home office contingent, headed by W. Ray Johnston, president, consisting of Edward A. Golden, general sales manager; Edward Finney, director of advertising and publicity; Norton V. Ritchey, president

(*Continued on page* 4)

Mae Helps Bakers

Boston, June 4.—The popularity of Mae West's curves is largely responsible for an improvement in the bread and cake industry, declared William Hefler, president of the New England Bakers' Ass'n., at the annual convention at Swampscott.

"U" to Have 42 Features, 219 Shorts

CHICAGO, June 4.—Universal will release 42 features and 219 short subjects, including newsreels, next season, its sales force which starts a three-day meeting at the Stevens tomorrow will be told on Thursday. James R. Grainger, general sales manager, who arrived from New York today will divulge the lineup and conduct the working program of the convention. The feature schedule is an increase of two over this season's group.

The convention opens at 10:30 Wednesday morning in the Tower Ballroom when R. H. Cochrane, senior vice-president, will make the opening address. Grainger then will take over the convention and give the detail of the 10 pictures yet to be delivered by the company on its current lineup.

(*Continued on page* 18)

Warners' Eastern Group Off Tonight

The Warner convention special leaves Pennsylvania Station at 7:05 P. M. tonight with the company's eastern delegation to the sales convention in Los Angeles June 10-23 on board. Al Jolson and Lyle Talbot will be on hand to speed the men on their way.

The train will make stops en route for the double purpose of picking up distribution and theatre men, and to

(*Continued on page* 17)

Theatre Merger Plan Up for Talks Today

Plans to merge about 150 local theatres into one large circuit will be discussed by the I.T.O.A. today at its regular meeting.

A meeting of New Jersey exhibitors to act on a similar plan will be called in about two weeks. The executive committee of Allied of New Jersey held a routine session yesterday, but the proposed theatre combination did not come up.

John E. Otterson



New president of Paramount, elected to that post yesterday. His biography appears on page 4.

BIP to Jump Theatres to 300—Maxwell

B. I. P. plans to increase its theatre holdings in Great Britain to 300 by the end of the year, John Maxwell, chairman of the board, stated last night upon his arrival on the *Aquitania*.

The company now has 240 houses and has 40 in various stages of construction throughout the country. About 20 additional theatres will be acquired, he said. Average cost of

(*Continued on page* 4)

Report BIP Again Refuses G. B. Deal

LONDON, June 4.—For the second time in recent months, B. I. P. is reported to have turned down an offer to buy Gaumont British. The latest bid was vetoed by John Maxwell, chairman of the B. I. P. board, about

(*Continued on page* 4)

New President Will Quit Erpi; Schaefer Stays As Vice-President

John E. Otterson, president of Erpi, was elected to the presidency of Paramount Pictures, Inc., and subsidiary companies at the first meeting of the new Paramount board of directors held yesterday, four hours after the formal election of the directors themselves.

Adolph Zukor, founder and former president of Paramount, was elected chairman of the board.

George J. Schaefer, vice-president and general manager, was reelected a vice-president; Austin C. Keough was reelected secretary and Walter B. Cokell reelected treasurer, a post he has held for the past two years.

H. A. Fortington, a new Paramount director, and American representative of the Royal and Liverpool British Insurance companies, was named chairman of the new executive committee. Other members elected to this committee are John D. Hertz, former chairman of the Paramount finance committee and a partner in Lehman Bros.;

(*Continued on page* 4)

Pennsylvania House Passes Sunday Bill

HARRISBURG, June 4. — After a spirited debate on the floor of the House today the Schwartz-Melchiorre-Barber bill to legalize Sunday films after 2 P. M. under a local option plan was passed, 120-80. Its friends believe it has a chance for passage in the Senate.

The bill requires each municipality to vote at the next general election.

French Cabinet Fall Halts Taxation Cut

By PIERRE AUTRE

PARIS, June 4.—French exhibitors seemed to be on the way to winning their fight for a reduction in taxes

(*Continued on page* 4)

Tops

The world's highest film rental terms, now in vogue in certain cases with the Radio City Music Hall, are as follows:

Guarantee of $20,000 against 75 per cent of the box-office take in excess of $65,000.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Destroying Non-W.E. Tubes Is Denied by 7

WILMINGTON, June 4.—Testifying for the defense today in the trial of the Duovac Radio-General Talking Pictures suit against Erpi, Western Electric and A. T. & T., seven Erpi employes denied destroying or mutilating Duovac and other non-Western Electric tubes in the sound equipment of the defendants.

The seven were Harry J. Mayer, Arthur F. Brolin, Olan W. Hancock, Emil F. Hamberger, William C. Clarkin, all engineers; Arthur J. Rademacher, New York district supervisor, and William S. Weatherspoon, Flushing service supervisor.

Arthur E. Axt, Erpi service engineer, denied threats were made to remove Erpi equipment from the Cameo, the Bronx, because Duovac tubes were being used.

Max A. Schlesinger, head of General Talking Pictures; David R. Hochreich, former president of Vocafilm, and John J. Lawrence, manager of Erpi's contract department, were recalled to the stand.

Others to testify were Franklin T. Wood, Western Electric patent attorney; Mervin Kelly of Bell Laboratories; Whitford Drake, Erpi vice-president, and Grace K. Bahler, file clerk for Greene & Hurd, counsel for the defendants.

Tonight the court adjourned to the Playhouse so that Federal Judge John P. Nields might see "Oil for the Lamps of China" on DeForest equipment as part of the rebuttal of Samuel E. Darby, chief counsel for the plaintiffs.

Insiders' Outlook

By RED KANN

MUCH might be written about the code and that which is to come. For once, at least, those in this business whose opinion carries weight are constrained to temper their viewpoints with caution in view of the indecision which honeycombs the immediate situation arising from the Supreme Court's recent decision. In many quarters, however, there is a unanimity of thought on one basic observation: That a voluntary machinery, makeup currently unknown, is essential to keep the industry on some sort of an even keel and out of courts of law so far as this can be done. . . .

▼

On many lips is poised a question about the future. Nobody quite knows the answer, but significant about the state of flux which now prevails is the general agreement, in principle, that the need for an understanding control is a vital necessity. You get this on all sides and from spokesmen for interests which diametrically oppose each other. This attitude is important in that it demonstrates a desire at the outset to attempt to harmonize difficulties and to reduce them through machinery designed for such a purpose. . . .

▼

Straws in the wind to date are two. One developed at a meeting of national sales managers last week when the consensus of opinion as expressed to Will Hays struck out for continuance of standard contracts evolved under the influence of the late code. Coupled with that was the unofficial intention of keeping in effect the ten per cent cancellation clause which developed from code formulation in Washington. The second marker happened as recently as Monday, when Campi met and ordered itself to liquidate. While the statement issued following the meeting made no mention of the fact, an interesting development pivoted around the decision, again informal, to canvass the reactions of the industry throughout the United States with the potential ultimate objective a code document voluntary in concept and in execution. . . .

▼

As unsatisfactory as the code has been in much of its functioning, we argue today that its benefits, accruing from certain of its clauses, were a reflection of a control which the industry would do well to maintain in a form to be determined. Exhibitors who had complained of overbuying have been relieved in many instances; the record shows that. Unfair clearances have been shortened in others; the record reveals that, also. Some avaricious exhibitors have been stopped from what was tantamount to theft of theatre properties; the theatre lease clause of the code took care of that. Premature advertising has been halted to the ultimate and proper advantage of prior runs. The ten per cent cancellation clause, excoriated and lambasted as it has been, at least went beyond anything which prevailed in the industry prior to the NRA. . . .

▼

The code has been criticized largely because its purpose was never too clearly understood by the rank and file. When the Code Authority was found to be predominantly representative of the larger interests, the yells echoed across the land and back again. What was overlooked almost entirely was the concept of the NRA, which at no point proposed any other procedure but the retention of major control through code authorities in the hands of the majority interest, who had it anyway. It is true that the independents endeavored to build up the argument that, in toto, they outstripped the majors in point of investment and holdings. It is also true, unless this memory has taken more than a usual turn for the worse, that the thesis was never proved. . . .

▼

With the majors, directly and indirectly through affiliated exhibitor membership the big noise on Campi, what happened thereafter becomes more understandable. It is fair to point out at the same time, however, that there are many instances of decisions which ran counter to what might be viewed as the interests of the dominant group. Whereas the code, as such, was loosely and falsely viewed as the answer to all of the difficulties in this industry, its purpose and, in fact, the idea behind it were not that at all. The code, all through its history, was viewed as a step toward more understanding and more harmony, but only a step. The evil should be dropped, but the good continued for the benefit of the whole, and, if possible, enhanced. . . .

Move Drew to Coast

KANSAS CITY, June 4.—Pat Drew, Paramount electrician hurt in the TWA "Sky Chief" crash several weeks ago, has been finally taken from the Samaritan Hospital, Macon, Mo., to Hollywood, where he will enter a hospital further to recuperate from his injuries. Accompanying him are his wife and Dr. Strathearn, Paramount studio doctor.

National Theatres Men Here for Film

Partners and operating heads of National Theatres are in New York conferring with Spyros Skouras on product deals for the new season. Attending are Jack J. Sullivan and his assistant, Edward Zabel; Elmer C. Rhoden, Kansas City; Harold J. Fitzgerald, Milwaukee; Rick Ricketson, Denver; Mike Rosenberg, Seattle and Portland. Charles Skouras, president of Fox West Coast, is also present.

Within the last week Skouras Theatres, operating 48 houses in the east, acquired the Glen, Glen Cove, L. I., and the Westwood, Westwood, N. J., making a total of 50. A deal is on to take over a theatre in Ossining, N. Y. Fox Metropolitan Playhouses owns 50 per cent of Skouras Theatres.

The product conferences are expected to wind up the end of the week when most of the out-of-town men will leave for their respective cities. Charles Skouras is not expected to depart for the coast until the 10-year operating deal with National has been signed.

Theatre Ad Men to Confer at Fox Here

Theatre advertising heads from all parts of the country are being brought in by Fox for an exchange of ideas in selling, exploiting, advertising and publicizing "Dante's Inferno." The advertising forum will be held Friday at the Fox home office. John D. Clark, general manager of distribution, will address the advertising men and screen the picture for them.

Attending the conclave will be:

Milton Feld, Monarch; Oscar A. Doob, Loew's; John Dowd, RKO; Morris Kinzler, tbe Roxy; Harry Browning, M. & P.-Publix, Boston; Charles Winchell, Minnesota Amusement Co., Minneapolis; H. E. Jameyson, Fox, Wichita, Kan.; Frank W. Buhler, Fox, Philadelphia; Charles B. Taylor, Buffalo, Buffalo; Gus W. Lampe, Eckel, Syracuse; E. E. Wbitaker, Fox, Atlanta; Ollie Brooks, Butterfield Circuit, Detroit; John Carroll, Fay's, Providence; L. B. Cool, Fulton, Pittsburgh; William Hollander, B. & K., Chicago; George Tyson, Alvin, Pittsburgh.

Elmer C. Rhoden, Kansas City; Rick Ricketson, Denver; Arch Bowles, San Francisco, and Harold J. Fitzgerald, Milwaukee, heads of National Theatres' subsidiaries; Gabe York, studio publicity head now in New York; M. L. Ahern, Charles E. McCarthy, Arch Reeve, Earl Wingart, James A. Clark, Louis Shanfield, Jerry Novat, Carl Moss, Leslie Whelan, Jack Lewis, Herbert Hyman, Abe Goodman and Roger Ferri, all from the home office.

Allied's Directors To Hold Meet Here

Allied's board of directors will hold a two-day session at the Warwick starting June 13 to consider unfinished business of the Atlanta convention.

Attending will be Abram F. Myers, general counsel; Sidney Samuelson, president; Nathan Yamins, Fall River, Mass.; Ray Branch, Detroit.

Barnstyn Sails to Produce in London

Jack Barnstyn, president of the British and Continental Trading Co., Inc., and one of the veterans in the export field, sailed for Europe on the *Statendam* yesterday morning to produce a feature in London. He will be gone five months.

HOW LONG IS A CITY BLOCK?

St. Louis found out with M-G-M's "PUBLIC HERO No. 1" *and so will YOU!*





As Predicted!

PUBLIC HERO No. 1 Tops Them ALL!

Block-long lines an hour before opening. (*Starting as early as* 9 A. M.) Greatest Thursday opening in two years. A picture to exploit! You can clean up just as St. Louis and Bridgeport are now doing in the first two engagements of the industry's new box-office sensation!

SHOWMEN! ROLL UP YOUR SLEEVES AND WATCH THE DOUGH ROLL IN!

Otterson New Para. Head; Zukor Stays

(*Continued from page* 1)

Maurice Newton of Hallgarten & Co.; Gerald Brooks of E. F. Hutton & Co.; Duncan G. Harris, vice-president of Brown, Wheelock & Harris; Stephen Callaghan, former state supreme court justice and a trustee of Allied Owners Corp.; Percy H. Johnston, chairman of the board of Chemical Bank & Trust Co.; Zukor and Otterson.

In a statement released by Paramount following the meeting it was said that Otterson would immediately resign the presidency of Erpi and would sever all relations he has had with subsidiaries of that company and of Western Electric. It was added that Otterson would devote all of his time to Paramount. No statement could be obtained from Erpi officials yesterday as to Otterson's successor for the various posts he held with the company and with Western Electric.

It is understood that the choice of Otterson as the new Paramount president was unanimous. Reports yesterday were that the Erpi head had advised the board he would not accept unless the board was in complete agreement and that his election, too, would be agreeable to Zukor. During the early stages of the directors' meeting Otterson chatted in a 12th floor office of the Paramount Bldg. and immediately after a canvass of the board was escorted to the meeting room on the seventh floor by way of the executives' private elevator. In the room he was advised of his election and greeted by the new board, some of the members of which he met for the first time yesterday.

Terms of Directors Listed

The new board of directors was formally elected at the adjourned special meeting of stockholders earlier in the day. The 16 directors elected and the terms of each follow:

For one year terms expiring in 1936: Robert K. Cassatt, William S. Gray, Jr., Charles E. Richardson and George J. Schaefer. For two-year terms expiring in 1937: Gerald Brooks, Stephen Callaghan, Duncan G. Harris, John D. Hertz, Henry R. Luce and Charles A. McCulloch. For three-year terms expiring in 1938: H. A. Fortington, Percy H. Johnston, Maurice Newton, Floyd B. Odlum, Frank A. Vanderlip and Adolph Zukor.

Two additional directors may be elected to the board under the by-laws of the new company which provides for a maximum board of 18 and a minimum of 16. Moreover, those elected for one or two-year terms can be reelected at the expiration of their initial term. After 1938 annual elections of a complete board will be held.

The reduction of old stock from 4,000,000 shares to 845,631 shares, authorized at Monday's meeting to carry out the provision for the exchange of one-quarter share of new for one share of old, was followed by an authorization given at yesterday's meeting to increase the number of new shares from 845,631 to 5,450,000 shares, and to increase the capital stock from $845,631 to $41,000,000. The new authorized issue of 5,450,000 shares will be classified into 300,000 shares of first preferred stock of $100 par, 650,000 shares of second preferred of $10 par, and 4,500,000 shares of common of $1 par.

This reduced the voting representation at yesterday's meeting to 580,519 shares from the 2,327,484 shares at Monday's session. Of yesterday's voting shares 580,377 were cast in favor of all proposals submitted. No dissenting votes were cast.

Other proposals approved by the meeting included one for the change of the company's name from Paramount Publix Corp. to Paramount Pictures, Inc.; the repeal of the old bylaws and the adoption of the new, and the guarantee by Paramount Pictures of the payment of three per cent interest annually and the application of not less than $100,000 annually to the purchase or redemption of the new Paramount Broadway Corp. bonds.

Zukor again served as chairman of the meeting with Alfred A. Cook, of counsel for the company, presiding.

Otterson, 54, Was Long in Navy; Erpi Head Since '28

Born in Allegheny, Pa., on March 29, 1881, John Edward Otterson, elected president of Paramount yesterday to succeed Adolph Zukor who was named chairman of the board, was graduated from the U. S. Naval Academy at Annapolis, Md., in 1904 and from the Massachusetts Institute of Technology five years later.

From 1900 to 1915 he saw service in the navy. At the time of his retirement, he was a naval constructor with the rank of lieutenant. For the next six years he served with the Winchester Repeating Arms Co., being president at the time he left the company to join the Winchester Simmons Co. as president.

In 1924 Otterson became associated with Western Electric, of which he was general commercial manager when three years later he was made vice-president and a director of Erpi. He was elevated to the presidency of Erpi in 1928 when the film industry entered upon the first phases of its sound era.

He is also president and a director of most of the international subsidiaries of Western Electric.

Otterson likewise is a director of the Exhibitors' Reliance Corp., New York; American Arbitration Ass'n, New York; New Haven Hospital and New Haven Chamber of Commerce, and is a member of the U. S. Naval Institute, Navy Athletic League, and Massachusetts Institute of Technology Alumni Ass'n.

Hold Australian Lead

American pictures are maintaining their leadership in the favor of Australian theatre patrons, John E. Kennebeck, Paramount managing director for Australia and New Zealand, who is here on his first visit to the home office in five years, reported yesterday.

Kennebeck said that admissions were maintained on their usual levels throughout the depression in Australia's 1,100 theatres and New Zealand's 350, and that with the economic recovery in both countries receipts are now very favorable. He pointed out that with few other forms of competing popular entertainment in his territory, films were by far the leading amusement of the masses.

Kennebeck leaves for the west coast in about two weeks on his return trip to Sydney.

Para.-Dent Deal On

Negotiations for a new operating agreement for Paramount's Salt Lake City theatres are under way here between Y. Frank Freeman, Paramount theatre head, and Louis Dent, the present operator of the Salt Lake houses. Dent arrived early this week for the conferences.

Jersey's Sales Tax Not to Hit Theatres

TRENTON, N. J., June 4.—The Senate today passed the two per cent sales tax, sending it to Gov. Harold G. Hoffman. A last-minute effort to amend the bill to include a tax on admissions was voted down and all amusements are exempt.

A coalition of 10 Republicans and three Democrats passed the bill, expected to yield $20,000,000 annually for emergency relief.

French Cabinet Fall Halts Taxation Cut

(*Continued from page* 1)

today when the fall of the new cabinet dealt a fresh blow to their hopes to obtain more equitable taxation.

The new French Finance Minister, Joseph Caillaux, had predicted just before the collapse of the cabinet a decree would be made granting a reduction of about 50 per cent in the so-called pauper tax and about 25 per cent in the state income tax.

Samuel H. Kusell Dead

Samuel H. Kusell, father of Milton Kusell of Paramount, died Monday night at his home in Larchmont. Funeral services will be held at 11 o'clock today at the Gehlert & Meslarge Chapel in Larchmont.

Kusell was 75 years old. Death was due to heart trouble. He had been ill for some time. He is survived by his widow, three sons, Milton, Daniel and Buddy, and one daughter, Sally Holden.

George Lane Passes

George Lane, studio manager of Fox Movietone News, died yesterday at the Post Graduate Hospital after a long illness. He was a veteran of eastern production, having worked in various studios for the past 30 years. He lived at 1455 Waring Ave., the Bronx. Funeral arrangements have not been made as yet.

Domingo in New Post

BOSTON, June 4.—Ben Domingo, manager of the RKO Bijou, has been made manager of the RKO Keith. He replaces Bert Hensen, who has resigned because of ill health.

BIP to Jump Theatres to 300—Maxwell

(*Continued from page* 1)

each new theatre will be around $250,000. Seating capacity will average 2,000.

Maxwell's purpose in coming over is to decide on the company's future policy in this country. Arthur Dent, general manager, has been here for the past two weeks making a survey for Maxwell who will make the final decision. B. I. P. is spending from $4,000,000 to $5,000,000 annually on production. Maxwell contemplates going to Hollywood on a search for talent. He plans to be here about three weeks, returning to England with Dent.

Maxwell said this was his first trip in four years. He added business with the company is "very good." B. I. P. plans to make 25 pictures this year. Five are in production. They are "Invitation to a Waltz," "My Heart's Delight," "The DuBarry," "Old Heidelberg" and "Music of Charms."

Report BIP Again Refuses G. B. Deal

(*Continued from page* 1)

six weeks ago, it is learned on excellent authority.

Fox holds 49 per cent of the G. B. stock, the Ostrer Brothers control 49 per cent and Lord Lee of Fareham has two per cent, which is regarded here as the controlling vote.

It is stated that if G. B. sold, Lord Lee would swing his votes with the company. So far B. I. P. is not interested in the competing company and is rapidly increasing its production costs and its theatre circuit.

Republic Heads to Cincy Meet Today

(*Continued from page* 1)

of Republic International Corp., and Miss Madeleine White, assistant to Johnston, leaves here today for Cincinnati for the company's two-day sales convention there at the Netherlands-Plaza. The meeting is scheduled to open Friday and close with a banquet Saturday night.

Trem Carr, vice-president in charge of production, leaves Hollywood tonight for Cincinnati by plane.

Twenty-six of Republic's 39 exchanges will be represented at the meeting, including Robert Withers of Kansas City, manager of the Midwest Film Exchange; C. A. Schultz of Midwest and also of Commonwealth Corp.; C. M. Parkhurst, Lester F. Durland, L. O. Ringler, W. W. Troxall, F. E. Judd and J. C. Collins, the last three named coming from Omaha.

Immediately following the Cincinnati meeting, Golden will work his way westward, winding up on the coast on or about June 21 for the two-day meeting in Los Angeles that is now scheduled in place of the one originally set for Salt Lake City at that time.


The VANGUARD
of
THE OLDEST COMPANY'S
GREATEST LINE-UP
UNIVERSAL
1935-36

UNIVERSAL DAZZLES YOU AGAIN
HIS LIFE AND HIS JEWELS
WILL MAKE WOMEN GASP!



Edward ARNOLD
DIAMOND JIM
Jean ARTHUR
Binnie BARNES

CESAR ROMERO
ERIC BLORE
HUGH O'CONNELL
GEORGE SIDNEY
OTIS HARLAN
HENRY KOLKER
ROBERT McWADE
FRED KELSEY

OM PARKER MOR
MAZING NOVEL
MERICA'S MOST SPEC-
TACULAR PERSONALITY

AN EDMUND GRAINGER
PRODUCTION

Directed by EDWARD
SUTHERLAND

BLUEBEARD'S EIGHT WIVES

STARRING
THE GREAT
KARLOFF

THE PRIVATE LIFE OF THE MOST
FABULOUS HUSBAND OF
FANTASTIC HISTORY!


2
MARGARET
SULLAVAN
PRODUCTIONS
UNIVERSAL'S GREAT STAR AT HER BEST!
IN TWO REALLY BIG STORIES TO BE
SELECTED FROM SIX TOP-NOTCHERS NOW
UNDER CONSIDERATION . . . BOTH IDEALLY
SUITED TO HER CHARMING PERSONALITY
AND REMARKABLE TALENT!

IT WILL WRITE NEW GLORIES INTO MOTION PICTURE HISTORY!

THE HUNCHBACK OF NOTRE DAME

VICTOR HUGO'S IMMORTAL STORY

HER EXCELLENCY THE GOVERNOR



THE FIRST WOMAN GOVERNOR OF HER STATE . . . AND THE FATHER OF HER CHILD CONDEMNED TO DIE FOR MURDER!

NINA WILCOX PUTNAM'S SOUL-STIRRING STORY

Dracula's Daughter

MORE SENSATIONAL THAN
HER UNFORGETTABLE FATHER!



FROM PALACES OF QUEENS TO JUNGLES OF AFRICA . . . HE PLAYS THE WORLD'S MOST DANGEROUS GAME!

EDMUND LOWE

The GREAT IMPERSONATION

FROM THE MAGAZINE SERIAL
and BEST-SELLING NOVEL BY
E. PHILLIPS OPPENHEIM

FASCINATING, EXOTIC STAR OF INNUMERABLE HITS . . . IN THE MOST GLAMOROUS ROLE OF HER RESPLENDENT CAREER!

Carole LOMBARD

in FAITH BALDWIN'S COSMOPOLITAN MAGAZINE STORY

SPINSTER DINNER

(TEMPORARY TITLE)



STARTS WITH A BANG!
BLAZES LIKE WILDFIRE!
ENDS LIKE A CYCLONE!

The HANGOVER MURDERS

From this year's best-selling mystery, by Adam Hobhouse
A Carl Laemmle, Jr. Production

NEW, BEWITCHING AND GOLDEN-VOICED SINGING STAR! SHE'LL LIFT AUDIENCES' HEARTS HIGHER THAN HER HIGH C's!

MARTA EGGERTH



Song OF Joy

THE BREAK OF HEARTS BEHIND THE SCENES OF THE ROARING MOB!

WHILE the CROWD CHEERS



CHESTER MORRIS

IN

KING SOLOMON OF BROADWAY



FROM THE STORY BY
ALBERT J. COHEN and ROBERT SHANNON

Fast AND Furious

GAYER THAN LIFE!
BOLDER THAN LOVE!



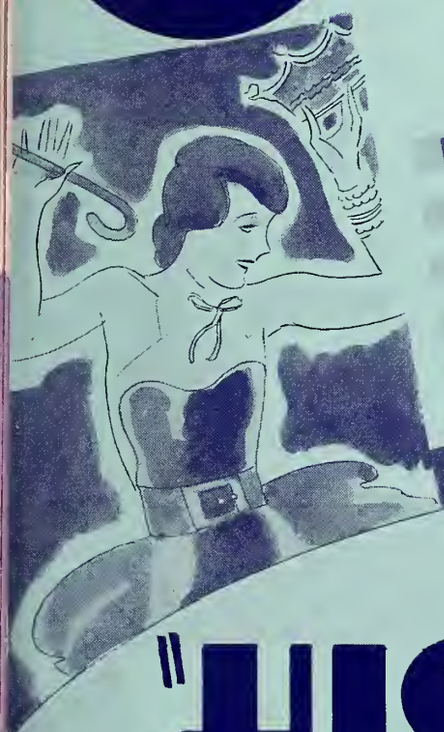


PACED WITH THE SPEED OF UPROARIOUS FARCE, THE ZIP OF MADCAP ADVENTURE, AND THE ZEST OF YOUNG LOVE!

MAY ROBSON

in her greatest role

3 KIDS AND A QUEEN



NEW YORK TURNS TOPSY TURVY WITH EXCITEMENT WHEN THREE OF THE TOUGHEST BOYS from HELL'S KITCHEN "ADOPT" THE RICHEST SOCIETY QUEEN ON RECORD!



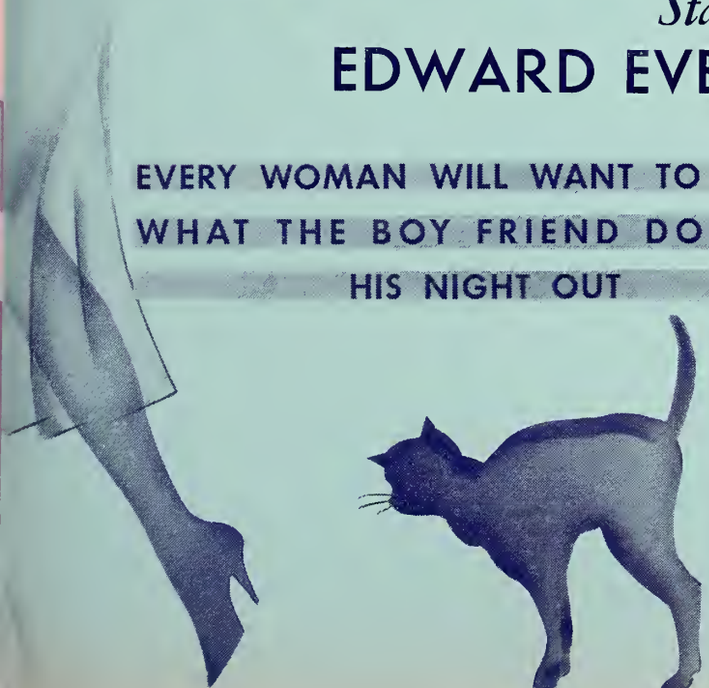
"HIS NIGHT OUT"

Starring

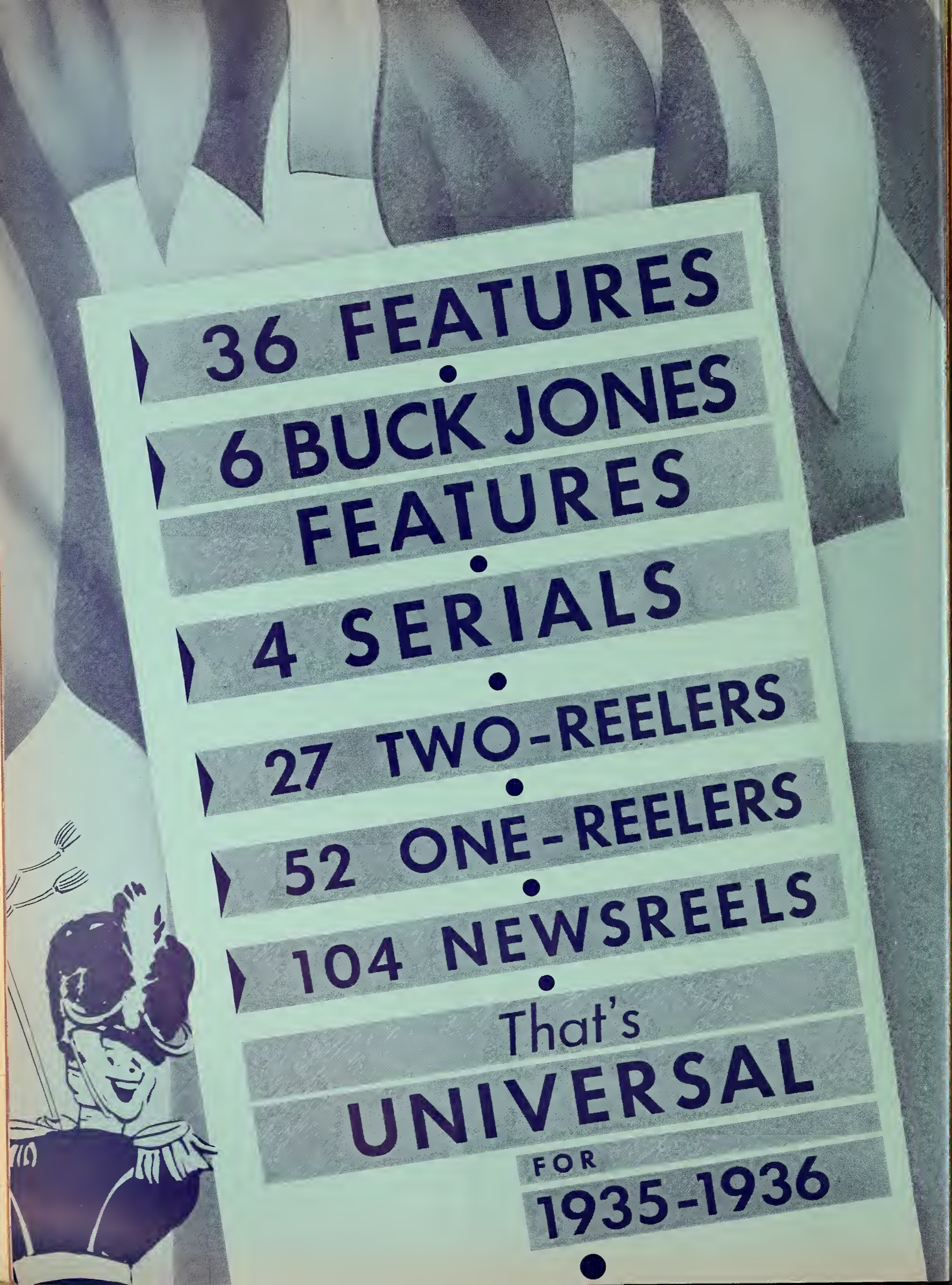
EDWARD EVERETT HORTON

EVERY WOMAN WILL WANT TO KNOW WHAT THE BOY FRIEND DOES ON HIS NIGHT OUT

AND EVERY MAN WILL WANT TO KNOW WHAT HE OUGHT TO DO ON HIS NIGHT OUT



Based on Henry Irving Dodge's famous play, "SKINNER'S DRESS SUIT"


36 FEATURES
6 BUCK JONES FEATURES
4 SERIALS
27 TWO-REELERS
52 ONE-REELERS
104 NEWSREELS
That's
UNIVERSAL
FOR
1935-1936

and . . .

DON'T FORGET!

UNIVERSAL

ENDS ITS CURRENT SEASON IN A BLAZE of GLORY

WITH . . .



MARGARET SULLAVAN

in "NEXT TIME WE LIVE"

FROM URSULA PARROTT'S LATEST NOVEL

IRENE DUNNE

in JOHN M. STAHL'S PRODUCTION OF

"MAGNIFICENT OBSESSION"

From the big best-seller by Lloyd C. Douglas

WILLIAM POWELL

in "MY MAN GODFREY"

Temporary Title

From the Liberty Magazine Serial by Eric Hatch

HOWARD HAWKS' *Production of*

"SUTTER'S GOLD"

From the Epic Novel by Blaise Cendrars
Adapted by Gene Fowler

IRENE DUNNE

in Edna Ferber's "SHOW BOAT"

Music by Jerome Kern . . . Directed by James Whale

A CARL LAEMMLE, JR. PRODUCTION



Purely Personal

CHARLES BEAHAN has opened his own office in New York out of which he will represent authors and actors. It is reported he has placed ALAN BAXTER with Walter Wanger Prod. on a four-year deal calling for two pictures yearly.

•

WILLIAM GOETZ, general manager of 20th Century, changed his transportation medium yesterday and left by train for the coast instead of by plane.

•

NORMA TALMADGE, GEORGE JESSEL, MRS. BEN THROOP, the former RUBYE DE REMER; and MRS. JOHN W. ALICOATE left for the coast yesterday by train.

•

E. A. SCHILLER is in town from Atlanta, a week ahead of schedule. The Loew executive roster found him in fine conversational form at lunch on Monday.

•

MARCELLE CHANTEL, French actress, leaves for the coast today to make a screen test for M-G-M and 20th Century. If the tests are successful both companies will sign her.

•

GUY and MRS. PEARCE arrive in town today en route to the G. B. studios where they will continue their work as makeup experts.

•

RUFUS LEMAIRE, M-G-M talent scout, left for the coast by plane yesterday.

•

. . . Atlanta

GEORGE JONES, for several years office manager for Vitagraph here, has been named office manager for Arthur C. Bromberg Attractions, distributors in this section for Republic Pictures. WILLIAM HAMES succeeds him.

P. H. SAVIN, for several years office manager for Bromberg, named general manager for that company covering exchanges in Atlanta, Tampa, Fla.; New Orleans, La., and Charlotte, N. C., with headquarters in Atlanta.

IKE KATZ, who recently sold his Montgomery theatres to R. B. WILBY, has bought the Temple here from GEORGE CAMPBELL. It is a suburban 400-seater.

Bach Back from England

W. A. Bach, president of Audio, arrived last night on the *Aquitania* after a two weeks' trip to England where he closed a deal with Lyons Tea Co. to make an industrial reel for exhibition in Great Britain.

Bach stated the English are giving the "Musical Moods" series a wonderful reception. He anticipates making 12 more for the new season.

Universal's general European manager was on the boat enroute to Chicago to attend the company's sales meet.

Lauds Hays on Radio

LOS ANGELES, June 4.—Mrs. Leo B. Hedges, film chairman of the California Congress of Parents and Teachers, praised Will Hays tonight in the first of a series of radio broadcasts over KFWB, asserting the screen had improved under his guidance.

Shumiatsky Says Russian Films Have to Be Tripled

Russia is now producing features at the rate of 300 annually, but is faced with the necessity of increasing this total by at least 300 per cent within the next two years. B. Z. Shumiatsky, head of the Russian film industry who heads a Soviet commission now here to study American film methods, so stated at the Motion Picture Club Forum yesterday.

He added that, during the same period, the number of theatres equipped with sound must be multiplied by 10 until a total of 40,000 has been reached.

Shumiatsky said Russia will first study the technological advances of Europe and America to decide which system of production will best answer the large scale needs of its industry. He added this was the chief purpose for his trip. The industry, both in technique and scale of operations, in America seems more important to the Soviets, he said.

Queried by Louis Nizer, who was toastmaster, on a list of prepared questions and with Boris Morros handling the translation, Shumiatsky asserted that Russia will produce 300 features and a like number of shorts and newsreels in 1935. He explained his government viewed films as one of its principal industries and primarily educational in scope. He added that 800,000,000 rubles will be spent on production this year. The government, he said, made a profit of 100,000,000 rubles from the film industry last year. It increases financing of production with proportionate rises in earnings. Paper rubles currently are worth two cents, American.

The head of the Russian industry said that the appeal of foreign language pictures in Russia is limited since sound because of the language problem and because they do not embrace enough action. The same system of run classification applies in Russia as in the United States. Most of the stars are developed in schools and those giving outstanding performances are assigned leading roles, he added.

In reply to a question sent to the dais by Harry Hershfield who inquired what other colors Russia would use in Technicolor, Shumiatsky delivered a two-way answer. If the query was aimed at the artistic complexities of pictures, he said, Russia would use all colors, not merely its traditional red. If the question had political connotations, Shumiatsky deftly answered Russia's pictures will reflect the life of his country. He drew an analogy between French and English pictures, assumed that product from those sources properly should reflect the spirit and the habits of the countries that made them and concluded by adding Russia would follow suit.

V. Verlinsky, head of Amkino, officially welcomed the group. He recalled his first visit to the club a year ago when the only American expressions he knew were "Oh Boy! okay, lousy pictures, money and cash."

G. Melamed, general consul of the U. S. S. R. in New York, urged a cooperative film movement between Russia and America. V. Nilsen, Russian cameraman, talked in his native tongue and, after Morros was through translating, Nizer took the floor to explain Morros' remarks.

The Russian delegation will appear en masse at the Ampa meeting at the Edison tomorrow. Nizer will also attend as will Tom Howard, the comedian, and others.

Bowes to Make Shorts

Major Edward Bowes is negotiating to make a series of shorts in the east. It is understood the subjects will feature amateur radio talent. The deal is expected to be closed within a day or two.

Friedman to WMCA

Zach Friedman has resigned as manager of the Fox, Brooklyn, to organize the WMCA Artists' Bureau. It is probable no immediate successor will be named to take over his former theatre duties.

Looking 'Em Over

"Dance Band"

(*Alliance*)

This is a pleasing little musical, unpretentious by comparison with Hollywood's lavish revues, but succeeding in sustaining a light entertainment thread from beginning to end. Its story, that of the romance of two band leaders—girl and boy—and the obstacles to it presented by their professional rivalry, is as slight as the theme of any musical, but it serves as a suitable background for songs, dances, comedy and the display of Buddy Rogers' and June Clyde's voices and syncopation.

Rogers, as the band leader whose professional skill and good fortune continually frustrate his romantic pursuit of Miss Coyle, the leader of a girl's orchestra entered in a band contest against him, appears to good advantage under the direction of Marcel Varnel. Miss Clyde, similarly well cast, is at her best in the musical numbers. The remainder of the cast, although able, is unknown here. Settings, occasionally, leave something to be desired. Photography is good.

The picture should be a good contribution to any double feature program. Previewed without production code seal. Running time, about 75 minutes. "G."

Warners' Eastern Group Off Tonight

(*Continued from page* 1)

visit points of interest on the trip through the Southwest.

Boarding the train tonight will be Gradwell L. Sears, A. W. Smith, sales executives; Norman H. Moray, Vitaphone sales executive; Bob Mochrie, Carl Leserman, H. S. Bareford, Mort Blumenstock, Stanley Shuford, Herb Crooker, Arthur Sachson, H. M. Doherty, Harry Rosenquest, Mike Dolid, Charlie Kemke, Joseph Kelly, and C. L. Tietjen, all from the home office; R. H. Haines, metropolitan district manager, Harry Decker, C. Cohen, L. Jacobi, Sam Lefkowitz, I. Rothenberg, Paul Swift, G. Solomon, and Harry Hummel, New Jersey branch manager, and C. Kenneth, all from the New York exchange; Moe Silver, zone manager, Ray Smith, branch manager, and G. Goldenberg, from Albany; Tom Spry, branch manager, E. H. Warren, J. B. Magann, D. E. Purcell, W. Horan and B. Abrams, from Boston; Nat Furst, branch manager, I. J. Hoffman, and J. Pavone, from New Haven, and Don Jacocks, Newark theatre zone manager.

The train will make a short stop at North Philadelphia to pick up the following: W. G. Mansell, branch manager, C. Beilan, J. Bachman, J. R. Mahan, W. Quinlivan, Ted Schlanger, zone manager, all from Philadelphia, and Herb Copelan, Atlantic City zone manager. At 10:06 P. M. the following men from Washington will join at Harrisburg: Robert Smeltzer, eastern district manager, N. Ayers, F. W. Beiersdorf, G. F. Contee and John Payette, zone manager.

Wide Shakeup Upstate

Warner New York state managers have been shifted in a number of spots by Moe Silver, zone manager at Albany.

William Leggiero, formerly on the coast, has been made manager of the Avon, Utica. I. S. Kay has gone from the Avon to the American, Troy, to replace Byron Farley, resigned. Eddie Selette, former manager of the Regent, Albany, an independent house, is now managing the Albany. He replaced Eddie De Cosmo, who resigned to join Schine Theatres, Gloversville.

Walter McDowell, formerly at Loew's, Louisville, Ky., is now at the Winter Garden, Jamestown, replacing Irving Waterstreet, resigned.

Joe Weinstein has been added to the booking department as an assistant. He comes from Shea theatres, Buffalo, and replaces T. J. Prober, resigned. Leo Drexler has been transferred from the New York office to the Albany contact department under the supervision of J. P. Faughnan.

Phelps Goes to Chicago

Frank Phelps of Warners' theatre department flew to Chicago yesterday to be present at the opening of the company's Beverly theatre there.

Gordon Sets "Jubilee"

Max Gordon, in association with Sam Harris, will produce "Jubilee," which will make its debut shortly.

Although M-G-M has talked over a deal for participating in financing in Gordon and Harris productions, no deal has yet been closed and, according to Gordon, the picture company has no share in "Jubilee."

"U" to Have 42 Features, 219 Shorts

(Continued from page 1)

This group includes "Show Boat," two with Irene Dunne, a John Stahl production, and one with William Powell. Wednesday afternoon, he will discuss expectancies for the remainder of the 1934-35 season.

Edward Arnold, star of "Diamond Jim," which is to be "U's" lead off picture for next year, is making a special trip to Chicago as a convention surprise. He is due Thursday and will be the guest at a luncheon that day as well as at a dinner which Universal will give local newspapermen that night.

On Friday, Carl Laemmle, Sr., will address the convention which will terminate in time for the conventioneers to leave for their respective cities by early afternoon.

Seventy home office executives and field men were concentrating here tonight for the sounding of the opening gavel Wednesday morning. The list includes:

Albany—P. T. Dana.
Atlanta—John Ezell, C. T. Jordan,
Boston—W. F. Kelly.
Buffalo—Nate Sauber.
Charlotte—James Hobbs.
Chicago—H. M. Herbel.
Cincinnati—Paul Krieger.
Cleveland—Saul Resnick.
Dallas—E. S. Olsmith.
Denver—John Langan.
Des Moines—Louis Patz.
Detroit—Mannie Gottlieb.
Indianapolis—Floyd Brown.
Kansas City—William Benjamin, H. D. Graham.
Los Angeles—W. J. Heineman, A. J. O'Keefe, Edward Arnold, John LeRoy Johnston, Jack Ross.
Memphis—W. E. Sipe.
Milwaukee—George Levine.
Minneapolis—Frank Mantzke.
New Haven—Joseph Morris.
New Orleans—Paul Tessier.
New York—Leo Abrams, E. V. Anderson, O. C. Binder, Edward Bonns, P. D. Cochrane, R. H. Cochrane, Max Cohen, E. F. Cox, Charles Ford, E. T. Gomersall, Paul Gulick, Charles Kirby, M. L. Kopplеman, William Kraemer, Charles Leonard, F. J. A. McCarthy, Willard McKay, N. L. Manheim, Dave Miller, Sam Sedran, Sydney Singerman, Andrew Sharick, Herman Stern, Joe Weil, Sig Wittman.
Oklahoma City—R. I. Payne.
Omaha—J. J. Spandau.
Philadelphia—Joe Engel.
Pittsburgh—A. T. Barnett.
Portland—G. C. Craddock.
St. Louis—J. E. Garrison.
Salt Lake City—Jack Rue.
San Francisco—Barney Rose.
Seattle—L. J. McGinley.
Sioux Falls—E. E. Gruenberg.
Washington—Edward Heiber.

Canada

Calgary—J. A. Wilson.
Montreal—D. Leduc.
St. John—W. A. Sault.
Toronto—Clair Hague, Sol Brint.
Vancouver—R. A. Scott.
Winnipeg.—F. L. Vaughan.

The official program follows:

Wednesday

10:30 A. M.—Welcome by R. H. Cochrane.
11 A. M.—Announcement by J. R. Grainger of the novels, plays and stories to complete the current season.
2:30 P. M.—Plant operations and general discussion by Grainger.

Thursday

9 A. M.—Screening (place to be announced).
10:30 A. M.—New product announcement, season of 1935-36, by Grainger. Introduction of "Surprise Personality."
2:30 P. M.—Announcement of sales policy by Grainger. Discussion.

Friday

10:30 A. M.—Concluding address by Grainger. Important angles, new product and sales policy.
Noon—Address by Carl Laemmle.
Official closing.

Trade Bill Sought As NRA Substitute

(Continued from page 1)

of the NRA as remains valid under the Supreme Court decision.

The measure would declare interstate commerce to be a public utility and impose an excise tax of one dollar on every enterprise engaged therein. All enterprises using the mails or any form of interstate transportation or communication would be required to register with and secure a license from the commission.

The commission would have the authority to impose regulations for the conduct of businesses subject to its control, but no effort would be made to control or regulate enterprises engaged solely in intrastate commerce, held by the court to be beyond the reach of the Federal government.

In addition to the measure introduced by Shanley, Representative Connery of Massachusetts announced he would introduce a bill tomorrow also requiring licenses but with the further requirements that licensed establishments observe the 30-hour week and pay specified minimum wages.

To Report on Coast Cuts

Los Angeles, June 4.—The local labor boards have received instructions from NRA headquarters in Washington to file the names and addresses of all employers trying to extend working hours and reduce wages, according to R. L. Haywood of the operators' union following a general labor meeting yesterday.

To date there have been no wage reductions or hour extensions in the exhibiting field or any effort to change the NRA scale by independent exhibitors. However, there have been complaints over the loss of NRA protection against the flood of bank nights and other giveaways.

Another labor rally is scheduled here for June 13 at Trinity Auditorium. All affiliated stage and screen craft organizations are expected to attend.

Leonia Suit Is Delayed

Hearing on the Adams Brothers' suit for an injunction to restrain Fox from releasing pictures to the Leonia, Leonia, ahead of the Park Lane, Palisades Park, N. J., has been postponed to June 17.

Peter and Adam Adams filed the suit recently when Campi handed down a decision granting the Leonia the right to play 14 days after Englewood. The Park Lane contracts call for protection over the Leonia. Meanwhile, Fox is serving the Leonia in compliance with the code decision, despite invalidation by the Supreme Court of the NRA codes.

Wall Street

Small Gains Mark Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	58⅞	56	58½	+2⅝
Consolidated	3⅝	3⅝	3⅝	+ ⅜
Cons., pfd (1¼v)	14½	14½	14½	+ ¼
Eastman	142	138¾	142	+3¼
Fox "A"	15⅞	15¼	15⅝	+ ½
Loew's	40⅛	38½	39½	+ ¾
Paramount	3½	3¼	3⅜	− ⅛
Pathe "A"	8⅞	8¾	8¾	.....
RKO	2	2	2	+ ⅛
Warner	3½	3⅜	3⅜	.....
Warner, pfd	23	23	23	+1½

Technicolor Hits New High

	High	Low	Close	Net Change
Technicolor	27	25⅞	26⅞	+1

Bonds Show Small Gains

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	12¼	12	12¼	+ ¼
Keith B. F. 6s '46	80¼	80	80¾	+1¼
Paramount B'way 5½s '51	55½	54½	55½	+1
Paramount F. L. 6s '47	88	87	88	+1
Paramount Publix 5½s '50	89¼	88⅜	87	+1
Warner Bros. 6s '39 wd	63¼	62½	63¼	+2

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 4)

J. C. Bavetta on Coast

Hollywood, June 4.—J. C. Bavetta, former Paris exchange manager for Fox, has arrived here en route to his new post as Argentine manager for the same company. He will be here a week before leaving for South America during which time he will confer with studio officials.

In Deal with E. M. Loew

Lou Berman of Popular Pictures declared yesterday the New England franchise had been placed with E. M. Loew, operator of a circuit in that territory.

Code Revival Is Abandoned By President

(Continued from page 1)

which, the President said, would be the hour and labor provisions of the codes.

The effect of this will be that any producer or distributor who hopes to sell films to any Federal agency will have to retain the labor provisions of the film code.

Although the President did not comment on the matter, there were indications that resort may yet be had to the Federal Trade Commission's trade practice agreement plan to enable such industries as desire to retain such of their code trade provisions as would not run afoul of the anti-trust laws to do so. It is not likely, however, that any legislation will be sought this session either to extend the scope of these agreements or to cover them with the anti-trust law exemption by which they were protected while in the codes.

The only other legislation on the matter expected to be sought this session is the approval by the House of the first paragraph of the Clark resolution passed by the Senate May 14, extending the NRA for nine and one-half months. The provisions of that resolution applying to codes will be eliminated.

The President made it clear no effort would be made to enforce any of the provisions of the codes. "It should not be assumed by any person," it was declared in an official White House statement, "that this proposed continuation of the National Recovery Administration, in skeletonized form, relates in any way to the enforcement of working conditions or fair trade practices formerly existing under the codes. All such requirements were eliminated by the Supreme Court decision."

The legislation planned by the Administration, it was admitted, "does not make such progress toward obtaining the ultimate objectives of national standards for the working population of America nor for national standards which seek to protect honorable employers against the unfair practices of less honorable competitors."

Pivotal Figures at "U" Convention



Carl Laemmle
President



R. H. Cochrane
Vice-President



J. R. Grainger
Gen'l Sales M'g'r



P. D. Cochrane
Advertising Chief

There's no doubt about it—

DOUBLE YOUR AD BUDGET—
AND YOU'LL TRIPLE YOUR PROFIT
with Will's most hilarious hit!

WILL ROGERS

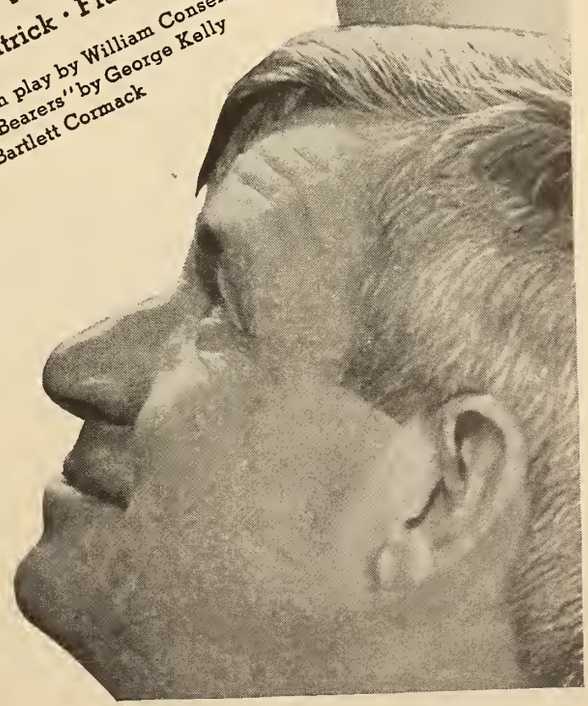
in

"Doubting Thomas"

A B. G. De Sylva production

with **BILLIE BURKE**
ALISON SKIPWORTH
Sterling Holloway · Gail Patrick · Frances Grant

Directed by David Butler • Screen play by William Conselman
From the play "The Torch Bearers" by George Kelly
Adaptation by Bartlett Cormack



YOU HAVEN'T A SHOW WITHOUT FOX

He's Dizzy!...He's Daffy!...He's Box-Office!



JOE E. BROWN

in "ALIBI IKE"

A First National Picture by Ring Lardner, with Olivia De Havilland, Ruth Donnelly. Directed by Raymond Enright.

Another proof that Warner Bros. have plenty on the ball this summer!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 132 NEW YORK, THURSDAY, JUNE 6, 1935 TEN CENTS

"U" to Retain Code Features In Contracts

Chicago Convention Gets News from McKay

CHICAGO, June 5.—Universal today made public its intention to retain in its exhibition contracts all of the rules, provisions and specifications inaugurated under the NRA code, the sole change contemplated being alterations in the text to eliminate direct and specific mention of the code itself. Presumably, this means Universal will continue the 10 per cent cancellation clause among others.

Announcement of the company's policy was divulged by Willard S. McKay, general counsel, as the company swung into the opening day of

(*Continued on page* 10)

Allied Is Sifting Member Complaints

An investigation of all Allied States' exhibitor complaints of affiliated company "aggressions" is under way prior to their being placed before Will H. Hays, as recommended by Allied's recent national convention at Atlanta, it was reported in the organization's official bulletin released here yesterday.

The bulletin, commenting on the Supreme Court decision nullifying

(*Continued on page* 10)

"Miserables" Gets $10,000 Sixth Week

"Les Miserables" grossed $10,000 on the last four days of its sixth and final week at the Rivoli. The first week's take of its successor, "Let 'Em Have It," ending Tuesday night, was $27,000.

The fourth and last week of "G-Men" at the Strand ended up with $15,900.

It was decided last night to hold "Goin' to Town" a fifth week at the Paramount, although the picture had been scheduled to close there tonight. The gross for its fourth week is expected to be about $20,000.

Warner Men Entrain For Coast Parleys

PITTSBURGH, Thursday, June 6.—Headed by Charles Rich, Warner branch manager, the local contingent to the company's sales convention in

(*Continued on page* 4)

Autonomy Up Again Among 306 Members

End of Basic Wage Deals Brings on New Move

With the public hearing on the operators' basic wage scale in Washington having been called off, members of Local 306 are expected to ask for local autonomy for the union.

The I.A.T.S.E. has been representing the local at various conferences held with circuits and independent exhibitor leaders, but now that the scale situation is wide open and free from NRA jurisdiction, projectionists feel that the union should be turned over to the members again for operation.

At a meeting of the membership about two weeks ago, the local autonomy angle was discarded in favor of

(*Continued on page* 10)

Taxes May Be Used In Federal Control

By BERTRAM F. LINZ

WASHINGTON, June 5.—Resort to the government taxing power as a basis for a new code system was under consideration at the Capitol today as members of the House Ways and Means Committee began consideration of the legislation for continuance of the skeletonized NRA asked yesterday by President Roosevelt.

Indications were that the measure would go further than contemplated

(*Continued on page* 10)

Settlement Talked In Fox Color Suit

SAN FRANCISCO, June 5.—A possible out of court settlement of the color patents infringement action brought against Fox Film by Leon Douglas was revealed here today by attorneys for Douglas.

The fourth extension of time for the answering of interrogatories filed by Fox attorneys expired yesterday, giving rise to reports of a possible settlement which were verified by the Douglas attorneys.

Cal. Senate Passes 3% Sales Tax Bill

SACRAMENTO, June 5.—The California Senate has passed a new sales tax bill raising the rate from the present two and one-half per cent to three per cent, with foodstuffs exempt. It is anticipated the measure

(*Continued on page* 4)

Eyebrows Up

M. H. ("Deac") Aylesworth, president of NBC, and William ("Bill") Paley, president of CBS, lunched at "21" yesterday and, from time to time, were serious about it.

Film men in the same emporium at the same time raised their eyebrows, then lowered them when they learned the two broadcasting moguls had a habit of breaking bread often.

Zanuck to Be One of Big 3 In Fox-20th

HOLLYWOOD, June 5.—The revelation that he will be one of the big three in the Fox-20th Century combine, together with Joseph M. Schenck and Winfield Sheehan, was made by Darryl Zanuck today upon his return from his Alaskan hunting trip.

Fox and 20th Century, he said, will be one unified company with Schenck chairman of the board, Sidney R.

(*Continued on page* 2)

SEC to Rule Upon Non-Salary Reports

WASHINGTON, June 5.—Decision as to the action to be taken in the case of corporations filing registration applications for their securities, in which information as to salaries was withheld, will be reached by the Securities and Exchange Commission in the near future, it was learned today. The commission will probably

(*Continued on page* 10)

Loew-Momand Claim To Get New Hearing

A motion asking leave to liquidate the claims of E. M. Loew of Boston and A. B. Momand of Oklahoma, which were filed against Paramount in the company's reorganization proceedings, was set for hearing on June

(*Continued on page* 4)

Floods Hit Theatres In Western Section

DENVER, June 5.—Theatres in Colorado and Nebraska were hard hit by the recent floods. Lack of film closed

(*Continued on page* 10)

E. S. Bloom to Head Erpi As Its President

In Otterson Post; to Be Announced Soon

Edgar S. Bloom, president of Western Electric, an American Telephone and Telegraph subsidiary, is slated to succeed John E. Otterson as president of Erpi.

The step has been agreed upon, but will not be submitted for formal action until the board of Erpi meets, which may be in about a week.

Bloom, an old-time telephone man, was one-time president of the Missouri Bell Telephone Co. A successor to his post at W. E. has not been determined upon so far as could be learned yesterday.

It was unofficially reported that his Erpi appointment will in no wise affect his current duties and that he may continue as president of both companies although this procedure was viewed yesterday as running contrary to the telephone company's thoughts on corporate procedure for its subsidiary and allied companies.

Otterson, who was elected president of Paramount on Tuesday, will assume his new post June 17. In a brief statement issued yesterday, Erpi made it clear that he would resign all posts with Erpi and with the Bell System.

Decentralizing Two Fox Theatre Units

That a move is on foot to decentralize the operations of Fox Midwest and Fox Rocky Mountain was learned here yesterday. Elmer C. Rhoden, operating head of Fox Midwest, and Rick Ricketson, in charge of Fox

(*Continued on page* 2)

Ontario's New Tax Is Passed to Public

TORONTO, June 5.—The new amusement taxes went into effect Saturday with exhibitors showing a 100 per cent front in following their pledge to

(*Continued on page* 4)

One-Fourth of New Para. List on Way

HOLLYWOOD, June 5.—Paramount already has one-fourth of its 1935-36 schedule in work, the studio states.

(*Continued on page* 11)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Film Gains Praised In Coast Broadcast

HOLLYWOOD, June 5.—The first of a series of four broadcasts on films sponsored by the B'nai Brith Grand Lodge was given last night by Mrs. Leo B. Hedges, film chairman of the California Congress of Parents and Teachers. The broadcast went out over KFWB.

Mrs. Hedges' talk, "The Public and the Motion Picture," pointed out the improvement in pictures and the public taste since the producers organized under the leadership of Will H. Hays.

Among those who will speak on coming programs are Victor Schertzinger, Edwin Schallert and Mrs. Thomas G. Winters.

Russians Off Saturday

B. Z. Shumiatsky, head of the Russian film industry and leader of the Soviet commission now here to study American film methods, leaves for Hollywood Saturday for conferences with western Hays officials and studio executives. He will be accompanied by the Russian director, F. Ermler and Vladimir Verlinsky, president of Amkino.

No Circuit Decision

The I. T. O. met at the Astor yesterday to discuss plans for the formation of an independent circuit composed of New York independents, but got nowhere. The plan may be discussed further at future meetings.

Purely Personal

E. R. GOURDEAU, head of Interworld Films Studios, London, arrives on the *Georgic*, June 9. He is bringing with him several pictures, including the one BUSTER KEATON made for the company last year. While here he will buy some American films for distribution abroad and make his headquarters at J. H. HOFFBERG's office.

•

M. H. AYLESWORTH, BILL PALEY, HERB YATES, NED DEPINET, JACK CONNOLLY, MARTIN QUIGLEY, PHIL REISMAN, HERMAN ROBBINS, SAM DEMBOW, JR., and JOE VOGEL did their lunching at "21" yesterday.

•

EDWARD ARNOLD has finished work in Universal's "Diamond Jim" and is headed this way on a vacation. EDWARD SUTHERLAND is also en route here for a vacation from the same studios.

Quip of the Day

"Now that the buying season is seizing the exhibitors, that's the reason I'm getting up 'riders' to go on all contracts I sign."

So sang Mox Shabbus, Hollywood seer, sharpening his pencil.

"My 'rider' to start, will insist 'NO FIRST RUNS' for my show-case. Why should I rent my house as a try out theatre? I'm not running a proving grounds.

"Let other exhibitors test the pictures and give the puffs—I'm satisfied with the cream."

SIDNEY SAMUELSON, president of national Allied, is back from his motor trip which began following the recent Atlanta convention. Has piles of mail to clear away.

•

ADOLPH ZUKOR and JULES E. BRULATOUR held an extended conference in front of the Paramount Bldg. yesterday—out where all and sundry could see.

•

DICK BRADY, the old Eastman Kodak man, has a European trip behind him. TED CURTIS, same company, is due back about mid-June.

•

PHOEBE FOSTER is on her way here by train from the coast to fulfill an engagement on the local stage. She's been under contract to M-G-M.

•

BORIS SHUMIATSKY and F. ERMLER, Russian film delegates, were conducted through the Music Hall yesterday by W. G. VAN SCHMUS.

•

FRANK BORZAGE, in the east shooting scenes for "Anchors Aweigh," is in town at the Warwick for a day or so.

•

AL JOLSON and LYLE TALBOT were at the opening of "Oil for the Lamps of China" at the Strand last night.

•

LORETTA YOUNG is due in New York the latter part of the week on her way to Europe.

•

FLORENCE RYAN and RUTH HOERTH, secretaries to SOL LESSER, are in town for a brief vacation. They attended the Fox convention in Chicago with LESSER, who returned to Hollywood.

•

AL FINESTONE, long correspondent in Kansas City for Quigley Publications, is rounding out his first week as a member of the reportorial staff of *Motion Picture Herald* in New York.

•

MONTY SHAFF is on a tour of Cleveland, Chicago, Detroit, Omaha and other Majestic exchanges in the interests of "Dealers in Death."

•

SOPHIE TUCKER will be at the Capitol the week beginning Friday in a revue featuring the RITZ BROTHERS and DONALD NOVIS.

•

ROBERT MONTGOMERY, around town on a vacation from M-G-M's studios, is talking about sailing for Europe in two weeks or so.

•

A. J. RICHARDS is laid up at home with a bad cold, but expects to be back at his office at Paramount News in a day or so.

•

E. H. ALLEN, western Educational production manager, is in town for production conference with E. W. HAMMONS.

•

COLE PORTER and MOSS HART are back from that world cruise. That means those funny cables have come to an end.

•

MADGE EVANS arrives in town from the coast today. On Friday she sails on the *Aquitania* on a short vacation.

•

LEW SEILER arrives here by plane from the coast Friday to direct exteriors for Fox's "Police Parade."

•

LEO KLENABOW is out of bed and around again after a short illness.

•

ARTHUR KOBER is at the Lombardy from the coast.

•

MIKE MARCO is due from the coast shortly.

•

. . . St. Louis

Compton theatre reopened by SIDNEY JOHNSON's brother. . . . BILL HOPPE, JR., district manager for St. Louis Amusement, M.C.'s at all his theatres' amateur nights and giveaways. . . . GEORGE WOODS, district manager, up from a severe attack of cold. . . . AL POOS up and going from a siege of flu. . . .

Kiddie birthday surprise party held for HOMER HARMON, assistant to DINTY MOORE, Warner chief here. Attired in kiddie klothes, the following were kids for a night: MOORE, BILL MAHONEY, BOB HICKS, NORMAN RATHERT, AL ZIMBALIST, PHIL SHAPIRO, MIKE SHAPIRO and numerous others. . . .

TONY MATRECI, manager of the Uptown, made a killing at the Biltmore Country Club.

GEORGE WIEGAND, contact manager, in the bucks as is evidenced by a new Dodge coupe. . . . HENRY BUDDE, sound technician with a new coach. . . . JIMMY TAPELLA with a new convertible. . . . AL FRIEDLANDER, operator, with a new sedan. . . . AL ZIMBALIST with a headache.

Zanuck to Be One of Big 3 In Fox-20th

(*Continued from page* 1)

Kent president and Sheehan and himself vice-presidents, with the management of all production under "the united control" of Schenck, Sheehan and himself.

Zanuck pointed out the merger was not a case of either company absorbing the other, but a consolidation of all assets and talents of both. Housing facilities for 20th Century were being rushed by Fox, he said, with the former's moving slated for Aug. 1.

An important factor in the development of 20th Century, Zanuck said, was the fact that its distribution had been in the hands of Al Lichtman of United Artists, whom he called "one of the fine minds of the industry."

Zanuck will go to New York next week for a meeting with Schenck and Kent at which plans for Fox-20th Century will be completed. His trip east will be necessitated by the fact that as a partner in 20th Century he must sign the papers sealing the union along with Schenck. Kent and Schenck will return here with Zanuck.

It was also learned today on unimpeachable authority that John Krimsky, assistant to Producer Edward Butcher, is to be made a producer at Fox at an early date.

Decentralizing Two Fox Theatre Units

(*Continued from page* 1)

Rocky Mountain, are in town conferring with Spyros Skouras and Fox Film and Chase National Bank factors.

Under a plan being worked out by Skouras and National Theatres greater authority will be granted to the operating heads of the two units. Expected to become effective with the windup of the Fox Midwest and Fox Rocky Mountain receiverships in Federal court at Kansas City, the new setup calls for transfer of the general bookkeeping department staff from Los Angeles to the divisional headquarters. Only general records will go to Fox West Coast in Los Angeles, with a periodical report made to Skouras in New York.

Under the decentralization plan 70 houses in Montana, Wyoming, Colorado, New Mexico and most of Nebraska will be included in Ricketson's division, while Rhoden will have under his supervision 120 theatres in Kansas, Missouri, Southern Illinois, Iowa and Beatrice, Neb., not all of which are open.

Flash Review

The Red Wagon— . . . Antiquated treatment of a circus story stamps this as a decidedly mediocre affair. . . .

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Vuono Goes to Maine

STAMFORD, June 5.—William Vuono, general manager of the Vuono circuit, has gone to Maine to try the fishing at Moosehead lake.



THE PICTURE OF THE WEEK

Hailed everywhere by preview critics as a 'must see', **"OIL FOR THE LAMPS OF CHINA"**, a Cosmopolitan production for Warner Bros., is unquestionably the most important of this week's screen releases. Brilliantly directed by Mervyn LeRoy from the recent best-seller, its powerful story of young American lovers and their battle with the mystic East affords splendid acting opportunities for Pat O'Brien, Josephine Hutchinson, Jean Muir, Lyle Talbot. A First National picture. Released June 8th.

Australians Prepare For Start of Quota

By CLIFF HOLT

SYDNEY, May 5.—Although the New South Wales Quota Bill was brought down more than a month ago, there is little activity among producers or investors. Realizing that the first effects of the quota will not be felt for another 12 months, producers are apparently taking their time. Nevertheless, Mastergraft Film Corp., Ltd., and Film Players Corp. each capitalized at £50,000 have been registered.

Directors of Film Players' read importantly. They include Sir John Butters, a director of Associated Newspapers, Ltd.; W. J. Bradley, K. C., well known barrister, and George H. Rayner, society figure.

In the prospectus, the company claims to have made releasing arrangements in Australia and Great Britain and other countries. First production will be "The Burgomaster." National Studios, Ltd., who are not calling for public money, are all set to start shooting as soon as special recording equipment is landed from Great Britain.

F. W. Thring, pioneer of local film production, has called a temporary halt to his Efftee activities in Melbourne, expecting the Victorian Government to introduce a Quota Bill similar to that which will operate in N. S. W.

Important announcements as to Cinesound activities is expected here from Ken G. Hall, production head just back from the United States.

Expeditionary Films, winners of the Commonwealth Government's £2,500 production competition, have increased the company's capital from £15,000 to £50,000.

* * *

The gift practice has assumed alarming proportions here. Furniture, radios, vacuum cleaners, crockery, etc., are figuring largely on the giveaway lists, one exhibitor going so far as to plug the line "Bigger and Better Gifts next Saturday" in his advertisements.

Fearing dire results, the N. S. W. Exhibitors' Ass'n. called a general meeting which ended in a decision to enlist the M. P. D. A.'s aid in effecting a halt. The distributors were right behind the Exhibitors' Ass'n. decision, but, despite the ultimatum issued by exhibitors, the gifts continue.

There is some talk of embodying a no-gift clause in a standard contract, if the distributors are agreeable.

* * *

"English producers are offering extraordinary money to Hollywood players and directors who aren't worth one quarter of it. They're doing the silly things that sent Hollywood bankrupt," said Ken G. Hall, production head of Cinesound, when he returned after a six months' survey of studio activities in Hollywood.

Hall expressed the opinion that the major producers will have to watch the independents, who, on a lower overhead, are delivering hits with almost the same consistency as the larger companies.

"Encumbered with heavy operating costs, and lacking any really effective means of eliminating waste, the big production organizations are likely to find themselves embarrassed by the independents' competition," he said.

* * *

Pictures and vaudeville on a 50-50 basis are being revived by General Theatres Corp. in Brisbane. If the idea clicks, the policy may be extended to other states.

Vaudeville and revues are enjoying a vogue in Australian cities just now, and it was to be expected that picture houses would make a bid for their share of whatever revenue is going.

Wall Street

Small Gains Mark Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	59	58	58¾	+ ¼
Consolidated	3¾	3⅝	3¾	+ ⅛
Cons., pfd (1¼v)	15⅜	15	15⅜	+ ⅞
Eastman	144¼	141½	144¼	+2¾
Eastman, pfd	154½	154½	154½	.....
Fox "A"	15⅜	14¾	15	— ⅝
Loew's	40⅝	39⅛	39⅝	+ ⅛
Loew's, pfd	105	105	105	—1¼
M-G-M, pfd	27⅜	27⅜	27⅜	.....
Paramount	3⅝	3⅜	3⅜	.....
Pathe	¾	⅝	¾	+ ⅛
Pathe "A"	9¾	8¾	8¾	.....
RKO	2¼	2	2	.....
Warner	4¼	3⅜	4⅛	+ ¾
Warner, pfd	27¼	24¾	26½	+ ½

Technicolor Off 1½ on Curb

	High	Low	Close	Net Change
Sentry Control...	⅜	⅜	⅜	.....
Technicolor	26½	25¼	25⅜	—1½

Para. Pub. Bonds Gain 1¾

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	12	11¾	11¾	— ½
Keith B. F. 6s '46	80¼	80¼	80¼	.....
Loew's 6s '41 ww deb rights..	104¼	104¼	104¼	.....
Paramount B'way 5½s '51	56¼	55	56¼	+ ¾
Paramount F. L. 6s '47	88¾	88¾	88¾	+ ¾
Paramount Publix 5½s '50	90¾	90	90¾	+1¾
RKO 6s '41 pp...	40	40	40	.....
Warner Bros. 6s '39 wd	65½	63½	64½	+1¼

(c) Plus stock extras. (K ond v) Poid this yeor.

(Quotations as at close of June 5)

Loew-Momand Claim To Get New Hearing

(Continued from page 1)

19 by Federal Judge Alfred C. Coxe yesterday. The claims aggregate more than $10,000,000 and are based on the triple damage provisions of the anti-trust laws. The motion seeks to determine what the exact amount of the claims should be, if any.

On the same date Judge Coxe is scheduled to hear exceptions to Special Master John E. Joyce's report on the Loew and Momand claims which held that while actual damages from alleged anti-trust law violations might be provable against a bankrupt the triple damage provisions do not apply. Both Loew and Momand and Paramount are filing exceptions to this report.

Sam Taylor-Roach Split

HOLLYWOOD, June 5.—Sam Taylor's contract with Hal Roach has been terminated by mutual consent. Taylor's last directorial assignment from Roach was "The Vagabond Lady," and he was to have directed "The Honesty Racket." No new director yet has been chosen for that film.

Mrs. Goodrow Gaining

NEW ORLEANS, June 5.—Mrs. Fred F. Goodrow, who has been in a hospital for two weeks, is recovering. She is the wife of the First Division Manager.

Ontario's New Tax Is Passed to Public

(Continued from page 1)

add the complete assessment of the Ontario government and not absorbing any portion of the tax. In passing on the whole of the tax to the people the brunt fell on the purchasers of tickets of 25 cents and under in face value, which were formerly tax free. The most strenuous objections were against the payment of a five cents tax on quarter admissions and a two cents levy on dime tickets for children.

The policy of demanding the tax extra from the public is intended to make a nuisance of the whole impost. This is also noted in the sale of two tickets, one for admission and one for the tax at box-offices.

The greatest increase in the new tax is on the 30 cents admissions, which formerly called for two cents and now five.

The upper range of admissions is not greatly disturbed and this is one cause for the big kick on the part of theatres with working class patronage since they are hit the hardest.

Cal. Senate Passes 3% Sales Tax Bill

(Continued from page 1)

will cost studios and others $35,500,000 biennially.

The Senate has also approved a $2,000,000 biennial chain store tax from which theatres are exempt, but has rejected the Assembly's income tax bill setting a rate one-third that of the Federal levy, offering a substitute measure cutting the rate to one-fifth.

Kill Bill on Coin Devices

BOSTON, June 5.—A bill introduced in the state legislature by Governor Curley to tax automatic weighing and vending machines $5 annually was defeated today when the house accepted the report of the ways and means committee which held that no such legislation was "necessary."

It was shown at the hearing on the bill which, it was claimed, would put the department administering the tax on a paying basis, that the department in question was already returning a profit of $30,000 annually to the state. The bill, under the present setup, would have affected all theatres and Loew's two Boston houses alone would have been taxed an estimated $10,000 annually.

A measure to license theatrical booking agents was passed by the Senate. It was favored by many film men who believe it will do away with unfair business methods by agents.

More than two dozen organizations sent representatives to a hearing today to protest a bill calling for the appointment of a director of outdoor advertising to the legislative committee on mercantile affairs. Film men are opposing.

Coast Indigent Ban Fails

SACRAMENTO, June 5.—The Assembly has refused passage of the bill which would have placed armed guards at the state borders to exclude paupers. The bill was designed at the request of the studios and other big interests who see relief costs rising daily as 2,500 indigents a month pour into the state.

Warner Men Entrain For Coast Parleys

(Continued from page 1)

Los Angeles joined the New York group here as their train passed through early this morning. The delegation had to keep itself busy and awake until 3:38 A. M. Included were Harry Kalmine, theatre zone manager; R. H. Dunbar, P. J. Krumenacker and Bob Lynch.

INDIANAPOLIS, June 5.—Cincinnati and Indianapolis delegates to the Warner convention join the New York delegation at 10:50 Thursday morning. The group will consist of O. Kuschner, local branch manager; F. Reimer, R. Shrader and M. De Fazio. A. Smitken, Cincinnati manager; H. Bugie, R. Burns and J. P. Eigert make up the representation from that city.

ST. LOUIS, June 5.—The Warner conventioneers travel west from this point on a special train. The eastern delegation arrives at 4 P. M. Thursday and lays over until 6:30. These groups join the trek west out of this city:

Buffolo—Harry Seed, manager; J. Sitterly and J. R. Levee.
Chicago—James Winn, manager; R. C. Herman, G. Weinberg, S. Rose, W. Kahl, T. R. Gilliam and James Coston, theatre zone manager.
Clevelond—M. Mooney, manager; W. J. Brandt, F. Hathaway, Nate Wolf, theatre zone manager.
Des Moines—E. Tilton, manager; F. S. Hannon, L. Mendelson.
Detroit—Fred North, manager; W. B. Collins, S. L. Gilbert.
Kansos City—W. Warner, manager; W. B. Adams, F. G. Diamond, F. Greenberg, R. McConnell.
Milwoukee—R. T. Smith, manager; N. S. Bieringer, S. G. Honeck.
Minneopolis—Leo Blank, manager; A. W. Anderson, M. Comer, H. B. Johnson, R. Lohrenz, E. Perkins.
Montreal—M. J. Isman, manager; A. Gorman.
Omoho—C. K. Olson, manager; F. S. Hannon, L. Mendelson.
St. John's—L. McKenzie, manager.
St. Louis—Hal Walsh, manager; T. M. Eckert; M. J. Hill, L. Bona.
Toronto—H. Paynter, manager; F. Gilbert.
Winnipeg—W. Cohen, manager; G. Simmons.

Allied to Meet in Hub

Eastern regional directors of Allied will meet in Boston June 24 with Walter Littlefield presiding. Allied of New England is also scheduled to gather in Boston a day later. Sidney Samuelson, president of the organization, will attend both sessions.

Bromberg Shifts June 21

NEW ORLEANS, June 5.—Arthur C. Bromberg Attractions, oldest of the independent exchanges in the South, will be known as Republic Pictures Corp. of the Southeast after June 21. Bromberg has exchanges in Atlanta, Charlotte, Tampa, Memphis and New Orleans.

Tri-States to Meet

NEW ORLEANS, June 5.—The Mississippi division of Tri-States M. P. T. O. will hold a convention June 16 and 17 at the Robert E. Lee Hotel, Jackson, Miss.

Sold to B. I. P.

Sherman S. Krellberg has sold English rights of "The Lost City" to B. I. P., having closed the deal with John Maxwell and Arthur Dent.

$500 REWARD!

TO THE FIRST PERSON BRINGING TO THE CAPITOL THEATRE (During the engagement of Public Hero No. 1) ONE OF THE RANSOM BILLS PAID TO THE WEYERHAEUSER KIDNAPERS! LIST OF RANSOM BILL SERIAL NUMBERS POSTED IN FRONT OF THE CAPITOL THEATRE! HELP CAPTURE THE WEYERHAEUSER KIDNAPERS AND BECOME

PUBLIC HERO NO. 2

NEVER WAS A PICTURE SO TIMELY!
NEVER HAS A PICTURE SO COMPLETELY
CAUGHT THE HEART THROB OF THE DAY!

PUBLIC HERO No 1

is Today's

NO. 1 ENTERTAINMENT SENSATION!

with **Lionel Barrymore — Jean Arthur — Chester Morris**
Joseph Calleia — Paul Kelly — Lewis Stone

A Metro-Goldwyn-Mayer Picture

SEE the Government's grim "men behind the guns" track down and unmask the "rats of civilization". PUBLIC HERO NO. 1 reveals how the Federal forces work. We predict that when the Weyerhaeuser kidnapers are caught, the "inside" workings of the Department of Justice men on the case will be similar to what you see in PUBLIC HERO NO. 1— a prophetic picture — a terrific picture — a picture every mother, every woman, every man must see!

NOTE: "Manhattan Melodrama" was the picture that helped catch John Dillinger. Loew's Sheridan Theatre, N. Y. C. discovered one of the Lindbergh ransom notes that helped convict Hauptmann. Now PUBLIC HERO NO. 1 may help solve the Weyerhaeuser case!

STARTS FRIDAY

CAPITOL

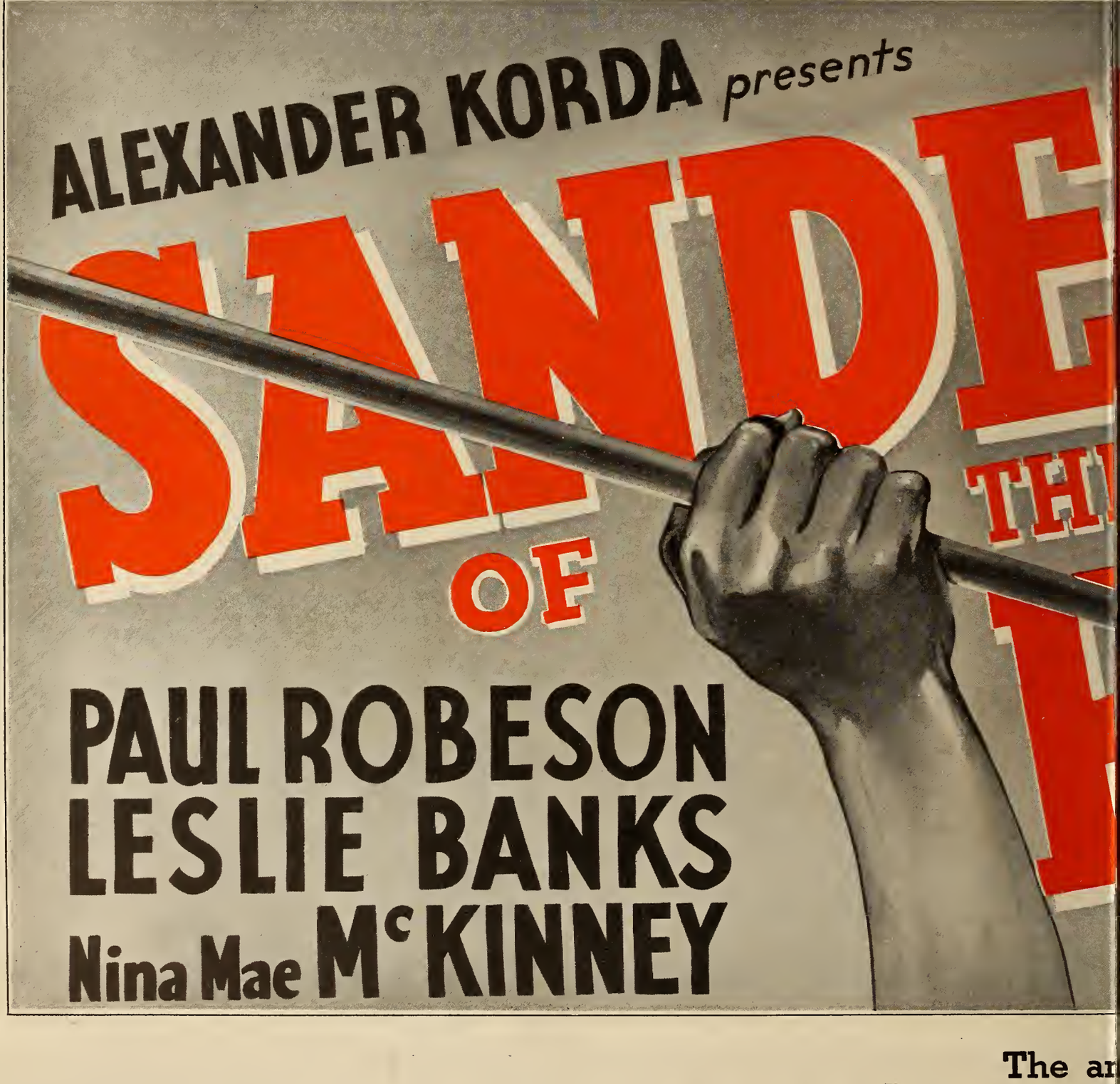
B'way & 51st
Major
Edward
Bowes,
Mng. Dir

CALLING ALL SHOWMEN!

P. S. Record-breaking biz at St. Louis and Bridgeport, first two engagements. You're next!

"THE PRESS ACCLAIMS IT A MASTERPIE

...AND THAT MEANS PLENTY OF MONE



The ar
empire
and m

U

AND RATES IT WITH 'BENGAL LANCER'

AT ANY BOX-OFFICE!" — *Hollywood Reporter*



ng drama of one white man who held the destiny of a native
the hollow of his hand . . . whose whisper was mightier
fearsome than the ominous boom of jungle war drums!

Released thru

ITED ARTISTS

'Goin' to Town' $20,000 Hit In Cleveland

CLEVELAND, June 5. — "Goin' to Town" was the big show of the week, grossing $20,000, or double the house average at Loew's State.

"Les Miserables" in its second week downtown, took in $3,300 over the $4,000 par at Loew's Stillman. "Imitation of Life," doing a revival, grossed $4,000, or $1,000 over the usual take at the Circle.

Memorial Day business was spotty.

Total first run gross was $47,000. Average is $38,000.

Estimated takings for the week ending May 31:

"OUR LITTLE GIRL" (Fox)
ALLEN—(3,300), 30c-35c-42c, 6 days, 2nd week. **Gross:** $2,800. (Average, $3,000)
"DOUBTING THOMAS" (Fox)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $6,800. (Average, $8,000)
"BLACK FURY" (F. N.)
RKO PALACE — (3,100), 30c-35c-42c, 6 days. **Gross:** $6,100. (Average, $10,000)
"GOIN' TO TOWN" (Para.)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $20,000. (Average, $10,000)
"LES MISERABLES" (U. A.)
LOEW'S STILLMAN — (1,900), 30c-35c-42c, 7 days, 2nd week downtown. **Gross:** $7,300. (Average, $4,000)
"IMITATION OF LIFE" (Univ.)
CIRCLE—(1,925). 15c-25c-30c, 7 days. Repeat run. **Gross:** $4,000. (Average, $3,000)

"Goin' Town" Tops Montreal, $11,000

MONTREAL, June 5. — Ascension Day, a legal holiday in the Province of Quebec, brought some extra change to mainstem houses. "Goin' to Town" topped a bill at the Palace that spelled $11,000.

"Les Miserables" brought a good $9,500 to the Princess on an appeal to the French patronage and was held for a second week. The Canadian war picture, "Lest We Forget," released by Columbia, made $7,000 at Loew's.

Total first run business was $39,500. Average is $40,500.

Estimated takings for the week ending June 1:

"BRIDE OF FRANKENSTEIN" (Univ.)
"PRINCESS O'HARA" (Univ.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $9,000. (Average, $9,500)
"MARY JANE'S PA" (F. N.)
IMPERIAL—(1,914), 20c-25c-34c, 7 days. Added: "42nd Street" revival. **Gross:** $3,000. (Average, $3,500)
"LEST WE FORGET" (Col.)
"IT HAPPENED IN NEW YORK" (Univ.)
LOEW'S—(3,115), 30c-34c-40c-50c-60c, 7 days. **Gross:** $7,000. (Average, $10,500)
"GOIN' TO TOWN" (Para.)
"PEOPLE WILL TALK" (Para.)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $11,000. (Average, $11,000)
"LES MISERABLES" (U.A.)
"A NIGHT AT THE RITZ" (U.A.)
PRINCESS — (2,272), 30c-35c-50c-65c, 7 days. **Gross:** $9,500. (Average, $6,000)
Held over.

Expect to Get Finances

HOLLYWOOD, June 5.—Nicholas M. Ludington, president, and Henry Hobart, production head of First Division Prod., are expected to complete new financing arrangements for the company within three weeks.

Both Ludington and Hobart are in New York negotiating the financial tieup.

Looking 'Em Over

"Border Brigands"

(*Universal*)

Buck Jones changes the usual order of things around a bit here. He is a member of the Canadian Royal Northwest Mounted Police instead of the usual cowpuncher, but the result is good entertainment.

The story is typical of previous Jones vehicles of this series. Director Nick Grinde extracts the maximum of entertainment from the ingredients handed him and is ably assisted toward that end by good cast portrayals, particularly on the part of Jones, Lona Andre and Fred Kohler.

The yarn has Jones a sergeant in the mounted police under the command of his brother, who is murdered by Kohler as he hangs the latter's brother for a killing. Jones then sets out to capture his brother's assassin and crosses the border into the United States, where he succeeds in joining Kohler's gang. A romance develops between the hero and Miss Andre, who aids materially in bringing things to a head because Kohler resents her attentions to Jones. The climax is a grand gun fight between the mounted police and the bandits, with the law winning out. Jones kills the villain in a hand-to-hand struggle and winds up in Miss Andre's arms.

The camera work of William Sickner and Allen Thompson is particularly good, and doubly so on the outdoor shots.

For territories where westerns are liked this one is highly recommended.

Production Code Seal No. 781. Running time, 60 minutes. "G."

"Red Blood of Courage"

(*Syndicate*)

Although this Ambassador production is a routine tale of villainy in the north country, it has enough exciting action to draw younger filmgoers.

Kermit Maynard, who is starred, plays a mountie in disguise on the trail of a gang trying to seize some lands rich in natural resources belonging to Ann Sheridan's uncle, whom she has not seen since childhood. A member of the outfit poses as her uncle and tries to get her to turn over her interest in the property.

Maynard meets the girl when he saves her from one of the gang, only to fall into the hands of the villains himself later. He cuts a mysterious figure. He keeps the villains guessing (if not the audience) until the film is in its closing chapter. When his identity is learned things become still hotter for him. After a pretty game of tag with the bad men, featured by pursuits, gunplay and fisticuffing without stint, he comes out on top and finds himself with Miss Sheridan on his hands.

The film contains some nice exterior shots.

George Regas, Nat Carr and Reginald Barlow are among those in the supporting cast. The direction is credited to Jack English.

Production Code Seal No. 831. Running time, 55 minutes. "G."

"Heroes of the Arctic"

(*Amkino*)

Despite the fact that this film is a very interesting pictorial record of the Chelyuskin scientific expedition, its disastrous end and the rescue of the members of the party, it is undoubtedly meant as strong propaganda for the Soviet air force.

The material in the film is of the usual type found in Arctic pictures, until the wrecking of the expedition's ship. From that point on the audience interest should mount until the last survivor of the ill-fated group is flown off the ice.

The Chelyuskin expedition will probably be still familiar in the minds of most people and exhibitors will do well to exploit those angles played up in the daily press last year when airplanes were scouring the Bering Sea for traces of the party. Also familiar will be the stories of the babies born on the ice.

Where this type picture is liked this should prove satisfactory, but it must be remembered that it is Soviet propaganda.

Reviewed without production code seal. Running time, 65 minutes. "G."

"Elizabeth of England"

(*Associated British*)

LONDON, May 27.—Arthur Woods has competently portrayed the historic period of English history when, under her Virgin Queen, she wrested the mastery of the high seas from Philip of Spain and laid the foundations of her commercial and political strength. The director's

(*Continued on page* 9)

"Little Girl" Kansas City's Best, $5,600

KANSAS CITY, June 5.—"Our Little Girl" was the big noise of the week with a holiday to help. It went $2,100 over normal for a total of $5,600 at the Uptown.

"G-Men" was the second best grosser, getting $7,300, over the line by $1,000, at the Mainstreet. "Party Wire" at the Tower, with a stage show and vaudeville, went to $7,800, up by $800. "Goin' to Town" wasn't a sensation. It reached a normal $7,000 at the Newman, and "The Flame Within" was a disappointment at the Midland.

Total first run business was $35,600. Average is $34,200.

Estimated takings:

Week Ending May 30:
"GOIN' TO TOWN" (Para.)
NEWMAN—(1,800), 25c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)
"THE FLAME WITHIN" (M-G-M)
MIDLAND—(4,000), 15c-25c-40c, 7 days. **Gross:** $8,900. (Average, $11,500)
"PARTY WIRE" (Col.)
TOWER—(2,200), 25c, 7 days. Stage: Al Verdi & Thelma, Stanley Brothers, Lou & Evelyn's "Modern Varieties," Snoozer, Jr., and Jack Carson. Tower Adorables, four stage shows daily. **Gross:** $7,800. (Average, $7,000)
"G-MEN" (F. N.)
MAINSTREET—(3,100), 25c-40c, 6 days ending May 29. **Gross:** $7,300. (Average, 6 days, film only, $6,300)
Week Ending May 31:
"OUR LITTLE GIRL" (Fox)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $5,600. (Average, $3,500)

"Laddie" Denver's Best Bet, $7,000

DENVER, June 5. — "Laddie" made the best showing of the week with three holdover hits in town. The take at the Orpheum was $7,000, above the line by $2,000.

"Les Miserables" was still over par at $3,000 in its third week at the Aladdin. "Our Little Girl," moved to the Broadway from the Denver, was good for $1,500.

Total first run business was $24,500. Average is $23,000.

Estimated takings for the week ending May 30:

"LES MISERABLES" (U. A.)
ALADDIN — (1,500), 25c-35c-50c-60c, 7 days, 3rd week. **Gross:** $3,000. (Average, $2,500)
"OUR LITTLE GIRL" (Fox)
BROADWAY — (1,500), 25c-40c, 7 days following week at the Denver. **Gross:** $1,500. (Average, $1,500)
"GOIN' TO TOWN" (Para.)
DENHAM—(1,500), 25c-35c-50c, 7 days, 2nd week. **Gross:** $4,000. (Average, $4,000)
"BLACK FURY" (F. N.)
DENVER — (2,500), 25c-35c-50c, 7 days. **Gross:** $5,000. (Average, $6,000)
"LADDIE" (Radio)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. **Gross:** $7,000. (Average, $5,000)
"LET 'EM HAVE IT" (U. A.)
PARAMOUNT — (2,000), 25c-35c-50c, 7

May Sit at Trust Trial

ST. LOUIS, June 5.—Federal Judge George H. Moore, recently appointed to this district, probably will preside in the anti-trust suit against major distributors, accused of withholding product from the Ambassador, Missouir and Grand Central here. The trial is expected to come up in the early fall.

"Casino Case" With Show Is Chicago High

CHICAGO, June 5.—"Casino Murder Case" on the screen and Fifi Dorsay heading a stage show at the Oriental made by far the best showing of the week on the Loop, getting $23,000. This tops normal by $8,000.

"Reckless" at the Garrick in its second week was still $1,000 above the line on a take of $6,000. "Goin' to Town" held up to $15,000, up by $4,000, at the Roosevelt. "Our Little Girl," with a stage show that included the "Sketchbook" revue, was a disappointment at $30,000 in the Chicago.

Total first run business was $126,500. Average is $125,600.

Estimated takings:

Week Ending May 27:

"MARK OF THE VAMPIRE" (M-G-M)

APOLLO — (1,400), 25c-35c-50c, 7 days. **Gross:** $9,000. (Average, $8,000)

Week Ending May 28:

"LES MISERABLES" (U. A.)

UNITED ARTISTS — (1,700) 30c-40c-60c, 2nd week. **Gross:** $13,000. (Average, $17,000)

Week Ending May 30:

"OUR LITTLE GIRL" (Fox)

CHICAGO — (4,000), 25c-50c-68c, 7 days. Stage: "Sketchbook" revue, Yorke & King, Eton Boys. **Gross:** $30,000. (Average, $34,600)

"CASINO MURDER CASE" (M-G-M)

ORIENTAL — (3,940), 25c-40c, 7 days. Stage: Fifi Dorsay, Mary Sunde, Three Stooges. **Gross:** $23,000 (Average, $15,000)

"BREAK OF HEARTS" (Radio)

PALACE — (2,509), 25c-35c-50c, 7 days. Stage: Gus Arnheim Orchestra, John & Edna Torrence, Georgie Tapp. **Gross:** $18,500. (Average, $22,000)

"RECKLESS" (M-G-M)

GARRICK — (900), 25c-35c-40c, 2nd Loop week, 7 days. **Gross:** $6,000. (Average, $5,000)

Week Ending May 31:

"GOIN' TO TOWN" (Para.)

ROOSEVELT — (1,591). 25c-35c-50c, 2nd week, 7 days. **Gross:** $15,000. (Average, $11,000)

"MR. DYNAMITE" (Univ.)

STATE-LAKE — (2,776), 20c-25c-35c, 7 days. Stage: Zelda Santley & others. **Gross:** $12,000. (Average, $13,000)

'Daring Young Man' Indianapolis High

INDIANAPOLIS, June 5. — "Daring Young Man" was the only attraction downtown to demonstrate strength last week. It garnered $8,000, over the line by $1,000, at the Lyric.

"Goin' to Town" took $5,000, par for a first week, in its holdover at the Circle.

Total first run business was $20,500. Average is $20,500.

Estimated takings for the week ending June 1:

"OUR LITTLE GIRL" (Fox)

APOLLO—(1,100), 25c-40c, 2nd week, 7 days. **Gross:** $3,000. (Average, $4,000)

"GOIN' TO TOWN" (Para.)

CIRCLE — (2,800), 25c-40c, 7 days, 2nd week. **Gross:** $5,000. (Average, $5,000)

"DARING YOUNG MAN" (Fox)

LYRIC—(2,000). 25c-40c, 7 days, Vaudeville. **Gross:** $8,000. (Average, $7,000)

"MARK OF VAMPIRE" (M-G-M)

PALACE—(3,000), 25c-40c, 7 days, **Gross:** $4,500. (Average, $4,500)

Berkowitz East Soon

LOS ANGELES, June 5.—Sam Berkowitz, manager of the Far West Exchanges, is scheduled to leave here shortly for the east to close deals for next season's product. He'll be in New York about 10 days.

Looking 'Em Over

"Elizabeth of England"

(*Continued from page* 8)

attempt to paint a wide and sweeping picture of the most spectacular period in England's rise to power is, however, somewhat marred by the restrictions of the scenario which force the conventional love interest on him.

Because of this, the almost majestic sequences periodically descend to bathos, and the story is held up to tell of what was, after all, a romance which had nothing to do with the story.

But in the scenes with Elizabeth, the Queen, and Drake, the sailor, both camera work, acting and direction are first rate. Athene Seyler's portrayal of the Queen can easily be classed as the finest of all recent historical films. The veracity of her acting is enhanced by the care of the construction of the interior sets which have been founded upon historical research. There is a pleasing lack of pseudo-lavishness which is invariably shown in such films but is not borne out by fact. While these scenes may be rated first class, there is unfortunately a definite lack of such a quality in the broader scenes, and the sequences of the Spanish Armada of 140 galleons and their clashes with the much smaller English fleet—shots which could quite justifiably be built on de Mille lines—are disappointing.

The models are very obviously models and the sea completely fails to give the impression of anything more than a ruffled pool. Some attempt has been made to overcome this defect by filming in the twilight, a trick which fails to come off. Yet the poorness of these shots is more than made up for by the actual battle scenes, with hand to hand encounters from locked-together galleons reminiscent of "Ben Hur."

Matheson Lang is satisfying as the bluff son of Devon, who tells Elizabeth of the treachery of her so-called ally, Philip of Spain, and encourages her to ignore the advice of her timid councillors and beard the paramount power of Europe at that time. While officially refusing to acknowledge the exploits of the buccaneer in pillaging the treasure towns of South America, she does, in fact, give her personal approval. Finally, after his epic expedition round the world in the Golden Hind (very sketchily shown in the film) she officially recognizes him, knights him, and so sets Spain at the throat of England. Drake, after his historically famous game of bowls on Plymouth Hoe, scuttles the Invincible Armada and thereby founds his country's maritime strength.

Elizabeth, well nigh perfectly portrayed, with her speeches founded on fact, and her unqueenlike regard for the unconventional, is the greatest box-office factor in the film. The story, which could have superseded her, somehow lacks cohesion and real action. Jane Baxter, as Drake's lover, does her best with her part, but as it is her sequences which hamper the continuity it is difficult for her to shine. Ben Webster is admirably cast as the old and timid Lord Burghley, chief advisor to the Queen.

Running time, 95 minutes. "G." A.

"Les As du Turf"

(*Paramount*)

A comedy of the race track, "Les As du Turf" ("Aces of the Turf"), one of Paramount's French productions, provides mild amusement. The story serves but as a framework for the antics of a comedy team billed merely as Pauley and Drean, whose efforts are merely passably funny. The film, which has a number of musical interludes, has no English subtitles.

The pair are cast as a couple of track bugs. At the opening of the film they have won several hundred francs, but the bookmaker fails to show up with the result they are forced to work out their bill at the cafe where they have been making merry in advance of receipt of the winnings. When the bookie shows his face the boys collect and are off again to play the ponies.

They unwittingly trade their huge winnings in a race for a race horse. Pauley and Drean are kept prisoners while their horse and their girl friends are stolen by the bookmaker in connivance with the owner of the cafe. Their horse is entered in the big race by the villains and wins. Pauley and Drean escape in time to reclaim the horse and the girls.

There are several race sequences that are strangely unexciting.

Supporting Pauley and Drean are Josyane, Janett Flo and Barancey, among others. Serge de Poligny directed.

No production code seal. Running time, 75 minutes. "G."

(*Additional reviews on page* 11)

"Goin' Town" Frisco's Hit With $24,000

SAN FRANCISCO, June 5.—"Goin' to Town" was outstanding in a dull week. It topped average by $4,000 on a take of $24,000.

"The Nitwits" was slightly better than par at $14,000 in the Golden Gate. "Werewolf of London" and "Cowboy Millionaire" made the grade at the Orpheum, but takes elsewhere were pretty weak.

Total first run business was $80,500. Average is $83,000.

Estimated takings:

Week Ending May 28:

"THE NITWITS" (Radio)

GOLDEN GATE—(2,800), 25c-35c-40c, 7 days. Stage band. **Gross:** $14,000. (Average, $13,000)

Week Ending May 29:

"LADDIE" (Radio)

"VAGABOND LADY" (M-G-M)

FOX—(4,600), 15c-30c-40c, 7 days. **Gross:** $8,000. (Average, $9,000)

Week Ending May 30:

"MY HEART IS CALLING" (G. B.)

EMBASSY—(1,200), 25c-35c, 7 days, 3rd week. **Gross:** $4,000. (Average, $6,000)

"WEREWOLF OF LONDON" (Univ.)

"COWBOY MILLIONAIRE" (Fox)

ORPHEUM—(3,000), 15c-35c-40c, 7 days, 2nd week. **Gross:** $8,000. (Average, $8,000)

"G-MEN" (F.N.)

ST. FRANCIS—(1,400), 15c-35c-40c, 7 days, 4th week. **Gross:** $3,500. (Average, $7,000)

"THUNDER IN THE EAST" (U.A.)

UNITED ARTISTS—(1,200), 15c-35c-40c, 7 days, **Gross:** $7,500. (Average, $8,000)

"THE FLAME WITHIN" (M-G-M)

"DARING YOUNG MAN" (Fox)

PARAMOUNT — (2,670), 25c-35c-40c, 7 days. **Gross:** $10,500. (Average, $11,000)

"GOIN' TO TOWN" (Para.)

WARFIELD—(2,700), 25c-35c-40c-55c, 7 days. Stage, band. **Gross:** $24,000. (Average, $20,000)

Week Ending May 31:

"MADAME BOVARY" (Foreign)

CLAY—(400), 25c-50c, 7 days. **Gross:** $1,000. (Average, $1,000)

"Miserables" Tops Buffalo, $11,200

BUFFALO, June 5.—"Les Miserables" led the parade at $11,200, while "Our Little Girl" also was over the top at $14,900. The weather remained fair but comparatively cool.

Total first run take was $42,400. Normal is $42,800.

Estimated takings for the week ending May 31:

"OUR LITTLE GIRL" (Fox)

BUFFALO—(3,500), 30c-55c, 7 days. Stage: Pickens Sisters; 12 Aristocrats; Fred Sanborn; Tommy Martin. **Gross: $14,900.** (Average, $14,300)

"HOLD 'EM, YALE" (Para.)

"THE COWBOY MILLIONAIRE" (Fox)

CENTURY—(3,000), 25c, 7 days. **Gross:** $5,000. (Average, $6,000)

"LES MISERABLES" (U. A.)

GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $11,200. (Average, $8,000)

"THE CASE OF THE CURIOUS BRIDE" (F. N.)

"VAGABOND LADY" (M-G-M)

HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $6,000. (Average, $8,000).

"PRINCESS O'HARA" (Univ.)

"THE SECRET OF THE CHATEAU" (Univ.)

LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $5,300. (Average, $6,500)

A. J. Smith Reelected

NEWTOWN, Conn., June 5.—A. J. Smith, operator of the Edmond Town Hall theatre and mayor, has been reelected Newtown's chief executive.

"U" to Retain Code Features In Contracts

(*Continued from page* 1)

its annual sales convention at the Stevens.

Following the prearranged procedure, R. H. Cochrane, senior vice-president, opened the session with a heart-to-heart talk instilling optimism in the minds of the 79 delegates present from all over the United States and Canada.

James R. Grainger, general sales manager, followed and divulged detail of the company's remaining 10 releases for the balance of the current season. The list includes:

"Show Boat," to be made from Edna Ferber's book and Florenz Ziegfeld's play. Carl Laemmle, Jr., will produce and James Whale will direct from a script by Zoe Akins with Irene Dunne in the lead. Production will not start until Miss Dunne completes her starring role in "Magnificent Obsession."

"Magnificent Obsession" will be a John M. Stahl production. Additional casting is now under way.

Margaret Sullavan has one more to make on the current program. This will be "Next Time We Live" by Ursula Parrott. Rose Franken, author of the stage play, "Another Language," has completed the treatment.

William Powell will star in one, "My Man Godfrey," by Eric Hatch.

"Sutter's Gold" is another on the list. Blaise Cendrars is the author; Gene Fowler has prepared the script and Howard Hawks will direct.

Zasu Pitts returns to Universal for one picture this season and will team with Hugh O'Connell in "Lonesome," adapted from a play by Frank M. Dazey and Agnes Christine Johnston. Kurt Neumann will direct.

Two ready for release are: "The Raven," based on the poem by Edgar Allan Poe and starring Boris Karloff and Bela Lugosi, and "Werewolf of London," starring Henry Hull and Warner Oland. Stuart Walker directed the latter.

Two in work are "Lucky in Love," also directed by Walker, with Ricardo Cortez and Dorothy Page, the latter a radio star, and "Lady Tubbs," from the novel by Homer Croy and starring Alice Brady and Douglass Montgomery. Alan Crosland is directing.

On Thursday, Grainger will divulge the lineup of 42 features for 1935-36. The convention was told today that Warren Howe had been added to the cast of "Show Boat" and Francis Lederer cast opposite Miss Dunne in "Magnificent Obsession."

Pitts-O'Connell Teamed

HOLLYWOOD, June 5.—Zasu Pitts, who hasn't made a picture at Universal for almost two years, although under contract to that studio, will return to her home lot to be costarred with Hugh O'Connell in "Lonesome." This picture has been put on the schedule ahead of "G-Women" and will go into production within two weeks. No director has been assigned.

"U" Studio in a Lull

HOLLYWOOD, June 5.—With "Lady Tubbs" and "Diamond Jim" finished at Universal, Fred Meyer says no new pictures will start during the first two weeks of June. It is planned, however, to get nine in front of the cameras before August.

Lease Space at "U"

HOLLYWOOD, June 5.—British Normandie Prod. newly formed English film concern headed by Belaine Gordon, will produce here. The company has signed Robert Presnell as producer of the first feature, "Here Comes the Bridegroom."

Space has been leased from Universal. The company is reported to be angling for Claudette Colbert and Robert Montgomery for the leads.

Shoot 2 "Andes" Versions

HOLLYWOOD, June 5.—Universal will shoot the Spanish and English versions of "Storm Over the Andes" at the same time, using the same sets and filming the Spanish version as soon as the English is completed. Cesar Romero, who is featured with Jack Holt in the English version, will also appear in the Spanish film. Christy Cabanne will direct under the supervision of Maurice Pivar.

Nigh to Direct "G-Woman"

HOLLYWOOD, June 5.—Universal has selected William Nigh to direct "G-Woman," which has been put back on the schedule and will start within three weeks. David Diamond, who will act as producer, is co-author of the story with Aben Kandel, who is working on the screen play.

Tomlin in "Solomon"

HOLLYWOOD, June 5.—Universal has signed "Pinky" Tomlin for a role in "King Solomon of Broadway." Chester Morris and Dorothy Page have the top roles and Alan Crosland will direct under supervision of Julius Bernheim. Albert J. Cohen and Robert T. Shannon wrote the original.

Klein Back on Newspaper

HOLLYWOOD, June 5.—Julius Klein, Chicago newspaperman who was here as assistant to Carl Laemmle, Sr., but who recently resigned, has returned to the newspaper business. He is covering the Weyerhaeuser kidnapping for the Hearst papers.

"U" Assigns Writers

HOLLYWOOD, June 5.—Universal has assigned Florabelle Muir and Henry Johnson to write the screen play of "As the Crowd Cheers," football yarn which Ansel Freidberger will produce for next season's program.

Karloff in "Bluebeard"

HOLLYWOOD, June 5.—Bayard Veiller has been signed by Universal to do an original called "Bluebeard," which will be used as a vehicle for Boris Karloff.

Sinift Takes a Theatre

HOLLYWOOD, June 5.—M. C. Sinift, salesman for Universal, has taken over the Brentwood in Los Angeles on the outskirts of Sawtelle from C. F. Spaeth.

Preparing Holt Vehicle

HOLLYWOOD, June 5.—Universal has signed Carol Graham and C. A. Powell to write an original for Jack Holt. Production will start in July.

Faith Baldwin Yarn to "U"

HOLLYWOOD, June 5.—Universal has purchased Faith Baldwin's "Spinster Dinner" for Carole Lombard.

Friedland in from London

Max Friedland, general representative for Universal on the Continent with headquarters in London, is in New York to confer with Carl Laemmle.

Reach 10,000 Mark

Erpi has completed its 10,000th installation at the State, Hamilton, N. Y. It's a wide range 86 amplifier.

The first installation was Aug. 6, 1926, for "Don Juan" at the Warner. By the end of 1929 1,049 installations had been made. The 2,000th was at Huddersfield, England; the 3,000th at Barcelona, Spain; the 5,000th at Belfast, and the 6,000th at Marseilles.

Taxes May Be Used In Federal Control

(*Continued from page* 1)

by the President and make provision for voluntary codes, but Administration leaders place little or no confidence in them and apparently would be just as well pleased if the whole code effort was dropped.

Leaders at the Capitol today made it clear that they have not decided how the taxing power could be applied to the control of industry, although several measures have been introduced or are being written, the first of which, submitted yesterday by Congressman Shanley of Connecticut, would create a Federal Commerce Control Commission with which all concerns using the mails or other methods of interstate communication would have to register. The taxing power would be applied in this bill as an excise tax of one dollar upon every concern engaged in interstate commerce.

It was also made clear that no determination has been reached as to the desirability of permanent NRA legislation, but it was emphasized in all quarters that any bill written would follow faithfully the limitations imposed by the Supreme Court.

Allied Is Sifting Member Complaints

(*Continued from page* 1)

NRA, says that "the decision robbed the codes of their status as laws, stripped the code authorities of their status as government agencies and left nothing of the old setup which anybody could conceivably want."

The bulletin later states that "many lawyers, including Allied's general counsel (Abram F. Myers), believe there remains a wide field for industrial cooperation under Federal supervision within the limits of the Constitution."

The prospect of the Pettengill bill receiving a hearing in Congress next January is predicted in the bulletin. Commenting on Loew's theatre building plans for Chicago, the Allied bulletin calls them a "coercive campaign" either to "compel exhibitors to buy M-G-M pictures on onerous terms or to punish them for not doing so." It urges exhibitors to protest the Chicago moves directly to Nicholas M. Schenck, Loew's and M-G-M head.

Mascot's Lawyer Here

Gordon Levoy, attorney for Mascot Pictures, is due in from Hollywood today by plane for conferences with Nat Levine, Mascot president, on new season distribution plans.

Autonomy Up Again Among 306 Members

(*Continued from page* 1)

I.A.T.S.E. supervision. At the session Harlan Holmden, who has been in charge of the union for the international, read a report on the 10 months he had been in control and showed that the organization had $110,000 on hand, contrasting this with a deficit when he took over the reins.

Six members were favored for the presidency in nominations for the local, including Sam Kaplan, former president, Joe Basson, "Pop" Steinberg, Ben Norton and Harry Sherman. Kaplan had a strong chance for the post until the majority of the members voted for continuance under the international.

The membership is reported set to request a meeting for nominations again in about 10 days.

SEC to Rule Upon Non-Salary Reports

(*Continued from page* 1)

take the matter up for consideration early next month.

Salary data was omitted in several of the statements which have been filed by film companies, in some cases additional time being given to furnish it.

While officials of the commission refused to comment on the subject, it was pointed out that under other sections of the law in every instance where requests have been made that figures be kept confidential they have been denied, although it was not indicated that this was a precedent which necessarily would be followed in the case of salary data.

Floods Hit Theatres In Western Section

(*Continued from page* 1)

a number of houses and flood damage affected others.

Colorado houses closed were in Sterling, Wray, Brush, Fort Morgan and Hugo. Nebraska spots dark were in Benkelman, McCook, Imperial, Wanneta and Palisades.

The Emerson at Brush was flooded up to the level of the stage. It had been refurnished recently. The Chief at Greeley had to substitute "Woman in the Dark" for "Break of Hearts." The print of the latter was stalled on a Burlington train at Benkelman. Alexander Film Co., Colorado Springs, took pictures of the flood and sold them to reels. M-G-M used planes for Wyoming deliveries. Detours of over 100 miles were made by the Exhibitors' Film Delivery Service.

Bowes Signs for Shorts

Major Edward Bowes has closed a deal with John H. Auer for a series of shorts based on his amateur radio hours. Auer will produce and direct at the Biograph Studios. Actual scenes before the microphones will be reproduced, according to the plan. There will be 26 in the series. The first two will start June 11.

"Reckless" $3,800 Lincoln Leader

LINCOLN, June 5.—"Reckless" and "Traveling Saleslady" did battle here for supremacy, but "Reckless" at the Stuart topped in money after a sensational Memorial day play up to $3,800. That's $700 in the black. "Saleslady" at the Lincoln took $2,800, $600 to the good.

The Orpheum, doing three days of "Our Daily Bread" with "Rhapsody in Rhythm" on the stage, followed by three days with the dual bill, "It's a Small World" and "Million Dollar Baby," was worth $2,200 on the six days, although the seven-day normal is $2,300. "Tonto Kid," "Chinatown Squad" and "Night at the Ritz" kept the Colonial hitting with $1,100, $250 up.

Total first run business was $9,900. Average is $8,450.

Estimated takings:

Week Ending May 29:
"TONTO KID" (Monogram)
"CHINATOWN SQUAD" (Univ.)
"NIGHT AT THE RITZ" (Warners)
COLONIAL—(750), 10c-15c, 7 days. **Gross:** $1,100. (Average, $850)

"OUR DAILY BREAD" (U. A.)
"IT'S A SMALL WORLD" (Fox)
"MILLION DOLLAR BABY" (Monogram)
ORPHEUM—(1,200), 10c-15c-25c, 6 days. "Rhapsody in Rhythm" on stage. **Gross:** $2,200. (Average, 7 days, $2,300)

Week Ending May 30:
"TRAVELING SALESLADY" (F. N.)
LINCOLN — (1,600), 10c-20c-25c, 7 days. **Gross:** $2,800. (Average, $2,200)

Week Ending May 31:
"RECKLESS" (M-G-M)
STUART — (2,000), 10c-25c-40c, 7 days. **Gross:** $3,800. (Average, $3,100)

Ascap Manager on Stand at Wilmington

WILMINGTON, June 5.—On the stand today in the Duovac Radio-General Talking Pictures suit against Erpi, Western Electric and A. T. & T., Edwin C. Mills, manager of Ascap, gave testimony in rebuttal to that of John E. Otterson, president of Erpi and new Paramount head. Mills was permitted by the defense to be called by the plaintiffs after it had closed.

Mills denied he insisted upon a clause in a contract between a group of music publishers and Erpi whereby songs were to be released only for pictures to be produced on Erpi equipment. He insisted Erpi executives and counsel wrote this clause into the contracts, which were copied from Western Electric and RCA.

Meyer Leventhal of the Philip G. Scheck theatres of Baltimore testified that the theatres lost money because Western Electric sound went bad and had to be replaced by DeForest.

Albert B. Williams and Walter F. Scott, projectionists in charge of DeForest equipment at a special showing for Judge Nields last night; Chester Tappan, chief engineer for G.T.P., and Fred W. Bynum, North Carolina attorney, also testified for the plaintiffs.

William D. Kelly of M-G-M testified for the defendants, after which depositions by the following were read: Nicholas M. Schenck, president of Loew's; George W. Parr, Lancaster, S. C., exhibitor; David Bernstein, M-G-M treasurer; Joseph L. Caudell of Charlotte, N. C.; George H. Miller, former Erpi engineer; Thomas C. Lambden and Kenneth W. Keene of New York.

Looking 'Em Over

"Give Her a Ring"

(*Alliance*)

This is the third musical in the current series of 12 just brought to this country by Alliance. It is tuneful and has a light story thread that keeps the romantic interest alive. Wendy Barrie is a gorgeous eyeful.

The principal chorus number, starting at a switchboard, with the telephone operators singing and plugging wires in rhythm has been done before in a Vitaphone short.

Miss Barrie makes a blind date to meet Eric Rhodes at a fountain in a park. At the same time Zelma O'Neal makes an engagement for the same place with the manager of the telephone company, Clifford Mollison, while complaining about the telephone service. Both couples wind up in a restaurant in an amusement park. This furnishes an opportunity for the director to shift the scenes from one attraction to another, with incidental music. Complications develop, but eventually Mollison and Miss Barrie get together. Arthur Woods directed.

It's no musical spectacle, but it is pleasant diversion.

Previewed without production code seal. Running time, about 90 minutes. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Keeper of the Bees"

(*Monogram*)

HOLLYWOOD, June 5.—This modernized version of the widely read Gene Stratton Porter novel will please lovers of her works. Telling of the rehabilitation of Neil Hamilton, gassed war veteran given six months to live, the picture expresses the theme simply but forcefully.

Hamilton, leaving the hospital for a final spree before death, detours to follow Betty Furness and meets Hobart Bosworth, a bee master and a dying victim of the Spanish American war. With the help of Edith Fellows, child actress, Hamilton takes care of the bees while Bosworth is hospitalized and inherits a half interest in the been ranch when Bosworth dies. Meanwhile Hamilton has married Miss Furness for her convenience, believing he will die soon. Under the care of Emma Dunn's open air orange juice treatment Hamilton recovers, as it develops Miss Furness married him for the benefit of Miss Dunn's daughter, Marion Shilling, who dies in child birth, leaving Hamilton and Miss Furness to start anew.

Adele Buffington's screen adaptation follows the original faithfully, eliminating the elements which dated the Porter novel. The small cast gives expert interpretations to the roles with Miss Dunn outstanding in support. The direction of Christy Cabanne shows deft understanding.

The picture should click especially where folksy, sunshine and faith entertainment is appreciated.

Production Code Seal No. 936. Running time, 74 minutes. "G."

"Dizzy Dames"

(*Liberty*)

HOLLYWOOD, June 5.—Several entertaining elements engage this production, not to strong in story. Running a theatrical boarding house, Marjorie Rambeau, a former stage favorite, raises her daughter (Florine McKinney), keeping her show business past from the girl. When Miss McKinney returns from finishing school engaged to a society boy, Miss Rambeau makes her believe the boarders are society house guests.

Miss McKinney soon finds she prefers Lawrence Gray, a song writer, to John Warburton, her fiance, but Miss Rambeau opposes her marrying into show business. A fight for the girl between the boys climaxes during a junior league show, when Miss McKinney learns the truth about her mother and the boarders. The story ends with Gray getting the girl during the big number.

The dialogue of George Waggner and the direction of William Nigh make the situations believable. Performances by the supporting cast, which includes Berton Churchill, Lillian Miles, Fuzzy Knight and Inez Courtney, are good.

Several musical numbers, including "Rhumba," "Martinique" and "I Was Taken by Storm," may be remembered.

This picture fits in a bill including a more serious subject.

No production code number. Running time, 68 minutes. "G."

"G-Men" Oklahoma City Hit, $7,000

OKLAHOMA CITY, June 5. — "G-Men" was the big noise among the first runs. It reached a fine $7,000, above par by $2,000, at the Criterion.

"In Caliente" made a good showing in spite of this heavy competition by getting a par $4,000 at the Midwest. "Cowboy Millionaire," in for four days at the Liberty, took $1,700. Normal for seven days at the house is $1,700.

Total first run business was $14,800. Average is $13,500.

Estimated takings for the week ending June 1:

"G-MEN" (F. N.)
CRITERION — (1,700), 10c-26c-36c-55c, 7 days. **Gross:** $7,000. (Average, $5,000)

"IN CALIENTE" (Warners)
MIDWEST — (1,500), 10c-26c-36c-56c, 7 days. **Gross:** $4,000. (Average, $4,000)

"FOUR HOURS TO KILL" (Para.)
CAPITOL — (1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $1,700. (Average, $2,000)

"COWBOY MILLIONAIRE" (Fox)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. **Gross:** $1,700. (Average week, $2,500)

"NIGHT AT THE RITZ" (Warners)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $400. (Average week, $2,500)

One-Fourth of New Para. List on Way

(*Continued from page* 1)

Sixteen of the 21 features now in production are for the new list.

Expected to be embraced in the new schedule are these:

"The Crusades," produced by Cecil B. DeMille, with Loretta Young, Henry Wilcoxon, Ian Keith, C. Aubrey Smith, Katherine DeMille and Alan Hale.

"The Big Broadcast of 1935," Norman Taurog directing Bing Crosby, Jack Oakie, Ethel Merman, Charlie Ruggles and Mary Boland.

"Peter Ibbetson," Henry Hathaway directing Gary Cooper and Ann Harding.

"The Last Outpost," with Cary Grant and Gertrude Michael.

"Annapolis Farewell," which Alexander Hall is directing with Sir Guy Standing and Richard Cromwell.

"So Red the Rose," Stark Young's novel, directed by King Vidor, with Margaret Sullavan, Pauline Lord and Randolph Scott.

"Wanderer of the Wasteland," by Zane Grey, to be directed by Otto Lovering.

"Rose of the Rancho," musical from David Belasco's play, Marion Gering directing Gladys Swarthout.

"The Milky Way," Leo McCarey directing Harold Lloyd.

"Two For Tonight," with Bing Crosby, Joan Bennett and Mary Boland, to be directed by Frank Tuttle.

"Hands Across the Table," Mitchell Leisen directing Carole Lombard.

"Without Regret," to feature Kent Taylor and Elissa Landi, with Harold Young directing.

"Soup to Nuts," Norman McLeod directing George Burns and Gracie Allen.

"The Phantom Bus," to be directed by Max Marcin.

"Collegiate," to star Joe Penner.

"Every Night at Eight," Walter Wanger producing and George Raft and Alice Faye starring.

No Hearing by SEC

WASHINGTON, June 5.—No hearing is planned by the Securities and Exchange Commission on the Paramount reorganization, it was learned today, and in the event that a hearing is held it would be purely academic for the gathering of information.

So far as the commission is concerned, it was said, the company is free to submit applications for the registration of its securities at any time. It is understod that Paramount does not plan to issue any new securities, so that its applications will be solely to cover issues now outstanding.



HAPPY NEW YEAR! The good news appears in Motion Picture Herald's issue of June 8th (*out today*) and in Motion Picture Daily next week. Ask M-G-M for a copy of the most thrilling announcement since the dawn of movies!

•

AS PREDICTED! Wow! "PUBLIC HERO No. 1" socks St. Louis and Bridgeport. First two engagements cracking all records! And the preview of "NO MORE LADIES" starring JOAN CRAWFORD, BOB MONTGOMERY is the sensation of Hollywood! Ain't we got fun!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 133 NEW YORK, FRIDAY, JUNE 7, 1935 TEN CENTS

"U" Lists 26 Of New List; 2 Roadshows

79 Shorts and 104 News Round Out Schedule

CHICAGO, June 6.—Of its schedule of 42 features for next season, Universal divulged data on 26 to its sales convention at the Stevens today.

James R. Grainger, general sales manager, outlined the schedule and declared it was planned to handle "The Hunchback of Notre Dame" and "Phantom of the Opera" as roadshows. He gave no detail as to casts or direction for these potential standouts on the Universal lineup.

Edward Arnold in "Diamond Jim," which is already finished, will lead off the 1935-36 group.

In the short subject field, the company will have 27 two-reelers, 52 one-

(*Continued on page 4*)

Republic's Forces Converge on Cincy

CINCINNATI, June 6.—Branch managers and salesmen from approximately every key city in the east and south are convening here for the opening Friday of the first regional sales meeting of Republic Pictures. W. Ray Johnston, president, arrived late

(*Continued on page 10*)

Lasky Seen Nearing End of Fox Contract

HOLLYWOOD, June 6. — Jesse L. Lasky will terminate his contract and his association with Fox, October 1, according to authoritative information which reached MOTION PICTURE DAILY today.

"Here's to Romance" and "The Gay Deception" will wind up his commitment.

Buys "Dodsworth"

Hollywood, June 6.—Samuel Goldwyn added another title to the quota of films he will contribute to United Artists' current program today when he won out in the bidding for the rights to "Dodsworth," Sidney Howard play fashioned from the Theodore Dreiser novel. The purchase price is reported around $175,000.

"'U' Still Owns Self—Body, Soul, Breeches"—Cochrane

CHICAGO, June 6.—It was R. H. ("Bob") Cochrane, senior vice-president of Universal, who sent the delegates here in convention into something that sounded suspiciously like cheers and, at the same time, sent their spirits soaring when he told them "Universal still owns itself—body, soul and breeches."

Cochranisms had their day. In his characteristically pungent style, the Universal executive said in part:

"I am, frankly, surprised to see you here today. In fact, I am surprised to be here myself, because I have read at least 12 times since I last saw you that the Universal company had been sold out. Naturally, you and I believe everything we read in all of the trade papers. Maybe you believe even more of it than I do. Maybe there have been times during the past year when you wondered whether you

(*Continued on page 10*)

Attack Begun On Playdate Law in Ohio

COLUMBUS, June 6.—An action to obtain an injunction to restrain the state of Ohio from enforcing the new law prohibiting designation of playdates in film contracts has been filed in U. S. District Court here by RKO and names John W. Bricker, attorney general of the state, and John Hoskins, prosecuting attorney, as defendants.

The action contends that the state law is unconstitutional and a direct violation of the interstate commerce laws. It is understood that the complaint was prepared by counsel for the M.P.P.D.A. as a test action for all

(*Continued on page 13*)

Report Color Films In England for U. S.

By BRUCE ALLAN

LONDON, June 6.—Marcel Hellman, French producer; Paul Czinner, who directed "Catherine of Russia" and "Escape Me Never," and Douglas Fairbanks, Jr., are being mentioned in connection with a deal to produce Technicolor features here for United Artists release in America.

Herbert T. Kalmus, president of Technicolor, refuses to comment beyond declaring he will divulge British plans upon his return from Paris Tuesday. He does, however, admit English rights are tied in with Sir Adrian Baillie, M.P.

Court Drops Warner Suit Over "G-Men"

CHICAGO, June 6.—The suit brought in U. S. District Court here by Warners through Vitagraph, Inc.,

(*Continued on page 2*)

Allied Won't Shift Views On M-G-M Buys

CHICAGO, June 6.—Allied's attitude toward M-G-M booking terms continued unaltered following a regularly scheduled meeting of Allied members, according to Aaron Saperstein. Asked whether consummation of a contract putting this and next season's M-G-M product into the Coston string of theatres represented a break in the Allied front, Saperstein replied that it did not, pointing out that the Coston unit is Warner-controlled and, consequently, merely an affiliate member of Allied.

Earlier, both the Coston office and Felix Mendelssohn, branch manager

(*Continued on page 2*)

M-G-M and Essaness Court Move Dropped

CHICAGO, June 6.—Essaness has given up its current attempt to secure a Federal court injunction to prevent Loew's from building here. The case was dismissed today by Judge Barnes upon motion of Essaness.

Abandonment of the code is the reason. Attorneys for Essaness indicated a new approach to the problem through the Federal courts would be filed the first of next week.

The dismissal caused a mild sensation at first, as this case had been confused with the so-called Sheridan Square case now in state Superior

(*Continued on page 2*)

Expect Fall Trial Of St. Louis Case

The government's conspiracy suit against RKO, Paramount and Warners involving the alleged inability of

(*Continued on page 2*)

Code Revival Held Possible In Washington

May Reenact All Clauses Not Unconstitutional

By BERTRAM F. LINZ

WASHINGTON, June 6.—Possibilities of a revival of codes were being discussed in Washington today despite the action of the House Ways and Means Committee in approving a measure extending the NRA until April 1, next, and specifically repealing the powers delegated to the President in the original recovery act.

Plans of Congressional leaders call for immediate reporting of the measure to the House in the hope that it can be put out of the way early next week.

No indication has been given by the President of the method in which

(*Continued on page 10*)

Deny Offers Made For New U. A. Head

HOLLYWOOD, June 6.—Dispelling persistent rumors that the United Artists presidency had already been offered to a number of persons within the organization, Mary Pickford, Charlie Chaplin and Samuel Goldwyn today issued the following statement signed by them:

"The presidency of United Artists

(*Continued on page 13*)

BIP to Aim 10-12 For Selling in U. S.

Ten or 12 of B.I.P.'s 26 pictures scheduled for new season release will be designed for distribution here, John Maxwell, chairman of the board, said yesterday.

Maxwell, who arrived from London Tuesday, said he would remain here another 10 days. He described his trip as partly a vacation and partly to see whether he could assist Arthur Dent, general manager of B.I.P., who is endeavoring to arrange distribution deals for his company's product here. Dent will remain another month.

Lubitsch East

Hollywood, June 6.—Ernst Lubitsch will fly to New York Sunday to confer with John E. Otterson, new Paramount head, regarding the studio's future production setup.

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Insiders' Outlook

By RED KANN

NOT in some time has the rumor market reached the heights which currently bounce about from lip to lip, through telephone to telephone to eagerly poised ears. Never shy on yarns to talk about, this late spring has been particularly lacking in the listlessness which is apt to cloak the industry immediately prior to the season of sales conventions. . . .

▼

Take the merger situation, for instance. That's always an interesting, if often cock-eyed, matter to contemplate and to wallow in. Scarcely had the seepage done its work and word of the Joe Schenck - Darryl Zanuck - 20th Century hegira to Fox gotten about when the buzzings shifted into high. And what a high! Around for the asking, or even less, was the yarn about Floyd Odlum, a little known man to the film fraternity but the head of Atlas, America's largest investment trust and a very important behind-the-scenes figure in Paramount. His company has a finger in the RKO situation, or will. Mere suggestion of the circumstance was enough for those who draw conclusions quickly to gather Paramount and RKO into the same fold. If it's caution you want, you'll get it: Put your mental calisthenics through a cautious routine on that one. . . .

▼

In loud whisper is the one that control of one of your biggest and best known producers and distributors has changed hands through the usual means of buying up the controlling block of stock with San Francisco intermediaries in reality operating for a New York group which prefers to keep his identities hidden—that is, as long as anything remains hidden in this business. Say those who ought to know: "Pooh pooh and a couple of mish moshes." Yet, there it is, that story, kicking around and intriguing mightily those who have heard it. . . .

▼

Ernst Lubitsch takes the skyway into New York from Hollywood on Sunday. His business is urgent. Currently head of Paramount production, his deal, by very reliable report, runs out June 15. Herr Lubitsch wants to know about the future and, of course, you cannot blame him for that. Next week, therefore, will see parleys between Lubitsch and John Edward Otterson, midshipman, technologist, naval constructor, arms manufacturer, telephone man, sound equipment manufacturer, and now president-elect of Paramount. Those meetings will be significant in that the studio berth will be the subject matter. . . .

▼

In the interim and not necessarily tied in with what you have just read if you've gotten this far is the cordial association, largely social, between Otterson and an ex-laboratory man who made a tidy sum of money when he sold his plant some years back. Watterson R. Rothacker is his name. That name, months ago, was rolling around not a few tongues in connection with Paramount production. Otterson, of course, was not then the head of the company, although Erpi's position as a large creditor gave his opinions weight in the councils which determined matters. Today, Otterson is prexy. That may mean nothing or something where "Watty" is concerned. It's hard to tell. . . .

▼

In this space on May 29:

"The brief mention in the official announcement (Schenck to Fox) that Schenck will make his headquarters on the coast led to the question yesterday: 'Will he be the Louis B. Mayer of Fox?' There were no answers to these who attempted to draw the parallel of Mayer stepping out of the independent field years ago with Irving Thalberg under contract to join Metro and to become its general production overseer and Schenck stepping into the Fox picture with Zanuck as his Thalberg. But there it was—speculative and unprovable, but certainly an interesting something over which to cogitate."

Page one, June 1, via the London cable:

"Joseph M. Schenck will be the 'coordinator' of Fox production under his new association which makes him chairman of the board of that company. . . ."

It would seem that the question has been answered by the party most directly concerned. . . .

▼

High above Pershing Square, his general manager, Arthur Dent, was diligently causing to be screened a series of ten and more B.I.P. attractions for which the company seeks an outlet here. While this was proceeding on schedule in the Chanin Auditorium, John Maxwell, who is B.I.P., was disembarking from the *Aquitania.* Already two hundred and forty British theatres strong, forty are in various stages of construction and an additional 20 will be acquired for Associated British Cinemas, by corporate infusion a blood relation of B.I.P. Such was Maxwell's arrival statement. He could have gone on about conditions in England and the status of production at some length. Curious is one way of describing why he stressed theatres which mean playdates for American distributors over there when it's playdates which Dent is seeking over here. . . .

Wall Street

Eastman Off 2¾ on Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	58½	57½	57½	—1¼
Consolidated	3¾	3¾	3¾	.....
Eastman	143½	141	141½	—2¾
Fox "A"	15⅜	15	15	.....
Loew's, Inc.	40¼	39⅝	39⅝	.....
M-G-M, pfd	27½	27⅜	27½	+ ⅛
Paramount	3½	3⅜	3⅜	.....
Pathe	¾	⅝	⅝	— ⅛
Pathe "A"	9¾	9¼	9¼	+ ½
RKO	2¼	2⅛	2⅛	+ ⅛
Universal, pfd	32	31⅞	31⅞	—2⅛
Warner	4½	4⅜	4⅜	.....
Warner, pfd	28¼	26	26	— ½

Sentry Up ⅛ on Curb

	High	Low	Close	Net Change
Sentry	½	½	½	+ ⅛
Technicolor	25½	25	25¼	— ⅛
Trans-Lux (.10K)	2⅜	2⅜	2⅜	.....

Warner Bonds Gain ¾

	High	Low	Close	Net Change
Keith B. F. 6s '46	79⅝	79⅝	79⅝	— ⅝
Loew's 6s '41 ww deb rights	104⅛	104⅛	104⅛	— ⅛
Paramount F. L. 6s '47	88¾	88¾	88¾	.....
Paramount Publix 5½s '50	90⅝	90¼	90¼	— ½
RKO 6s '41 pp..	40	40	40	.....
Warner Bros. 6s '39 wd	66¾	64½	65½	+ ¾

(c) Plus stock extras. (K *and v) Paid this year.*

(Quotations as at close of June 6)

Form Fast Theatres

ALBANY, June 6.—Fast Theatres, Inc., has been formed by Simon H. Fabian, Samuel Rosan and Mary Becker.

Expect Fall Trial Of St. Louis Case

(*Continued from page* 1)

three St. Louis first run houses to obtain product will not go to trial until next fall, attorneys for the defendant film companies here said yesterday it was their belief.

Although June 17 has been reported as a possible trial date for the case, local attorneys have not been notified yet nor instructed to appear in Federal court at St. Louis on that date. With only 10 days intervening now, the defendants' attorneys point out that it is most improbable that the case will be called for trial on the 17th without notifications having been sent out yet. It is also pointed out that the Federal court session adjourns for the term a week later, further indicating the unlikelihood of a trial before fall.

Seven film executives associated with the three companies were indicted by a St. Louis Federal grand jury last winter in the conspiracy case.

Court Drops Warner Suit Over "G-Men"

(*Continued from page* 1)

against Publix-Great States in an endeavor to protect its "G-Men" title against allegedly unfair competition was dismissed today for lack of jurisdiction.

Federal Judge Sullivan accepted the argument of attorneys for Publix-Great States that the defendant was resident in New Castle County, Del., so consequently the district court had no jurisdiction in the case.

The suit was an application for an injunction to restrain Publix-Great States from referring to G-men in advertising the United Artists picture "Let 'Em Have It." The direct cause of the suit was the charge that "Let 'Em Have It" had been advertised at the Palace, Peoria, Ill., with its title subordinated to "G-Men."

Allied Won't Shift On M-G-M Booking

(*Continued from page* 1)

of M-G-M, had confirmed that a contract had been negotiated, the latter asserting on inquiry that it deviated in no particular from the standard M-G-M contract terms.

The generally credited belief in the trade is that play dates for Warner films in Loew theatres east were balanced against play dates for M-G-M pictures in Warner-Coston theatres here and that everything came out even.

M-G-M and Essaness Court Move Dropped

(*Continued from page* 1)

Court. Rumors spread that Essaness had decided to give up the battle against M-G-M and had reached an agreement.

The Sheridan case was argued most of this afternoon. It is expected to be finished tomorrow.

S. S. "NORMANDIE" BOOKS "GINGER" FOR RETURN TRIP

The floating palace... new wonder of the age... for which nothing is too fine or too costly... has chosen "Ginger" to delight its exclusive passengers on its first trip from American shores. The first tribute to a picture destined to win laurels from audiences everywhere.

"GINGER"

with

JANE WITHERS
O. P. HEGGIE
JACKIE SEARL
KATHARINE ALEXANDER

Produced by Sol M. Wurtzel

Directed by Lewis Seiler

Story and screen play by Arthur Kober

FOX

"U" Lists 26 Of New List; 2 Roadshows

(*Continued from page* 1)

reelers, four serials and 104 issues of Universal Newsreel.

The detailed program, as far as it was disclosed follows:

"Diamond Jim" from the book by Parker Morell with Edward Arnold in the lead and Jean Arthur, Binnie Barnes in the cast. The picture is already completed. Edward Sutherland directed.

"The Hunchback of Notre Dame" which, in its original version, propelled Lon Chaney into stardom.

"Phantom of the Opera," which also starred Chaney in the silent era.

"While the Crowd Cheers," a football picture slated for September release.

"Hangover Murders," from the novel by Adam Hobhouse which James Whale will direct.

"Dracula's Daughter," a sequel to "Dracula," written by John L. Balderston. R. C. Sherriff is writing the script. James Whale will direct.

Two starring Margaret Sullavan to be selected from "Within This Present" by Margaret Ayer Barnes; "Strangers at the Feast" by Beatrice Lubitz and "Time Out of Mind" by Rachel Fields.

Marta Eggerth, European star, in at least two. The first will be "Song of Joy" by E. P. McEwen. She will arrive on the coast in August.

Edmund Lowe in "The Great Impersonation" by E. Phillips Oppenheim.

Edward Everett Horton in "His Night Out" by Henry Irving Dodge.

Carole Lombard in "Spinster Dinner" by Faith Baldwin.

Boris Karloff in "Bluebeard's Eight Wives" by Bayard Veiller.

May Robson in "Three Kids and a Queen" by Harry Poppy and Chester Beecroft.

Chester Morris, Dorothy Page and "Pinky" Tomlin in "King Solomon of Broadway" by Al Cohen and Robert T. Shannon.

Jack Holt in "Storm Over the Andes" by Eliot Hibbons and Leclade Christy.

Oakie Film Listed

Jack Oakie in "Fast and Furious" which will include scenes from the recent motor classic at Indianapolis.

Charles Bickford in "East of Java" by Gouverneur Morris.

Jack Holt in "Tall Timbers" by Edward J. Eustace.

"Her Excellency the Governor" by Nina Wilcox Putnam.

"Beauty on Parole" by Paul Sidney.

"Merrily We Live" by James Edward Grant.

"Yellowstone" by Houston Branch.

"The Invisible Ray" by Howard B. Higgin and Douglas Hodges.

"Stormy" by Cherry Wilson.

"The Suicide Club" by Robert Louis Stevenson.

Buck Jones in six westerns, titles not divulged.

In the short subject division, Universal will have 13 Mentone musicals in two-reels each, 13 Universal Comedies and a special titled "Camera Thrills."

The one-reelers include 13 "Oswald, the Lucky Rabbit" cartoons, 13 Studio Novelties, 13 "Stranger Than Fiction" and 13 "Going Places." The newsreel will again feature Graham McNamee.

The serials include Buck Jones in "The Roarin' West," "The Adventures of Frank Merriwell" by Burt L. Standish, "The New Exploits of Tailspin Tommy" and another newspaper strip, "Flash Gordon."

Carl Laemmle, Jr., now an associate producer, will make six. These will include "Hangover Murders," "Dracula's Daughter," and two Margaret Sullavans.

Requests of exhibitors that facilities be established for distributing copies of "Universal Weekly," company house organ, direct to theatregoers brought the proposition before company delegates. The plan contemplated no invasion of the fan paper field, but would make it possible for an exhibitor to supply names of those to whom he wished the house organ mailed direct, the exhibitor to pay a flat per copy price for same. Following discussion and suggestions, the subject was tabled for disposition after overnight consideration.

This was the liveliest topic of an afternoon session in which talks on matters pertaining to their various departments were given by Andrew Sharick, accessories; Joe Weil, exploitation; Charles Leonard, advertising; Paul Gulick, publicity; Herman Stern, non-theatrical; Charles Ford, newsreels; William Kramer, E. F. Cox and Oscar Binder.

Grainger occupied the starring spot in today's proceedings. Two hundred wires of good wishes from exhibitors were tallied by late this afternoon. At a luncheon today, 100 local exhibitors joined the conventioneers. Included were John and Dave Balaban, Jules and Maurice Ruben, Jack Miller, Jack Rose, Eddie Trinz, Walter Immerman, Abe Kaufman, Simon Simanksy, Alex Halpern, John Drowey, Dave Wallerstein, Bill Hollander, Harry Goldman, Maurice Leonard, James Christy, Glenn Caldwell, H. Goldberg, Joe Stern and Art Gould. Tonight Universal was host at a dinner to Chicago newspapermen with Edward Arnold as the guest. The actor, incidentally, will travel back to New York with Universal eastern group later in the week.

No official word has reached here on the reported deal whereby Fanchon and Marco will make two musicals for Universal. The deal, however, is reported advancing rapidly to the signature stage.

On Friday, Grainger will devote the morning session to a discussion of angles of the new product. At noon, Carl Laemmle will deliver the concluding address.

Lederer to Universal

HOLLYWOOD, June 6.—Francis Lederer has been signed by Universal to appear opposite Margaret Sullavan in "Next Time We Live," which she will make when she has finished "So Red the Rose" for Paramount. Lederer at present is playing in "The Gay Deception" for Jesse Lasky at Fox.

'Straight from the Shoulder'

CHICAGO, June 6.—A substantial majority of the 79 delegates arrived in Chicago on Tuesday and R. H. COCHRANE pitched a party for them in the evening that exhausted the stock of provender put in for Wednesday's luncheon necessitating a re-order, but had everybody in the pink for the opening session yesterday morning.

✣

Chicago Manager HENRY HERBEL was gratefully accused of staging the convention at the Stevens because it's just around a swift corner from the Universal exchange—"gratefully" because the boys say the convention quarters in the Tower Ballroom top all previous zeniths for facility, convenience and sheer swell-elegant grandeur.

✣

The New York contingent Centuried in Wednesday morning.

✣

WILLARD MCKAY displayed some of the ability it requires to be a general counsel when he made a neat profit from the sale of several rubbers of bridge to HARRY WARNER, coast-bound, on the train.

✣

E. T. ("Peck") GOMERSALL, western sales manager who has been operating from New York, will stay on and make his headquarters in Chicago for a number of months. The local exchange is being remodeled to afford him suitable offices.

✣

The sartorial championship was awarded without contest to PAUL GULICK, a symphony in brown and gray, whose directorship of Universal publicity over more years than most newshawks are old is an interesting chapter in the annals of industry press agentry.

✣

Volatile JAMES R. GRAINGER, whose staccato interjections crackle like wireless over a sales meeting, had his Wednesday lightened and brightened by a telegram from son Edmund, associate producer, saying: "Diamond Jim is on the way season's going to be okay."

✣

JAMES HOBBS, Charlotte, N. C., manager, aired a legitimate grouch because he hadn't been invited to the "U" golf tournament. Last year he shot a birdie three for a final 72, winning the North Carolina state tournament. It's admitted that's tops for the company.

✣

P. D. COCHRANE "cut" Wednesday's afternoon session to spend the time with his brother, WITT K., who directs Universal's national (direct-to-public) advertising from Chicago.

✣

MAX FRIEDLAND, continental manager, arrived Thursday morning after crossing on the *Normandie*, which he states is quite a canoe.

✣

President CARL LAEMMLE arrived on the Chief today completely recovered from his recent illness and expressing himself happy, as always, to visit again the scene of his early successes.

✣

LOUIS LAEMMLE, renewing organization contacts on all sides, says it's like old home week.

✣

Exploitation Manager JOE WEIL had the delegates smoking "Diamond Jim" cigars and stuffing their pockets with more of the same—that's selling at the sales source.

✣

SAM SEDRON, purchasing agent, mentioned too loudly that he'd shot an authenticated 86 on JIMMY GRAINGER'S golf course and got himself promptly challenged by the latter for a match on Sunday. Wherefore SEDRON'S planing out on Friday so he can get in a practice round on Saturday in preparation for the title go.

✣

CHARLIE LEONARD came to town a day early and spent it renewing friendships with the screen scribes of the daily press, of whom he knows so many and so much.

✣

CHARLIE FORD, newsreel editor, was met at the train by a sound truck.

✣

DICK ANDERSON, CHARLES LEONARD, PAUL GULICK and JOE WEIL betook themselves on Wednesday night to A Little Bit o' Sweden, swank local dinery, for the purpose of partaking of the renowned punch dispensed thereat. And they came back under their own power and that's news because that's punch!

What They're Slated For

Chicago, June 6.—Star and featured assignments in Universal's 1935-36 lineup, as revealed in a breakdown of the company's product announced here today:

EDWARD ARNOLD—Star in "Diamond Jim."
JEAN ARTHUR—"Diamond Jim."
BINNIE BARNES—"Diamond Jim."
CHARLES BICKFORD—Star in "East of Java."
MARTA EGGERTH—Star in at least two. First, "Song of Joy."
JACK HOLT—Star in "Storm Over the Andes" and "Tall Timbers."
EDWARD EVERETT HORTON—Star in "His Night Out."
EDMUND LOWE—Star in "The Great Impersonation."
BUCK JONES—Star in six westerns, no title given.
BORIS KARLOFF—Star in "Bluebeard's Eight Wives."
CAROLE LOMBARD—Star is "Spinster Dinner."
CHESTER MORRIS—Co-star with Dorothy Page and "Pinky" Tomlin in "King Solomon of Broadway."
JACK OAKIE—Star in "Fast and Furious."
DOROTHY PAGE—Co-star with Chester Morris and "Pinky" Tomlin in "King Solomon of Broadway."
MAY ROBSON—Star in "Three Kids and a Queen."
MARGARET SULLAVAN—Star in two to be selected from "Within This Present," "Strangers at the Feast" and "Time Out of Mind."
"PINKY" TOMLIN—Co-star with Chester Morris and Dorothy Page in "King Solomon of Broadway."

"U" Victor in Hix's Infringement Action

LOS ANGELES, June 6.—Judge Leon R. Yankwich yesterday ruled in favor of Universal in the $250,000 suit of John Hix, who charged infringement of the title of his cartoon feature, "Strange as It Seems." The court held there is no originality or monopoly in novelty films to a degree making them exclusive property.

Ampa Honors Russians

The first open Ampa meeting since the election of new officers was held yesterday at the Hotel Edison with some 60 members present. The Russian film officials, Boris Shumiatsky, F. Ermler and Vladimir Verlinsky were the guests of honor. Boris Morros acted as interpreter while Louis Nizer was toastmaster.

Tom Howard and Roy Shelton, who have been featured for some time on Rudy Vallee's weekly radio hour, were the chief entertainers.

J. T. Newman Killed

TAMPA, June 6.—James T. Newman, Sparks manager here, has been killed in an automobile accident while on his way to Sarasota. He crashed into a concrete bridge.

A *New*
NATIONAL ORGANIZATION
TO SERVE
EXHIBITORS
★

REPUBLIC PICTURES

46
SUPERIOR
ATTRACTIONS
FOR
1935-36

The PUBLIC'S CHOICE

Republic Pictu

Initial Pr

1935

FIVE REPUBLIC GO

- **THE HARVESTER**
  by Gene Stratton-Porter
- **LEGION OF THE LOST**
  by Ex-Legionnaire 1384
- **HOUSE OF A**
  by Meredith N

8 Republic Showmanship Group

- SAILORS FORGET
  by Roland Pertwee
- GENTLEMAN FROM LOUISIANA
  by Tristram Tupper
- FRISCO WATERFRONT
  by Norman Houston
- THE BIG SHOW
  by George McCall
- THE DEERSLAYER
  by James Fenimore Cooper
- MANHUNTERS
  by Norman Hall
- LAUGHING IRISH EYES
  with Guy Robertson
- FAIR GROUNDS
  by Harry Hoyt

5 Republic W i n

- **MICHAEL O'**
  by Gene St
- **TWO BLACK**
  by Warwick
- **CAPPY RICKS**
  by Peter B
- **MY OLD KEN**
  from the fa
- **METROPOLIT MERRY-G**
  New York

8 Greater Western Series with JOHN WAYNE

4 BIG

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ROBINSO

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39 EXCHANGES

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MEDAL SPECIALS

- FORBIDDEN HEAVEN
  with Charles Farrell and Charlotte Henry
- SITTING ON THE MOON
  a DeLuxe Musical Extravaganza

OUSAND CANDLES
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8 Republic Entertainment Group

- FORCED LANDING
  by Wm. Boehnel & Morris Helprin
- DANCING FEET
  by Robert Eden
- LEAVENWORTH CASE
  by Anne Katherine Green
- HARBOR LIGHTS
  by Dorothy Reid
- AN OLD FASHIONED GIRL
  by Louisa M. Alcott
- HOUSE OF SEVEN GABLES
  by Nathaniel Hawthorne
- SPANISH CAPE MYSTERY
  by Ellery Queen
- THE RETURN OF JIMMY VALENTINE
  by Paul Armstrong, Jr.

8 FAST ACTION WESTERNS

T O S E R V E Y O U



EXCHANGES TO SERVE YOU

Albany, N. Y.	1046 Broadway
Atlanta, Ga.	162 Walton St.
Boston, Mass.	25 Winchester St.
Buffalo, N. Y.	505 Pearl St.
Butte, Mont.	115 E. Granite St.
Charlotte, N. C.	300 W. Third St.
Chicago, Ill.	1304 S. Wabash Ave.
Cincinnati, Ohio	1635 Central Parkway
Cleveland, Ohio	450 Film Building
Dallas, Texas	2011 Jackson St.
Denver, Colo.	2075 Broadway
Des Moines, Iowa	515 Tenth St.
Detroit, Mich.	610 Film Exchange Building
Indianapolis, Ind.	404 N. Illinois St.
Kansas City, Mo.	221 W. 18th St.
Little Rock, Ark.	108 Cross St.
Los Angeles, Cal.	1928 South Vermont Ave.
Milwaukee, Wis.	641 North Seventh St.
Minneapolis, Minn.	42 Glenwood Ave.
New Haven, Conn.	130 Meadow St.
New Orleans, La.	1307 Tulane Ave.
New York, N. Y.	630 Ninth Ave.
Oklahoma City, Okla.	623 West Grand Ave.
Omaha, Neb.	1516 Davenport St.
Philadelphia, Pa.	Vine St.
Pittsburgh, Pa.	1701 Blvd. of the Allies
Portland, Ore.	925 N. W. 19th Ave.
St. Louis, Mo.	3214 Olive St.
Salt Lake City, Utah	252 E. First South St.
San Francisco, Cal.	221 Golden Gate Ave.
Seattle, Wash.	2417 Second Ave.
Tampa, Fla.	115 South Franklin St.
Washington, D.C.	925 New Jersey Ave. N.W.

EMPIRE FILMS LTD.

Toronto, Ont.	277 Victoria St.
Calgary, Alberta	8th Ave. & 6th St. W.
Montreal, Que.	5959 Monkland Ave.
St. John, N. B.	162 Union St.
Vancouver, B. C.	1204 Burrard St.
Winnipeg, Man.	Film Exchange Building

FOREIGN DISTRIBUTORS:

REPUBLIC INTERNATIONAL CORPORATION

REPUBLIC PICTURES CORPORATION

W. RAY JOHNSTON, President

REPUBLIC PICTURES

THE PUBLIC'S CHOICE

Purely Personal

BEN PERSE of Capitol M. P. Supply is going around with a gleam of satisfaction in his eye. Reason: a little PERSE (male, weight 8½ pounds) has come into the world. Mother and child are doing nicely at Bronx Hospital.

•

WALTER HUSTON, MADGE EVANS and RICHARD DIX arrived here yesterday from the coast en route to the G. B. studios in England. DIX sails today on the *Normandie,* HUSTON next week on the *Majestic and* MISS EVANS on the *Aquitania.*

•

LEW SEILER, whose latest for Fox is "Police Parade," arrives from Hollywood today. That is, he's due in. The weather, you know.

•

MRS. JOHN HAY WHITNEY is resting easily after having been pitched from a hunter she was showing at an up-state show Wednesday.

•

MABEL DREW, of the U. A. publicity department, will be interviewed this morning on the Gloom Chasers' program over WOV.

•

JACK ALICOATE, publisher and editor of *The Film Daily,* is expected in London in August, according to word from that city.

•

MAY ROBSON is now enroute here from the coast on the *Santa Elena* for a short vacation with her family on Long Island.

•

MIKE SIMMONS, that big Hollywood scenario man, washed up a New York holiday last night and entrained for California.

•

GENE RAYMOND pulled out yesterday by train for the coast and the Radio studios to begin work on another musical.

•

N. L. and MRS. NATHANSON sail for Europe today on the *Normandie.*

•

. . . Boston

ALTON K. FREEMAN, former manager of the M. & P.-Publix Scollay Square Theatre here, continued on to the Orient after reaching the West Coast because it seemed pretty close from there. FREEMAN is now returning to Boston via India, Egypt, etc., because he says its just as cheap as going back the other way.

GLADYS PILLMAN has resigned as treasurer of the RKO Boston.

TOM FARRELL of M-G-M has been in the Hub.

DONALD NOVIS appeared at the Metropolitan.

CHARLIE CURRAN, formerly publicist for M. & P.-Publix in town, has joined the staff of Donahue & Coe in New York.

GEORGE BRENNAN, well known checker, has recovered from a long illness and is back on the job.

LARRY O'TOOLE, head artist of the Metropolitan Theatre publicity department, has been sojourning and sketching in Provincetown.

JACK BEAUVAIS, who has appeared on several stages here, was scheduled to be married June 1, but contracted measles several days before.

Go West with a Smile



Candid camera shot of Sales Managers Sears and Smith as the Warner convention special slid out of Pennsylvania Station Wednesday evening. The man with the Eddie Cantor optics looks suspiciously like Al Jolson.

ST. LOUIS, June 6.—The Warner convention special, Los Angeles-bound, left here early this evening for the coast via the Southwest. It is scheduled to arrive at Longview, Tex., Friday, where a stopover will allow a visit to nearby oil wells.

Four more groups join the delegation at the Texas point, these being:

Atlanta: H. Ochs, manager; R. H. Bryan, H. R. Kistler, H. Parks, and F. Sands.
Charlotte: F. D. Bryan, manager; F. Gebhardt and D. House.
Memphis: Byron Adams, manager; Howard Waugh, zone manager, G. Hammond and W. O. Williamson, Jr.
New Orleans: L. Connor, manager; H. Hisey and P. Spindler.

At Texarkana, the train makes a brief stop to pick up Allen Glenn, special exploiteer in the southern territory.

The special is due at Dallas at 12:45 P.M. Friday and will be met by the mayor and the police band if current arrangements hold. It will resume at 1:30 P.M. with the following additions:

Dallas: Fred Jack, southern district manager; W. E. Callaway, manager; J. Groves, W. Brumberg, R. McCoy and W. O. Williamson.
Oklahoma City: J. O. Rhode, manager; W. C. Blackstone and E. Slocum.

Herb Crooker, Warner publicity department representative and special correspondent on the westbound convention special, reported these early activities of delegates by wire yesterday:

"Traveling Warnerites having swell time . . . Stanley Shuford, Andy Smith and Bob Mochrie playing bridge. . . . Grad Sears hot at pinochle . . . Moe Silver, Mort Blumenstock, Harry Kalmine at stud poker . . . Crooker playing solitaire and winning from himself heavily . . . Zipper-neck, sport shirts with cigars the leading fashion note, but Tom Spry is startling in white duck pants and cap . . . Bob Smeltzer in wild blue shirt . . . Charlie Rich worrying over contest prizes . . . Norman Moray says shorts here to stay . . . Les Tietjen is proving a wizard on the club car piano (illustrated above) . . . Harry Rosenquest is the train comic . . . Everybody is name-plated with Warner badges. Lots of grass, cows and sheep out here where the West almost begins. . . ."

Ad Men Confer Today

Twenty advertising men from all parts of the country begin a conference today on a campaign for Fox's "Dante's Inferno." They will be welcomed this morning by John D. Clark, general manager of distribution, and Charles E. McCarthy, advertising and publicity chief.

Following a screening of the picture the group will have lunch on the Starlight Roof of the Waldorf, followed by informal discussions and an ad and accessories exhibit in the Romany Suite.

Color Suit Dismissed

SAN FRANCISCO, June 6.—Federal Judge A. F. St. Sure has ordered the Leon Douglas color patent infringement suit against Fox dismissed on stipulation of attorneys for both sides, according to court records made available today.

Fox Wins S-C Action

Fox Film yesterday was awarded $3,589 in an arbitration hearing with Springer and Cocalis in a dispute involving film service. The circuit sought to gain the point that the sum was not due under a cancellation clause in its contract, which Fox denied. The hearing was arbitrated under a proviso in the contract providing for that form of adjudication. Louis Nizer represented the distributor and today will seek to have the decision confirmed in judgment form before the state Supreme Court.

Weeks Names New Men

Leslie Wilkes, formerly with Paramount and Columbia, has been appointed to the G. B. Dallas office by George W. Weeks, general sales manager. William Adams, formerly with Columbia, has been made a member of the Minneapolis staff.

Ascap Is Ready for Trial, Says Burkan

The American Society of Composers, Authors & Publishers is ready to go to trial on Monday in the government's anti-trust suit against the organization, it was stated yesterday at the office of Nathan Burkan, counsel for Ascap.

The Burkan office has abandoned all thought of petitioning for a writ of prohibition to halt the trial for the present, a consideration that was entertained for some time following the government's successful effort to have the case given a preference on the calendar. In addition, it was stated that no motion for an adjournment would be made by Ascap on Monday. The organization is prepared to proceed with the trial on that day if the government is, it was said.

Federal Judge Henry W. Goddard may preside at the trial. Ascap will probably retain former Judge Thomas D. Thacher as associate counsel for Burkan. The government, through its anti-trust suit, is endeavoring primarily to have Ascap's fee-fixing methods for music licensing declared illegal.

Para.-Allied Owners Settlement Approved

The agreement in settlement of Allied Owners Corp.'s claim against Paramount was approved by Federal Judge Alfred C. Coxe yesterday when no objections to the proposal were presented.

The settlement of the claim, which was originally filed for more than $23,000,000, provides for the issuance to Allied of new Paramount securities to satisfy a $5,000,000 claim, the payment of $150,000 cash, the purchase of the Brooklyn Paramount and the leasing of the Paramount theatres at Birmingham, Glens Falls, N. Y., and Fremont, O.

An adjourned hearing date was set for June 17, at which time application will be made by the new Paramount company for a transfer of Paramount's assets from the trustees to the board and officers of the new company. This is regarded as the final step, except for the actual discharge of the trustees, in the Paramount rehabilitation process.

Yoost Is Denied Appeal

William Yoost, a Paramount bondholder, was denied leave to appeal from Federal Judge Alfred C. Coxe's order approving the settlement of Erpi's claim against Paramount under a decision handed down yesterday by the U. S. Circuit Court of Appeals here.

Yoost has been opposing acceptance of the settlement agreement in the courts for the past three months, directing his attack at the provisions in the agreement for continuation by Paramount of Erpi licensing and servicing. He charged that the proposed fees in the new agreements were excessive. Yoost's opposition to the Erpi settlement has been identified with the activities of the Society for the Protection of the M. P. Theatre, an organization dedicated to the harrying of so-called "big electrics."

"Pampas" Draws $56,500

"Under the Pampas Moon" tallied $56,500 at the Music Hall.

Republic's Forces Converge on Cincy

(*Continued from page* 1)

today accompanied by Edward A. Golden, general sales manager; Edward Finney, director of advertising and publicity, Norton V. Ritchey, president of Republic International Corp., and Madeleine White, Johnston's assistant.

Johnston will open the session in the morning with an address and the introduction of Mayor Wilson. The meeting will then be turned over to Golden, who will be in charge the balance of the day.

Following the opening speeches, Golden will address the men on coming product. It is expected this will take up the rest of the day.

Saturday will be devoted to the usual sales discussions, and the meeting will close with a banquet that night.

135 of Sales Force Present

Approximately 135 members of the sales force are present, including:

Albany: B. H. Mills, Gene Lowe, Jack Krause.

Atlanta: A. C. Bromberg, John W. Mangbam, E. A. Rambonnet, Henry P. Glover, P. H. Savin.

Boston: Herman Rifkin, M. E. Morey, Al Ficke, Stephen Broidy.

Buffalo: J. Berkowitz, Harry L. Berkson, Nate R. Sodikman, H. G. Bruck, Sam Schonfield.

Charlotte: H. H. Everett, Jack London, J. H. Dillon.

Chicago: Irving Mandel, Harry Lorch, Max Dreifuss, S. Decker, J. M. Schwartz.

Cincinnati: William Onie, George Kirby, Max Margolis.

Cleveland: J. S. Jossey, Nat Lefton, Sam P. Gorrel, Frank E. Belles, Ralph O. Flemm.

Dallas: Claude Ezell, William G. Underwood, Lloyd Rust, H. R. Bisby, Roy Starling.

Des Moines: J. E. Judd.

Detroit: Sam Seplowin, Fred C. Strubank, Clair T. Townsend, W. B. Hurlbut.

Indianapolis: L. W. Marriott, E. A. Sipe.

Kansas City: Robert E. Withers, L. F. Durland, G. M. Parkhurst.

Little Rock: B. F. Busby, S. A. Arnold.

Milwaukee: J. G. Frackman, T. MacEvoy.

Minneapolis: Gilbert Nathanson.

New Haven: Robert Cobe.

New Orleans: L. Seischsnaydre, Ed Orte.

Philadelphia: Herman Gluckman.

Oklahoma City: Sol Davis, J. A. Smith, G. A. Alt.

Omaha: L. O. Ringler, Joe Smith.

Pittsburgh: J. H. Alexander, Samuel A. Fineberg, George Collins.

St. Louis: Nat E. Steinberg, Barney Rosenthal, William Weiss.

Tampa: Carl Floyd.

Washington: Sam Flax, Jake Flax.

Denver Meeting June 12

The Salt Lake and Denver offices will meet at the Cosmopolitan Hotel, Denver, on June 12. Portland and Seattle foregather at the New Washington, Seattle, June 15, and the San Francisco-Los Angeles session at the Roosevelt, Hollywood, June 20. Local exhibitors in each area will be guests at luncheons. Trem Carr, vice-president in charge of production, will, of course, attend the Southern California session.

John S. Harrington, manager of accessories; Russell M. Bell, art director; Peter Friedhoff, assistant treasurer; C. King Charney, general manager of distribution for Agfa; Herman Rifkin, district manager for New England; E. H. Morey, Boston manager, and Robert H. Cobe, New Haven manager, were included in the group out of New York which arrived tonight.

Following is the program for the meetings here:

Friday

11 A.M.—Welcome by Mayor Russell Wilson of Cincinnati. Convention opened by W. Ray Johnston.

11:15-1:15 P.M.—Address by Edward A. Golden.

2:30-4:30 P.M. — Continuation by Golden.

8 P.M.—Special program to entertain delegates.

Saturday

11 A.M.—Address by Edward Finney.

11:45 A.M.—Address by Golden.

12:15 P.M.—Address by C. C Ezell, southwest district manager.

12:45 P.M.—Address by M. E. Morey, Boston exchange head.

2:30-5:30 P.M.—Managers, salesmen, etc. Closing by Golden.

8 P.M.—First annual banquet.

"'U' Still Owns Self—Body, Soul, Breeches"—Cochrane

At the Helm



W. Ray Johnston E. A. Golden

(*Continued from page* 1)

were working for Universal or whether you were working for somebody else.

"I don't blame you. In fact, far from blaming you, I have often wondered how you could listen to all the stories which have been circulated about Universal and still keep your nerve up. Apparently you have guts!

"Will you take my word for it that when I left the home office yesterday afternoon to come to this meeting, the Universal still owned itself, body, soul and breeches? I waited at the office until the very last minute to see whether I should come here as R. H. Cochrane or whether I should come disguised as someone else. Imagine my deep joy when I found that I could hustle away from New York and come here as Cochrane.

"God knows I am not given to preaching. Nor to moralizing. Nor do I pose as a philosopher. But if you and I together cannot get something good out of all the evil which has been reported about Universal during the last year, we are nothing more nor less than a lot of dumbbells.

The Universal Brook

"A guy named Tennyson wrote a poem called 'The Brook.' The brook, in the poem, bragged of the fact that it was everlasting. For just a minute, think of Universal as the brook. It goes on forever. The damned thing never stops! I can't imagine that anything in the world can kill it. It is everlasting. It has gone through more hell than all other companies put together—but it lasts.

"Now, I have always tried to give you the lowdown every time I have talked to you, so I am going to stick to that policy. It is the truth that at one time this spring we had nine different offers to sell out. That's a hell of a lot of offers, even if only two or three of them might have been bona fide. But it proves to me, as I hope it will prove to you, that when nine groups of people try to buy Universal, then Universal must have something worth buying.

"Don't get the idea that the offers were not good enough in dollars and cents. The truth is they were not good enough in sentiment to influence a man named Laemmle to sell his baby. He placed so many restrictions on the sale that he did not sell. Have you any idea what those restrictions were? They were you! They were you—and a lot of other Universal men whom he wanted to protect. He would not sell for dollars, unless he first had it in writing that the key men in the organization must be taken care of."

Carr, Goetz Leave for Cincy

HOLLYWOOD, June 6.—Trem Carr and Ben Goetz today flew to the Republic regional in Cincinnati.

Erpi Trust Trial Is Ended in Wilmington

WILMINGTON, Del., June 6.—Trial of the anti-trust suit brought by Duovac Radio and General Talking Pictures against Erpi, Western Electric and A. T. & T. ended in U. S. District Court here today. Argument has been set for Nov. 6. In the meantime briefs will be filed by both sides.

The trial consumed 27 court days spread over a period of seven weeks. The records of the trial filled more than 5,000 pages.

The last to testify today was Nathan Goldman, Duovac president, who appeared for the plaintiffs. Others to testify for the plaintiffs were: Sam Norris, in charge of government and theatre sales for Duovac; Alexander Senauke, Bronx consultant for Duovac, and Harry Lindquist of the Federal Telegraph Co.

Closing witnesses for the defense were: Thomas Raymond Griffith, W. E. employe; Dr. Edgar G. Wagner, formerly of Duovac, and Mervin J. Kelly, tube engineer.

M-G-M Men to Frisco

LOS ANGELES, June 6.—M-G-M will hold a meeting of exchange office managers at San Francisco Sunday and Monday, with R. W. Carmichaels, local office head, and John Jacobs, booker, representing this city.

Advance "Call" Release

HOLLYWOOD, June 6.—20th Century is moving "Call of the Wild" up for immediate release. It has been scheduled as the last film for the U. A. program. Release had been slated for September.

Code Revival Held Possible in Capital

(*Continued from page* 1)

the NRA will be administered during the remainder of its life, but it is generally understood Donald R. Richberg will not be at its head.

Discussion of a revival of the codes was based on reports that the President had under consideration general legislation which would return to effectiveness all of those provisions of the original recovery act which clearly are permissible under the Supreme Court decision in the Schechter poultry case. This could easily be done despite the extension bill's repeal of powers, since it would be necessary to rewrite those sections which gave the President power to impose codes so as to make them conform to the decision.

The plan under consideration is said to contemplate the imposition of codes upon businesses engaged in interstate commerce, possibly with a change in the Federal Trade Commission machinery whereby cease and desist orders could be speedily issued in prima facie cases of violation, and the adoption of voluntary codes by establishments confined to intrastate activities.

In the event the administration fails to submit a comprehensive plan for industrial control Senator Nye of North Dakota is expected to push a bill he has prepared authorizing the Federal Trade Commission to cooperate with industries in the drafting of agreements for the abandonment or prevention of unfair methods of competition and establishment of business practices which will prevent unlawful restraints of trade and monopolistic practices. Such agreements would be exempt from the anti-trust statutes.

To Talk Code Problems

RICHMOND, June 6. — Sentiment among members of the Virginia M. P. T. O. is for continuing code wages and hours. What other angles of the code can be salvaged, if any, will come up for discussion at the state convention scheduled for the Patrick Henry Hotel here June 16-17.

Block booking is also on the program.

Hunter Perry of Charlottesville is chairman of the arrangements committee.

West Virginia exhibitors are scheduled to hold their state convention at the Greenbrier, White Sulphur Springs, June 26-27.

L. A. Boards Winding Up

LOS ANGELES, June 6.—Code boards have begun liquidating here as a result of orders from New York. The offices will be closed June 15. All records will be sent to New York.

Gets Film of Pope Pius

Jacques A. Koerpel, president of Edco Overseas Corp., has acquired the North and South America rights to "Pope Pius XI Blesses the World." Comments in English, Spanish and Italian are to be supplied.

Increase Benchley List

HOLLYWOOD, June 6.—Results on the first Robert Benchley one-reeler have caused M-G-M to increase the program to six. Jack Chertok will produce.

★

NEXT WEEK THE
WORLD WILL BEHOLD
A NEW MIRACLE IN
MOTION PICTURES!

★



HUMAN DRAMA IN
THE NEW GLORY OF
LIVING COLOR!

★

BECKY SHARP

A WOMAN OF AMBITION!....
her silvery laugh was the toast...and
scourge...of common men and kings!

★

PIONEER PICTURES
presents

MIRIAM HOPKINS

in

BECKY SHARP

The first full-length production stunningly photographed in wondrous new
TECHNICOLOR

with

FRANCES DEE
CEDRIC HARDWICKE
BILLIE BURKE
ALISON SKIPWORTH
NIGEL BRUCE · ALAN MOWBRAY

A ROUBEN MAMOULIAN PRODUCTION

DESIGNED IN COLOR BY
ROBERT EDMOND JONES
PRODUCED BY KENNETH MACGOWAN





RKO-
RADIO
PICTURE

Florida Quits With No Taxes Hitting Films

TALLAHASSEE, June 6.—The zero hour of the 1935 session of the Florida legislature arrived and nothing had been done—that is, nothing much—to sock amusements, although the last week had witnessed a "hot fight" to assess a three per cent sales tax against all lines of business. So, the clocks were stopped and the war continued.

Finally the three per cent tax was ditched, and then a try was made for a two per cent tax, but that was finally voted down. The schools closed so the teachers could troop to the capital. They wanted $10,500,000 and the lay-out showed the anticipated taxes were shy about $4,000,000. Finally the advocates of a chain store tax got the ball rolling, and it was all over but the shouting.

The chain store tax, and that meant only "retail" stores, which gave the theatre circuits a break, as they were not retailers, starts out with a license tax of $10 for one store to the state, and a like amount to the county and city. For three, five, 10 and then over 16 stores the license fee keeps piling up until the state collects $400, and a like amount for the county and city. In addition to the license fee there will be a tax on gross receipts. The individual store pays one-half of one per cent. Chains of three will have to pay one per cent; four to six stores pay two per cent; seven to 10 have a levy of three per cent; 11 to 15 come in with four per cent, and more than 16 stores, five per cent.

Gambling got a break, with all kinds of slot machines, push boards and skill games made legal, provided a license is purchased for each machine. Dog and horse racing betting has been legal for several years, and now jai-Alai has been given the official okay.

A bill to tax "traveling shows" a daily license fee of $1,000 was presented in the house during the final week of the session, but it got lost in the shuffle.

Missouri Sales Tax Signed

KANSAS CITY, June 6.—Governor Park today signed the one per cent sales tax which will become effective August 27.

State Auditor Forrest Smith, administrator of the tax, has planned tentatively to issue coupon books for collection of fractional taxes on small sales. Exhibitors contend this would be a nuisance.

Merchants have been conferring with Smith in an effort to work out a simple plan for collection. At present many exhibitors favor adding one cent to every admission, but others have talked cuts in scales to absorb the tax.

Report Pa. Sunday Bill

HARRISBURG, June 6.—Bringing the Sunday show bill one step closer to enactment, the Committee on State Government of the Senate last night reported the measure favorably and the full Senate passed it on first reading. It is practically certain that next Monday the bill will be passed on second reading and then sent back to committee for a public hearing next Tuesday evening. Unless unforeseen circumstances arise the committee will re-report the measure after the hearing which would put it in position for final passage next Wednesday.

The measure already has passed the House, 122—80.

Study Copyright Changes

WASHINGTON, June 6.—The Senate Foreign Affairs Committee has under consideration a number of changes proposed for the copyright bill by the sub-commitee in charge of the measure. No information is available as to what the committee is doing or when it will report the measure, although it is extremely doubtful if it can be put through Congress this session.

To Report Alien Bill

WASHINGTON, June 6.—The House immigration committee today agreed to report the Dickstein bill making alien actors subject to the contract labor provisions of the Immigration Law.

Owing to the absence from the committee meeting of Representative Kramer of California he was unable to secure action on his amendment which would permit free entry as at present, but require all aliens to leave the country as soon as their entry permits expired, and he will probably offer it when the bill comes up on the floor of the House.

Looking 'Em Over

"Girls Will Be Boys"

(Alliance)

A smart comedy, done on a background of aristocratic life in rural England. It has been brilliantly cast, with two young people in the leads who ought to be popular with American audiences although their names mean nothing for selling purposes.

Cyril Maude is impressive as a duke—a bit crusty, but with flashes of humor to relieve his brusque manner. Dramatic developments begin when he sends his butler to Paris to get his grandson—that is, he thinks it is his grandson, because the name is Pat Caverley. The butler gets a jolt when he discovers the bearer of the name is a charming young actress.

It develops that the duke's son had been turned out for an unsatisfactory marriage and that he had spent years of his life hating women.

This girl's role is played by a petite youngster named Dolly Haas. She is like a young edition of Elisabeth Bergner, with talent to spare. When shs appears at the ducal manor dressed as a boy the fun begins. First, she can't hold up her end of the drinking. The duke puts his estate manager (Esmond Knight) in charge of a course of physical training for the young Pat. Eventually things turn out all right with the girl and the estate manager in a romance.

It's smart. Situations are cleverly handled. The camera work on some of the outdoor scenes is beautiful. Charles Paton as a butler gives a rollicking performance. Marcel Varnel directed.

Previewed without production code seal. Running time, 75 minutes. "G."

"Red Wagon"

(B. I. P.-Alliance)

For 94 minutes, "Red Wagon" creaks along wobbly dramatic paths, already worn well by numberless and earlier circus pictures and ends where it begins which is practically nowhere at all.

This English-made production lacks the technical excellence of its average Hollywood cousin. That might be pardonable if, in the departments of story construction, dramatic suspense, acting and dialogue, there was some redemption.

The story has to do with life in a circus and pivots around Charles Bickford, his business and love travail. Falling for Greta Nissen, the lovely tiger trainer, he is led to believe she is two-timing him. On the rebound, he rushes Raquel Torres, gypsy girl with a Mexican accent, and marries her chiefly to get even. Miss Torres, stormy and impetuous petrel that she is, turns out to be a disturbing factor and succeeds in driving Miss Nissen to the opposition. Thereafter, Bickford's circus begins to peter out. Eventually, Miss Torres returns to her gypsy sweetheart and Bickford, about to get going thoroughly in his cups, again meets Miss Nissen, who finances his comeback. They marry and, to prove it, the final scene shows the offspring who some day will carry on the tradition of his dad in the carnival field.

"Red Wagon" is mostly an unhappy venture with very little to recommend it. Even the fire scenes, the shots of Miss Nissen making the tigers docile, and the big fight sequence near the close are shy of the punch elements they were designd to impart. Paul L. Stein's direction emphasizes antiquated treatment that stamps this as a decidedly mediocre affair.

No production code seal. "G."

Rosenblatt to New York

WASHINGTON, June 6.—Compliance Director Sol A. Rosenblatt this afternoon left for New York, the reason for his trip not being divulged. He is expected to return here before the end of the week.

Attack Begun On Playdate Law in Ohio

(Continued from page 1)

member companies. An answer to the complaint was filed late Wednesday by Abram F. Myers, general counsel of Allied States, representing the Ohio independent exhibitors' unit in the action.

Although a hearing is scheduled to be held either here or in Cincinnati some time next week, Bricker is attempting to obtain a postponement of two or three weeks.

P. J. Wood, secretary of the Ohio exhibitor unit which sponsored the law, told MOTION PICTURE DAILY he was confident of an ultimate victory for the new law and described Myers' answer as "one of the most important documents in the history of the industry."

The case is expected to attract nationwide attention because of the precedent involved.

Deny Offers Made For New U. A. Head

(Continued from page 1)

Corp. has been offered no one despite reports to the contrary and will not be offered anyone until after June 22. On that date a stockholders' meeting will be held and Joseph M. Schenck's resignation as president will be accepted and a successor considered. Thus far we have made absolutely no decision as to who that successor will be."

Bay State Spot Wins Fight on Dog Track

(Continued from page 1)

BOSTON, June 6.—Judge Franklin Hammond has upheld the right of municipalities to ban pari mutuel dog tracks from their limits. The decision throws into confusion those who have been rushing completion of a track at Dighton for the Bristol County Kennel Club.

Town authorities contended in a suit that a local license was necessary as well as a license from the State Racing Commission. The court upheld this contention.

May Return Earlier

LONDON, June 6.—Joseph M. Schenck will determine on Friday whether he will return to New York immediately on the *Berengaria* or await the next trip of the *Normandie*. Maurice Silverstone, U. A.'s managing director here, will accompany him.

U. A. has been getting substantial publicity in the daily press on the strength of its anticipation that nearly 50 per cent of its future output will have its origin in British studios.

Alliance Ending Shows

Alliance Films, Ltd., which has been previewing B. I. P. product all of this week at the Chanin Auditorium, last night screened "Elizabeth of England." This afternoon, it will show "The Old Curiosity Shop" and tonight, "Radio Parade of 1935." All three already have been reviewed by MOTION PICTURE DAILY from London, the first on June 6; the second, on Jan. 16, and the third, on Dec. 28, 1934.

Cheers "Showmen's Trade Review:"

"BAXTER BRINGS DOWN THE HOUSE IN HIS COLORFUL LATIN ROLE SIMILAR TO THE CISCO KID"



WARNER BAXTER *and* KETTI GALLIAN *in* UNDER the PAMPAS MOON

a B. G. DeSylva production
Directed by James Tinling. Screen play by Ernest Pascal and Bradley King. From an original story by Gordon Morris.



More praise for the **"COBRA TANGO"**

"Veloz and Yolanda, popular international dance team, are applauded for their number called 'Cobra Tango,' so plug this team and dance"—
Showmen's Trade Review

YOU HAVEN'T A SHOW WITHOUT FOX

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 134 NEW YORK, SATURDAY, JUNE 8, 1935 TEN CENTS

Republic Set On Financing List—Golden

Blames Poor Product on Other Firms' Worries

CINCINNATI, June 7.—Edward A. Golden, general sales manager of Republic, declared today that the reason there are many poor pictures was because producing companies have been in financial difficulties. He spoke at the opening session of Republic Pictures' sales convention.

Republic has no such trouble, he said. He told home office officials, exchange managers and salesmen from 39 branches that Republic is financed for the delivery of every one of the 46 pictures which he announced for the 1935-36 schedule. His announcement

(*Continued on page 4*)

Laemmle Sees Good Season; Meet Ends

CHICAGO, June 7.—Eulogizing Fred S. Meyer's studio management and basing expressions of confidence in a prosperous season squarely on product, Carl Laemmle told the sales force in an address at the closing session of the Universal convention that for the first time in years there had been no criticism and he accepted full responsibility for the past season's record.

Telling how he had renewed James R. Grainger's contract for a long term

(*Continued on page 3*)

Warner Meet Special Makes El Paso Stop

EL PASO, June 7.—The Warner convention special, carrying delegates to the parleys which get under way at the Ambassador, Los Angeles, Monday, passed through here this morning.

The men left the train for a trip across the river to Juarez, where they spent several hours. After picking up E. Bell, manager; W.

(*Continued on page 3*)

B. & K. Asks Chicago Stock Registration

WASHINGTON, June 7.—Registration on the Chicago Stock Exchange of 26,126 shares of $100 par value seven per cent cumulative preferred stock is asked in an application filed with the Securities and Exchange Commission by Balaban & Katz Corp.

The application recites that the company is a subsidiary of Paramount

(*Continued on page 2*)

St. Louis Has Building Boom With 6 Going

Wehrenberg Heads List; Plans 1,600-Seater

ST. LOUIS, June 7.—Theatre building is getting into something resembling the boom stage in this territory. Six new houses will be ready before the year is closed, it is expected.

Fred Wehrenberg is the latest to get plans underway. His project is a 1,600-seat house to cost $150,000 at Grand Boulevard and Eichelberger St. He has owned the site for six years.

Walls are up on two other local houses, the Grand and the Avalon. Incorporation papers have just been issued to the U-City Theatre Corp. for

(*Continued on page 4*)

Old Timers to Mark Loew N. Y. Closing

Final closing of Loew's New York is to be marked with a brief ceremony at 11 o'clock as the doors are padlocked before the wreckers start.

Among those scheduled to take part will be Victor Moore, who made a hit there 25 years ago with George M. Cohan in "Forty-Five Minutes from Broadway"; George B. Lederer, old

(*Continued on page 3*)

New Financing for Mascot Up in Talks

New financing arrangements for Mascot Pictures are being discussed with H. J. Yates, and if concluded within the next few days, as expected,

(*Continued on page 3*)

Lubitsch to Give Ideas to Otterson

HOLLYWOOD, June 7.—Ernst Lubitsch is to confer with John E. Otterson in New York the first of the week for the purpose of presenting his views on studio management and to get Otterson's viewpoint, he said today. He leaves by plane Sunday.

"Certainty and morale are most important present necessities for the studio administration," Lubitsch said. "I am going to Manhattan to get Otterson's ideas and at the same time to give him mine. I have never met him. Our conversation should be helpful to each other."

Lubitsch said he did not know how long he would be in New York, the stay depending upon the conferences.

Sheridan Transfer Voided in Chicago

CHICAGO, June 7.—The recent sale of the Sheridan for $112,000 was set aside in Superior Court today in the suit brought by the Chicago Title & Trust Co. against Ascher Bros. The case was continued to June 13, when a motion for receivership by Leo Solomon, representing bondholders, will be heard.

Today's development means the struggle between Loew and Essaness for control of the Sheridan will be postponed six days.

U. A. Releases Over Last Year—Lichtman

HOLLYWOOD, June 7.—U. A. already has pictures set for release that total one more than last year, Al Lichtman said today. In answer to reports that Jesse Lasky and A. C. Blumenthal,

(*Continued on page 3*)

Retention of NRA Standard Is Predicted

Sentiment for Keeping Hour, Wage Levels

Maintenance of NRA scales of minimum wages and maximum working hours will be voluntarily continued throughout the industry in the absence of a compulsory code, it appeared fairly certain from inquiries made at home offices here yesterday. It was stated by representatives of most companies that the continuation of prevailing wage and hour schedules was taken for granted for the time being, at least, and the lack of necessity for a revision of this kind has made it unnecessary for any of the large companies to call meetings

(*Continued on page 2*)

Illinois Allied Will Keep Code Salaries

CHICAGO, June 7.—Adherence to wage and hour levels established under the NRA code was pledged by Allied in a resolution offered by Aaron Saperstein and passed by members. Saperstein's report of activities at the Atlanta convention was submitted and approved. The organization went on record as maintaining and re-enforcing its stand against the use of premiums, lotteries and assorted box-office hypodermics.

House Passes Bill Extending the NRA

By CLARENCE LINZ

WASHINGTON, June 7.—The House today passed the bill extending the NRA until April after defeating a number of amendments, including one by Representative Treadway of Massachusetts to transfer the trade practice agreements to the Federal Trade Commission.

Donald R. Richberg's resignation as chairman of the Industrial Recovery

(*Continued on page 2*)

Hearing in St. Louis Trust Suit June 18

ST. LOUIS, June 7.—Federal Judge George Moore today set June 18 for the hearing of argument on defense motions in the anti-trust suit against Paramount, Warners and RKO and their officers. The motions are on a demurrer on behalf of RKO and Ed Depinet and a request for a bill of particulars.

At a hearing before Judge Moore,

(*Continued on page 2*)

"Inferno" Round Table Hits; Fox Will Use Ideas on Others

A one-day advertising and exploitation convention sponsored by Fox on behalf of "Dante's Inferno" with circuit theatre operators and their advertising directors from the field as participants was carried through to a successful conclusion yesterday. From time to time as pictures rate, Fox proposes using the plan along identical lines.

The idea is credited to Sidney R. Kent. The execution was placed in the hands of Charles E. McCarthy, director of advertising and publicity for the company. Advertising roughs and sample lobby displays and lithographs were prepared by the Fox advertising department and strung around ample quarters at the Waldorf yesterday for the consideration of the visiting theatremen.

The session started in the morning with a screening of the picture, was followed by lunch at which the merits of the attraction were discussed and then moved into an all-afternoon conference when the Fox suggestions

(*Continued on page 4*)

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B. & K. Asks Chicago Stock Registration

(*Continued from page* 1)

Publix, which holds 87.8 per cent of its stock and in turn is the parent of eight wholly owned and six partly owned subsidiaries, including the Theatre Amusement Co, with three wholly and one partly owned subsidiaries; Lubliner & Trinz Theatres, Inc., with two wholly and two partly owned subsidiaries; Publix Great States Theatres, with four wholly and four partly owned subsidiaries; Flag Amusement Co., with three partly owned subsidiaries, and United Detroit Service Corp., with two wholly owned subsidiaries.

Data regarding holders of 10 per cent or more of any class of security and salary information was not given in the application, the company contending that it should be regarded as confidential.

Cantor Out for One Day

HOLLYWOOD, June 7.—Eddie Cantor will leave the hospital Sunday for one day in order to celebrate his 25th wedding anniversary with his oldest daughter, Marjorie. He will return to the hospital to complete his recuperation.

McNutt Now Producer

HOLLYWOOD, June 7.—Patterson McNutt, novelist and short story writer, has been made a producer for Fox. His first picture will be "Fly By Night," with shooting scheduled for late this month.

Purely Personal

EDWARD ARNOLD, star of Universal's "Diamond Jim," arrives from Chicago today for a five-day visit before returning to the coast for a new picture assignment. BEULAH LIVINGSTONE, handling special publicity on the picture, will give a cocktail party for ARNOLD and the press at the Essex House Tuesday.

•

LAURENCE STALLINGS, TRUMAN TALLEY, WILLARD MCKAY, just back from the Universal convention in Chicago; CHARLIE PAINE and ALBERT DE COURVILLE, visiting from England, at "21" around lunch time yesterday.

•

CHARLES BOYER, PAT PATERSON, WALT and MRS. DISNEY, ROY and MRS. DISNEY, RICHARD DIX, N. L. and MRS. NATHANSON and MIRIAM JORDAN sailed yesterday for Europe on the *Normandie*.

•

A. J. RICHARDS of Paramount News had sufficiently recovered from that cold to drop in at his office Friday. He'll be back at his desk Monday.

•

ROGER FERRI will head west in early July on the new Kent Sales Drive for Fox. In the meantime, his wife will be traveling Europe.

•

ED KUYKENDALL is due in town Monday to be on hand for the opening of the trial of the government's suit against Ascap.

•

HOWARD S. and MRS. CULLMAN, who were married last night, sail today for a European honeymoon on the *Aquitania*.

•

ROSAMOND PINCHOT left yesterday on the 20th Century for the coast to work in "The Miracle" for Radio.

•

JOAN MARSH and her mother are at the Warwick. She will make personal appearances at Loew's State.

•

NATE BLUMBERG is home and in bed with a heavy cold. Earliest office appearance for him is Monday.

•

JEAN ARTHUR, Universal player, is in town visiting her husband, FRANK J. ROSS, JR., real estate broker.

•

GABE YORKE, head of the Fox studio publicity department, leaves for Hollywood tomorrow.

•

ANNA STEN among the guest stars on RUDY VALLEE's program Thursday night.

•

. . . Pittsburgh

BEN KALMENSON'S secretary, BLANCHE BRAFF, has given up her job to become MRS. BERNIE LEAF of Youngstown, O., and GLADYS SILVERBERG has been promoted to her position.

A big crowd was at the P. R. R. station to see DICK POWELL during his one-hour stopover between Hollywood and Annapolis. FRANK BORZAGE and NICK FORAN were also on the train.

HARRY KALMINE and CHARLIE RICH have left for the Warner sales meet on the coast.

MIKE CULLEN was indisposed for a couple of days recently by a bad cold.

Entire makeup of the *Sun-Telegraph's* theatre section has been changed since the Hearst sheet's new managing editor, ROY DANIELS, hit town.

JOLLY COBURN, from the Radio City Rainbow Room, opens the Sky Club's 1935 season.

GEORGE TYSON is busier than a one-armed paperhanger with the spring edition of the Alvin's "Pittsburgh on Parade."

MANNIE GREENWALD'S new publicity office is thriving.

Wall Street

Loew's Pfd. Leads Gain on Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	58½	57¾	58½	+1
Eastman 142	142	142	142	+ ½
Fox "A" 15	14⅞	14⅞	— ⅛	
Loew's 40	39⅝	39⅞	+ ¼	
Loew's, pfd 107	106	107	+2	
Paramount 3½	3⅜	3½	+ ⅛	
Pathe "A" 10	9½	9⅞	+ ⅝	
RKO 2⅛	2	2	— ⅛	
Warner 4½	4⅛	4½	+ ⅜	
Warner, pfd 27⅛	26⅞	26⅞	+ ⅞	

Technicolor Up on Curb

	High	Low	Close	Net Change
Sentry ..... ½	½	½	.....	
Technicolor 26½	25⅞	25½	+ ¼	
Trans-Lux (.10K) 2¼	2¼	2¼	— ⅛	

Warner Bonds Show Gain

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11½	11½	11½	— ¼
Loew's 6s '41 ww deb rights	104¼	104	104¼	+ ⅛
Paramount F. L. 6s '47	89¼	88¾	89¼	+ ½
Paramount Publix 5½s '50	90⅞	90⅝	90⅝	+ ⅜
Warner Bros. 6s '39 wd	66¼	65¼	66	+ ¾

(*c*) *Plus stock extras.* (*K and v*) *Paid this year.*

(Quotations as at close of June 7)

Hearing in St. Louis Trust Suit June 18

(*Continued from page* 1)

Assistant Attorney General Russell Hardy asked for an early trial and accused the defendants of "bleeding to death" the lessees of the Grand Central, Missouri and Ambassador, whose charges of inability to obtain product brought about the government action.

Hardy told the court the government had insisted upon an early trial of the case on its merits and estimated disposal of the matter by early July. The defendants had asked that the trial go over to the fall. Hardy informed the court Attorney General Cummings thought the case so important he had applied to the chief justice of the U. S. Supreme Court for the dispatching of a special judge to try the case if necessary. The appointment of Judge Moore by President Roosevelt to fill a vacancy on the bench here had made that step unnecessary, Hardy said.

It was asserted by Hardy that the loss suffered by the three theatres had already reached $100,000.

Booking Bill in Senate

WASHINGTON, June 7. — Senator Neely of West Virginia has introduced in the Senate the block-booking bill introduced in the House some weeks ago by Congressman Pettengill of Indiana. No immediate action is expected.

Retention of NRA Standard Is Predicted

(*Continued from page* 1)

to discuss the subject. So far as could be learned yesterday no such meetings are in prospect, and representatives of most companies said that, barring a new business emergency, it could reasonably be expected that no changes in prevailing schedules would be made.

The possibility of isolated variations from code schedules being made by individual theatres, particularly during the summer months, was suggested by some exhibition officials. Circuit heads, however, declared that no changes were contemplated in their organizations. A large percentage of theatre personnel is working under union labor contracts and the remainder, it is believed, would be unaffected for the most part except in the face of a sustained business decrease.

Allied States and M.P.T.O.A. have urged member exhibitors to maintain prevailing standards for all employees.

House Passes Bill Extending the NRA

(*Continued from page* 1)

Board, was accepted by President Roosevelt today, effective June 16.

Sol A. Rosenblatt, compliance director, visited the White House today to take leave of the President, who will be out of the city until shortly before Rosenblatt severs his connection with the NRA next week.

Move to Cut Press Lists for Studios

HOLLYWOOD, June 7.—The first step toward cutting down the film press correspondent list was taken at the publicity executives' meeting yesterday at the Hays office when the publicists agreed that no publication hereafter will be recognized unless it is six months old and its circulation is at least 25,000.

The group also decided to ask editors to do away with future stories exposing the technical tricks of the industry.

Disciplinary action will be taken at the next meeting against *Modern Screen* for printing allegedly unsubstantiated stories on the personal lives of stars.

George Grossmith Dead

LONDON, June 7.—George Grossmith, English actor and playwright, is dead at the age of 61. After his first visit to the United States in 1895 he made a number of tours and appeared in several Broadway productions. He also appeared in many pictures. In 1932 he was made chairman of London Film Prod.

Again Delay Allied Case

Approval of the reorganization plan of Allied Owners was postponed again yesterday, this time until next Wednesday, because no agreement has been reached with Government on payment of an income tax claim. The case is before U. S. District Judge Robert A. Inch in Brooklyn.

Laemmle Sees Good Season; Meet Ends

(*Continued from page* 1)

by teletype three weeks ago, he emphasized his complete reliance on his sales manager.

The convention adjourned shortly after noon.

Laemmle will leave for New York Sunday.

"U" Plant Getting Set

HOLLYWOOD, June 7.—The following production schedule for Universal was announced by Fred S. Meyer, general manager:

June 10—"Storm Over the Andes," with Jack Holt and Cesar Romero.
June 12—Spanish version of same film with Romero.
June 14—"Lonesome," with Zasu Pitts and Hugh O'Connell.
June 17—"Magnificent Obsession," a John Stahl production with Irene Dunne.
June 20—"King Solomon of Broadway," with Chester Morris, Dorothy Page and Pinky Tomlin.
June 24—"Her Excellency, the Governor."
June 29—"While the Crowd Cheers," with Clark Williams and All Americans.

Seven features are scheduled to start in July. They are: "East of Java," with Charles Bickford; "Stormy," a western musical with the Arizona Wranglers; "Yellowstone," with Johnny King; "Fast and Furious," with Jack Oakie; "Hangover Murders," a Carl Laemmle, Jr., production; "Next Time We Love," with Margaret Sullavan and Francis Lederer, and an untitled burlesque on G-men stories with Zasu Pitts and Hugh O'Connell. In August "Spinster Dinner" with Carole Lombard will go before the cameras.

Warner Meet Special Makes El Paso Stop

(*Continued from page* 1)

Hoefliger, R. Jamison, all of the Denver office, and Arthur Abeles, manager in Mexico, the train left at 11 A. M., with its next stop Los Angeles, where it arrives at 9 A. M. Sunday morning.

Whiling the Time Away

Herb Crooker, ordinarily of the Warner press department and now covering the lighter side of the westbound conventioneers, reported these goings on from Dallas last night:

"Train has ten packed cars, two diners, two wild club cars....luckily air-cooled....Gang getting musical with Tom Gilliam, Chicago, at the piano and Leo Blank, Minneapolis at the violin....Hot jazz and glee club formed by Norman Moray....also hoofing....Bob Smith, Milwaukee, insistently bellowing college songs but bass notes of the piano fell out when Leserman played the twentieth verse of "Frankie and Johnny"....Moe Silver sports the only cane and Hathaway of Cleveland, ballyhoos a new hair tonic for no visible reason....*Texarkana Gazette, Longview Journal* and *Dallas News* issue special Warner editions....Fans crowd stations to see stars with Andy Smith and Grad Sears taking bows....At Longview, sound truck blares musical welcome to the tune of "I Only Have Eyes for You" leading automobile procession through sweltering oil field where Herb Crooker remained stowaway on train....Also here delegates from New Orleans, Memphis, Atlanta, Charlotte joined....Noon at Dallas where police band, city officials and more fans join at station....Also Schepp Brewing Co. generous hosts ....at Abilene, Tex., met by Texas Cowboy Band and paraded to campus of Harding Simmons University for barbecues....Credit Allen Glenn for tearing Texas wide open at stations and in newspapers....All is terrific and hot but train cool....Current fashion note: Ten gallon hats, reception committee and us guys...."

Later from Fort Worth: "Moray, Blank and R. Lohrenz missed train at Dallas, but made it by taxi to this point."

J. L. Warner on Coast

HOLLYWOOD, June 7.—Jack L. Warner arrived here last night in advance of the Warner conventioneers.

Pictures Improving, Clubwomen Are Told

DETROIT, June 7.—Hollywood has kept its promise to the clubwomen of America and is making a higher percentage of films suitable for the entire family, Mrs. Richard M. McClure of Chicago, chairman of the motion picture committee, told 5,000 delegates to the national meeting of the General Federation of Women's Clubs.

"Last April this department announced producers had accepted our pleas for family night programs and had promised the 1935 production schedule would bring more films suitable for the entire family," Mrs. McClure said.

"Producers have kept that promise. Of 333 features released since May, 1934, 116 are classed as family entertainment, as against 70 the preceding year."

'Straight from the Shoulder'

CHICAGO, June 7.—EDWARD ("Diamond Jim") ARNOLD arrived in time to tell the delegates a couple of gags just before the Thursday morning session broke and ran for the eats and such readied in the dining salon below. Copies of the book, "Diamond Jim," had been passed out to members and Arnold spent the rest of the afternoon autographing them.

✤

JACK MILLER showed up for the buffet lunch and said business wasn't so hot, but the latter had nothing to do with the former.

✤

WILLIAM K. HOLLANDER of B. & K. came in and shook hands around.

✤

EDDIE BONNS, short subjects manager, screened the opening episodes of "The Roaring West," serial, at the World Playhouse on Thursday morning, putting the delegates in fighting fettle for the business session.

✤

WALLACE A. SAULT, St. John, N. B., who says that railroad transportation in the Dominion could teach school to the U. S. lines, brought along his overcoat—just in case—and got a swell chance to wear it when the mercury dived Thursday.

✤

DAVE MILLER, back in the fold and welcome in spades, unreeled a spanking new line of dialect stories that knotted all hands.

✤

CLARK RODENBACH of the *Daily News* eked an interview out of ARNOLD in the gastronomic interlude—eats to us—with neither boy ducking a dish.

✤

F. J. A. MCCARTHY held out for the customary room with the customary cold shower and got it, while the weather man conferred an equivalent courtesy, unasked, on the local and guest population gratis.

✤

D. LEDUC, Montreal, confirmed the generally credited rumor that good enough pictures can get the money without NRA, as in his territory where there never was a Blue Eagle, as well as with it.

✤

JOHN DRUMMY, chief booker for Great States, dropped in to renew old friendships, including a practically stone-age acquaintance with your reporter.

✤

CHARLIE RYAN, assistant to JAMES COSTON, and LARRY STEIN, publicist, contacted the conventioneers for Warner theatres.

✤

At a late hour sleuths were hot on the trail of the unidentified prankster who telephoned delegates at six a.m. Thursday to warn them, as they'd been warned the day before, not to be late for the screening at nine. He's to be dropped, if caught, from the top of the Stevens into Buckingham Fountain, forthwith.

U.A. Releases Over Last Year–Lichtman

(*Continued from page* 1)

among others, were joining the company he stated: "No new producers have been signed as yet, although negotiations are in progress."

Lichtman plans to remain here at least another week.

After American Units

LONDON, June 7.—Maurice Silverstone, managing director here for United Artists, declared today the company is negotiating for several important American producers, but refused to divulge their identity. He also stated an early announcement will be made of two big British pictures for U. A. distribution.

The company has closed for a Technicolor feature to be made by Tower Film Prod.

Joseph M. Schenck today decided to return to New York on the *Normandie* next week. Silverstone will accompany him.

Die for Theatre Murders

BOSTON, June 7.—Death in the electric chair at Massachusetts State Prison at Charleston early this morning ended the crime careers of Murton and Irving Millen and Abraham Faber in which depredations against theatre men figured prominently. The trio had been convicted of murdering Fred Sumner and Bill Poster, film men, during a holdup at the Paramount, Lynn.

New Financing for Mascot Up in Talks

(*Continued from page* 1)

distribution would probably be continued through Mascot's present franchise holders.

Nat Levine, president of Mascot, and Gordon Levoy, attorney, are here from the coast for the negotiations. A proposal for distribution of Mascot's new season lineup by First Division, broached recently, is now definitely off.

Mascot officials could not be reached yesterday for comment on the progress of the Yates' conferences.

Old Timers to Mark Loew N. Y. Closing

(*Continued from page* 1)

time producer; New Wayburn, whose "Minstrel Misses" was staged there; George M. Cohan, Arthur Hammerstein, Gus Edwards, Belle Blanche. Others who have been invited are: Elsie Janis, Pat Rooney, Trixie Friganza, Billie Burke, Anna Held, Jr., Gene Buck, Harry B. Smith, Fannie Brice, Daniel Frohman, Lillian Lorraine, William Morris, Jr., Theodore Mitchell and David Warfield.

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Republic Set On Financing List—Golden

(*Continued from page* 1)

was received with cheers by the 150 men present. Later Golden declared that the company was ready to take its place among the leading producing and distributing firms.

Golden asserted Republic would continue the Monogram policies. The new company's reputation, he declared, would be founded on the practice of "delivery on every promise." He pointed out that in 1933-34 every picture promised by Monogram was delivered. Golden said Republic's policy of placing the various sales territories under local control was being recognized by other companies as the only sensible method of operation.

According to Golden, the majors have taken recognition of the value of action films in their new announcements, something which he said his organization had taken cognizance of a long time ago. Golden said he wished to correct any impression Republic would make pictures only for the double-feature market.

The convention was opened this morning by W. Ray Johnston, president. He backed up Golden's statements about company financing and said that every promise made would be kept.

Says Has High Ideals

"Republic has high ideals for the production of pictures," Johnston said, "and they are—to see that its product is of such a nature that any member of a family can see it and be entertained without being offended by indecency and grossness."

"It aims," he declared, "to give the public the classics and works of famous authors, as well as to encourage American authors to write better stories for the screen."

Johnston also said that "as the company grows and new positions of authority are created they will be filled by men from the ranks," adding that next year he expected "to see a number of boys now in the field seated on the dais in some executive capacity, thus building up our structure on a firm foundation."

Johnston then introduced Mayor Russell Wilson of Cincinnati. The Mayor welcomed the guests in the name of the city and extended the well wishes of himself and official family.

Edward Finney, advertising and publicity head, said Republic would continue the policies of Monogram on a far more extensive basis. He revealed a number of tieups had already been arranged on the first Republic releases, "Forbidden Heaven" and "Eastward Ho!" and stressed truth in advertising.

All franchise holders were present except Floyd St. John and J. T. Sheffield, for whose benefit a special meeting will be held after the close of the Cincinnati convention.

Trem Carr and Ben Goetz arrived from the coast as the afternoon session opened.

Following luncheon, Golden again took the floor, and, after going into salesmanship angles, announced that Republic would make 46 attractions on its 1935-36 program. These are to be broken up into several groups, the first of which is five special productions to be known as Gold Medal Specials, the second five Blue Ribbon Winners, then eight Showmanship Pictures, eight Entertainment Group, eight John Wayne Greater Western Series, eight Fast Action Westerns and four Serials.

First in the de luxe group of five Republic Gold Medal Specials to go into production will be "Forbidden Heaven" with Charles Farrell and Charlotte Henry. This picture is to be directed by Reginald Barker.

There will be another session of the convention tomorrow concluding with a banquet in the Netherlands-Plaza Saturday night.

Looking 'Em Over

"The Clairvoyant"

(*Gaumont British*)

Claude Rains here gives another of his sterling characterizations, this time as a misunderstood clairvoyant. It is good entertainment on the whole.

Director Maurice Elvey has played up the science of gift—whatever it may be—of clairvoyancy to enhance the film's values and, although at times the material almost borders on the far-fetched, he never allows the picture to get out of hand. The photography of Harry Hand is good.

An excellent cast, including Fay Wray, Jane Baxter, Ben Field and Mary Clare turns in good portrayals.

The yarn, taken from Ernst Lothar's novel of the same name, has Rains a small time vaudeville mindreader until the gift of seeing into the future suddenly comes upon him. After saving a newspaper publisher's daughter, Miss Baxter, from a train wreck by looking into the future he predicts the winner of the Derby and becomes the talk of London. But while climbing he loses his wife, Miss Wray, and is seen continually with Miss Baxter. After the people had failed to heed a warning that a tunnel would collapse they turn on Rains for revenge and he finds himself in court on trial as a public nuisance. In a dramatic climax he vindicates himself and the closing shot shows him and Miss Wray happily reunited.

Exhibitors have many exploitable angles in this one. If played up right the picture should react favorably at the box-office. Reviewed without production code seal. Running time, 70 minutes. "G."

"Inferno" Round Table Hits; Fox Will Use Ideas on Others

(*Continued from page* 1)

were studied, criticized, approved and revamped. The result of the endeavor was a complete campaign which will be whipped into shape by McCarthy's men, embodied in press books, and, of course, ultimately used by the circuits, including Loew's RKO, Butterfield, Lucas and Jenkins and others which were represented, since the ideas are theirs.

The decision on "Dante's Inferno" was to stress the modern story aspects of the picture, plus its spectacular phases, and subordinate the allegory.

Many of those present will remain in town today and depart for their respective cities tonight or tomorrow. The group included:

Elmer C. Rhoden, Kansas City; Rick Ricketson, Denver; Arch Bowles, San Francisco, and Harold J. Fitzgerald, Milwaukee, who are operating chiefs of the various National Theatre subsidiaries; Milton Feld, Monarch; Oscar A. Dooh, Loew's; John Dowd, RKO; Morris Kinzler, The Roxy; Harry Browning, M. & P.-Publix, Boston; Charles Winchell, Minnesota Amusement Co., Minneapolis; H. E. Jameyson, Fox, Wichita, Kan.; Frank W. Buhler, Fox, Philadelphia; Charles B. Taylor, Buffalo, Buffalo; Gus W. Lampe, Eckel, Syracuse; E. E. Whitaker, Fox, Atlanta; Ollie Brooks, Butterfield Circuit, Detroit; John Carroll, Fay's, Providence; L. B. Cool, Fulton, Pittsburgh; William Hollander, B. & K., Chicago; George Tyson, Alvin, Pittsburgh.

Gabe Yorke, studio publicity head; M. L. Ahern, Arch Reeve, Earl Wingart, James A. Clark, Louis Shanfield, Jerry Novat, Carl Moss, Leslie Whelan, Jack Lewis, Herbert Hyman, Abe Goodman and Roger Ferri, all from the Fox home office.

New Rules Made for Mass. Sunday Shows

BOSTON, June 7.—Applications and programs accompanying licenses for Sunday shows, which must be submitted for the approval of the Commissioner of Public Safety under the Massachusetts Sunday censorship law, must be signed by the person responsible for the entertainment or they will be disapproved in the future. Patrick F. Healey, supervisor of the Bureau of Sunday Entertainments, has notified exhibitors to this effect.

Of particular interest to vaudeville houses is the part of the bulletin which states: "No change of program shall be permitted after same has received the approval of the Commissioner of Public Safety, unless such change has been approved by a representative of this bureau, and said approval must be received directly and not later than 12 o'clock noon Saturday.

Reliance Starts List

HOLLYWOOD, June 7.—Reliance Pictures starts its new season's lineup with "Red Salute," in which Constance Cummings will be starred.

"Amateur Girl," originally scheduled as the first, has been delayed.

St. Louis Has Building Boom With 6 Going

(*Continued from page* 1)

a house to be built on Delmar Boulevard.

The fifth house will be a 650-seater at Pine Lawn in St. Louis County. A sixth is to be constructed at De Soto, Mo., by the Karte Trading Co. for operation by the Collins Circuit.

Buy, Build in Texas Towns

DALLAS, June 7.—R. & R. Circuit has acquired five new theatres: the Palace and the Lyric at Commerce, and the Mission, Broadway and Palace at Sulphur Springs. East Texas Theatres have taken over the Rex at Arp and the Texas at Kilgore.

Small Texas towns continue a fertile field for new theatres. Lester Dollison has opened the Texas in Balmorhea. Edinburg will have the Aztec, owned by C. G. Harryman. H. J. McFerrin is operating a new house in Tuscola, the Cupid. W. A. Schennault has opened an outdoor theatre, the Airdome, in Quemado.

Plan Second Mass. Drive-in

BOSTON, June 7.—A second drive-in theatre is planned for this state. The second venture will be located north of Boston. Work on the first, which will be in the vicinity of Hingham, is well under way.

The Union Hill in Gloucester, recently taken over by M. & P.-Publix, is in operation. In East Weymouth, the Roosevelt has been rejuvenated with new sound.

Fire has closed the Methven at Methven Point. On Cape Cod at Chatham, Moore & Fitzgerald have opened the Chatham.

Warners Get Control

JOHNSTOWN, Pa., June 7.—Acquisition by Warners of the State gives the circuit virtual control of this town except for one house owned and operated by Wilmer & Vincent.

The State, at one time part of Paramount's property, has been managed under a Federal receivership for some time.

Sabatini Winner on Income Tax Appeal

WASHINGTON, June 7.—Income derived by Rafael Sabatini, British author, from sale of the film rights of five of his books, "Gates of Doom," "Strolling Saint," "Bardelys, the Magnificent," "Tavern Knight" and "Captain Blood," today was held by the U. S. Board of Tax Appeals to be exempt from American income taxes. The contracts gave the producers world wide picture rights to the books for $20,000 each. The agreements were signed in London.

Sabatini, however, was held subject to tax in this country for all receipts from the dramatization of "Scaramouche," for which he received an advance of $500 from Charles I. Wagner.

The Government was seeking the collection of some $40,000 in tax deficiencies and penalties for the years 1921-1928, inclusive.

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Alert, Intelligent and Faithful Service to the Industry in All Branches

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Republic Set On Financing List—Golden

Blames Poor Product on Other Firms' Worries

CINCINNATI, June 7.—Edward A. Golden, general sales manager of Republic, declared today that the reason there are many poor pictures was because producing companies have been in financial difficulties. He spoke at the opening session of Republic Pictures' sales convention.

Republic has no such trouble, he said. He told home office officials, exchange managers and salesmen from 39 branches that Republic is financed for the delivery of every one of the 46 pictures which he announced for the 1935-36 schedule. His announcement

(*Continued on page 4*)

Laemmle Sees Good Season; Meet Ends

CHICAGO, June 7.—Eulogizing Fred S. Meyer's studio management and basing expressions of confidence in a prosperous season squarely on product, Carl Laemmle told the sales force in an address at the closing session of the Universal convention that for the first time in years there had been no criticism and he accepted full responsibility for the past season's record.

Telling how he had renewed James R. Grainger's contract for a long term

(*Continued on page 3*)

Warner Meet Special Makes El Paso Stop

EL PASO, June 7.—The Warner convention special, carrying delegates to the parleys which get under way at the Ambassador, Los Angeles, Monday, passed through here this morning.

The men left the train for a trip across the river to Juarez, where they spent several hours. After picking up E. Bell, manager; W.

(*Continued on page 3*)

B. & K. Asks Chicago Stock Registration

WASHINGTON, June 7.—Registration on the Chicago Stock Exchange of 26,126 shares of $100 par value seven per cent cumulative preferred stock is asked in an application filed with the Securities and Exchange Commission by Balaban & Katz Corp.

The application recites that the company is a subsidiary of Paramount

(*Continued on page 2*)

St. Louis Has Building Boom With 6 Going

Wehrenberg Heads List; Plans 1,600-Seater

ST. LOUIS, June 7.—Theatre building is getting into something resembling the boom stage in this territory. Six new houses will be ready before the year is closed, it is expected.

Fred Wehrenberg is the latest to get plans underway. His project is a 1,600-seat house to cost $150,000 at Grand Boulevard and Eichelberger St. He has owned the site for six years.

Walls are up on two other local houses, the Grand and the Avalon. Incorporation papers have just been issued to the U-City Theatre Corp. for

(*Continued on page 4*)

Old Timers to Mark Loew N. Y. Closing

Final closing of Loew's New York is to be marked with a brief ceremony at 11 o'clock as the doors are padlocked before the wreckers start.

Among those scheduled to take part will be Victor Moore, who made a hit there 25 years ago with George M. Cohan in "Forty-Five Minutes from Broadway"; George B. Lederer, old

(*Continued on page 3*)

New Financing for Mascot Up in Talks

New financing arrangements for Mascot Pictures are being discussed with H. J. Yates, and if concluded within the next few days, as expected,

(*Continued on page 3*)

Lubitsch to Give Ideas to Otterson

HOLLYWOOD, June 7.—Ernst Lubitsch is to confer with John E. Otterson in New York the first of the week for the purpose of presenting his views on studio management and to get Otterson's viewpoint, he said today. He leaves by plane Sunday.

"Certainty and morale are most important present necessities for the studio administration," Lubitsch said. "I am going to Manhattan to get Otterson's ideas and at the same time to give him mine. I have never met him. Our conversation should be helpful to each other."

Lubitsch said he did not know how long he would be in New York, the stay depending upon the conferences.

Sheridan Transfer Voided in Chicago

CHICAGO, June 7.—The recent sale of the Sheridan for $112,000 was set aside in Superior Court today in the suit brought by the Chicago Title & Trust Co. against Ascher Bros. The case was continued to June 13, when a motion for receivership by Leo Solomon, representing bondholders, will be heard.

Today's development means the struggle between Loew and Essaness for control of the Sheridan will be postponed six days.

U. A. Releases Over Last Year—Lichtman

HOLLYWOOD, June 7.—U. A. already has pictures set for release that total one more than last year, Al Lichtman said today. In answer to reports that Jesse Lasky and A. C. Blumenthal,

(*Continued on page 3*)

Retention of NRA Standard Is Predicted

Sentiment for Keeping Hour, Wage Levels

Maintenance of NRA scales of minimum wages and maximum working hours will be voluntarily continued throughout the industry in the absence of a compulsory code, it appeared fairly certain from inquiries made at home offices here yesterday. It was stated by representatives of most companies that the continuation of prevailing wage and hour schedules was taken for granted for the time being, at least, and the lack of necessity for a revision of this kind has made it unnecessary for any of the large companies to call meetings

(*Continued on page 2*)

Illinois Allied Will Keep Code Salaries

CHICAGO, June 7.—Adherence to wage and hour levels established under the NRA code was pledged by Allied in a resolution offered by Aaron Saperstein and passed by members. Saperstein's report of activities at the Atlanta convention was submitted and approved. The organization went on record as maintaining and re-enforcing its stand against the use of premiums, lotteries and assorted box-office hypodermics.

House Passes Bill Extending the NRA

By CLARENCE LINZ

WASHINGTON, June 7.—The House today passed the bill extending the NRA until April after defeating a number of amendments, including one by Representative Treadway of Massachusetts to transfer the trade practice agreements to the Federal Trade Commission.

Donald R. Richberg's resignation as chairman of the Industrial Recovery

(*Continued on page 2*)

Hearing in St. Louis Trust Suit June 18

ST. LOUIS, June 7.—Federal Judge George Moore today set June 18 for the hearing of argument on defense motions in the anti-trust suit against Paramount, Warners and RKO and their officers. The motions are on a demurrer on behalf of RKO and Ed Depinet and a request for a bill of particulars.

At a hearing before Judge Moore,

(*Continued on page 2*)

"Inferno" Round Table Hits; Fox Will Use Ideas on Others

A one-day advertising and exploitation convention sponsored by Fox on behalf of "Dante's Inferno" with circuit theatre operators and their advertising directors from the field as participants was carried through to a successful conclusion yesterday. From time to time as pictures rate, Fox proposes using the plan along identical lines.

The idea is credited to Sidney R. Kent. The execution was placed in the hands of Charles E. McCarthy, director of advertising and publicity for the company. Advertising roughs and sample lobby displays and lithographs were prepared by the Fox advertising department and strung around ample quarters at the Waldorf yesterday for the consideration of the visiting theatremen.

The session started in the morning with a screening of the picture, was followed by lunch at which the merits of the attraction were discussed and then moved into an all-afternoon conference when the Fox suggestions

(*Continued on page 4*)

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B. & K. Asks Chicago Stock Registration

(*Continued from page* 1)

Publix, which holds 87.8 per cent of its stock and in turn is the parent of eight wholly owned and six partly owned subsidiaries, including the Theatre Amusement Co, with three wholly and one partly owned subsidiaries; Lubliner & Trinz Theatres, Inc., with two wholly and two partly owned subsidiaries; Publix Great States Theatres, with four wholly and four partly owned subsidiaries; Flag Amusement Co., with three partly owned subsidiaries, and United Detroit Service Corp., with two wholly owned subsidiaries.

Data regarding holders of 10 per cent or more of any class of security and salary information was not given in the application, the company contending that it should be regarded as confidential.

Cantor Out for One Day

HOLLYWOOD, June 7.—Eddie Cantor will leave the hospital Sunday for one day in order to celebrate his 25th wedding anniversary with his oldest daughter, Marjorie. He will return to the hospital to complete his recuperation.

McNutt Now Producer

HOLLYWOOD, June 7.—Patterson McNutt, novelist and short story writer, has been made a producer for Fox. His first picture will be "Fly By Night," with shooting scheduled for late this month.

Purely Personal

EDWARD ARNOLD, star of Universal's "Diamond Jim," arrives from Chicago today for a five-day visit before returning to the coast for a new picture assignment. BEULAH LIVINGSTONE, handling special publicity on the picture, will give a cocktail party for ARNOLD and the press at the Essex House Tuesday.

•

LAURENCE STALLINGS, TRUMAN TALLEY, WILLARD MCKAY, just back from the Universal convention in Chicago; CHARLIE PAINE and ALBERT DE COURVILLE, visiting from England, at "21" around lunch time yesterday.

•

CHARLES BOYER, PAT PATERSON, WALT and MRS. DISNEY, ROY and MRS. DISNEY, RICHARD DIX, N. L. and MRS. NATHANSON and MIRIAM JORDAN sailed yesterday for Europe on the *Normandie*.

•

A. J. RICHARDS of Paramount News had sufficiently recovered from that cold to drop in at his office Friday. He'll be back at his desk Monday.

•

ROGER FERRI will head west in early July on the new Kent Sales Drive for Fox. In the meantime, his wife will be traveling Europe.

•

ED KUYKENDALL is due in town Monday to be on hand for the opening of the trial of the government's suit against Ascap.

•

HOWARD S. and MRS. CULLMAN, who were married last night, sail today for a European honeymoon on the *Aquitania*.

•

ROSAMOND PINCHOT left yesterday on the 20th Century for the coast to work in "The Miracle" for Radio.

•

JOAN MARSH and her mother are at the Warwick. She will make personal appearances at Loew's State.

•

NATE BLUMBERG is home and in bed with a heavy cold. Earliest office appearance for him is Monday.

•

JEAN ARTHUR, Universal player, is in town visiting her husband, FRANK J. ROSS, JR., real estate broker.

•

GABE YORKE, head of the Fox studio publicity department, leaves for Hollywood tomorrow.

•

ANNA STEN among the guest stars on RUDY VALLEE'S program Thursday night.

•

. . . Pittsburgh

BEN KALMENSON'S secretary, BLANCHE BRAFF, has given up her job to become MRS. BERNIE LEAF of Youngstown, O., and GLADYS SILVERBERG has been promoted to her position.

A big crowd was at the P. R. R. station to see DICK POWELL during his one-hour stopover between Hollywood and Annapolis. FRANK BORZAGE and NICK FORAN were also on the train.

HARRY KALMINE and CHARLIE RICH have left for the Warner sales meet on the coast.

MIKE CULLEN was indisposed for a couple of days recently by a bad cold.

Entire makeup of the *Sun-Telegraph's* theatre section has been changed since the Hearst sheet's new managing editor, ROY DANIELS, hit town.

JOLLY COBURN, from the Radio City Rainbow Room, opens the Sky Club's 1935 season.

GEORGE TYSON is busier than a one-armed paperhanger with the spring edition of the Alvin's "Pittsburgh on Parade."

MANNIE GREENWALD'S new publicity office is thriving.

Wall Street

Loew's Pfd. Leads Gain on Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	58½	57¾	58½	+1
Eastman	142	142	142	+ ½
Fox "A"	15	14⅞	14⅞	— ⅛
Loew's	40	39⅝	39⅞	+ ¼
Loew's, pfd	107	106	107	+2
Paramount	3½	3⅜	3½	+ ⅛
Pathe "A"	10	9½	9⅞	+ ⅜
RKO	2⅛	2	2	— ⅛
Warner	4½	4⅛	4½	+ ⅜
Warner, pfd	27⅛	26⅞	26⅞	+ ⅛

Technicolor Up on Curb

	High	Low	Close	Net Change
Sentry	½	½	½	....
Technicolor	26½	25⅛	25½	+ ¼
Trans-Lux (.10K)	2¼	2¼	2¼	— ⅛

Warner Bonds Show Gain

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11½	11½	11½	— ¼
Loew's 6s '41 ww deb rights	104¼	104	104¼	+ ⅛
Paramount F. L. 6s '47	89¼	88¾	89¼	+ ½
Paramount Publix 5½s '50	90⅞	90⅝	90⅝	+ ⅜
Warner Bros. 6s '39 wd	66¼	65¼	66	+ ¾

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 7)

Hearing in St. Louis Trust Suit June 18

(*Continued from page* 1)

Assistant Attorney General Russell Hardy asked for an early trial and accused the defendants of "bleeding to death" the lessees of the Grand Central, Missouri and Ambassador, whose charges of inability to obtain product brought about the government action.

Hardy told the court the government had insisted upon an early trial of the case on its merits and estimated disposal of the matter by early July. The defendants had asked that the trial go over to the fall. Hardy informed the court Attorney General Cummings thought the case so important he had applied to the chief justice of the U. S. Supreme Court for the dispatching of a special judge to try the case if necessary. The appointment of Judge Moore by President Roosevelt to fill a vacancy on the bench here had made that step unnecessary, Hardy said.

It was asserted by Hardy that the loss suffered by the three theatres had already reached $100,000.

Booking Bill in Senate

WASHINGTON, June 7. — Senator Neely of West Virginia has introduced in the Senate the block-booking bill introduced in the House some weeks ago by Congressman Pettengill of Indiana. No immediate action is expected.

Retention of NRA Standard Is Predicted

(*Continued from page* 1)

to discuss the subject. So far as could be learned yesterday no such meetings are in prospect, and representatives of most companies said that, barring a new business emergency, it could reasonably be expected that no changes in prevailing schedules would be made.

The possibility of isolated variations from code schedules being made by individual theatres, particularly during the summer months, was suggested by some exhibition officials. Circuit heads, however, declared that no changes were contemplated in their organizations. A large percentage of theatre personnel is working under union labor contracts and the remainder, it is believed, would be unaffected for the most part except in the face of a sustained business decrease.

Allied States and M.P.T.O.A. have urged member exhibitors to maintain prevailing standards for all employees.

House Passes Bill Extending the NRA

(*Continued from page* 1)

Board, was accepted by President Roosevelt today, effective June 16.

Sol A. Rosenblatt, compliance director, visited the White House today to take leave of the President, who will be out of the city until shortly before Rosenblatt severs his connection with the NRA next week.

Move to Cut Press Lists for Studios

HOLLYWOOD, June 7.—The first step toward cutting down the film press correspondent list was taken at the publicity executives' meeting yesterday at the Hays office when the publicists agreed that no publication hereafter will be recognized unless it is six months old and its circulation is at least 25,000.

The group also decided to ask editors to do away with future stories exposing the technical tricks of the industry.

Disciplinary action will be taken at the next meeting against *Modern Screen* for printing allegedly unsubstantiated stories on the personal lives of stars.

George Grossmith Dead

LONDON, June 7.—George Grossmith, English actor and playwright, is dead at the age of 61. After his first visit to the United States in 1895 he made a number of tours and appeared in several Broadway productions. He also appeared in many pictures. In 1932 he was made chairman of London Film Prod.

Again Delay Allied Case

Approval of the reorganization plan of Allied Owners was postponed again yesterday, this time until next Wednesday, because no agreement has been reached with Government on payment of an income tax claim. The case is before U. S. District Judge Robert A. Inch in Brooklyn.

Laemmle Sees Good Season; Meet Ends

(Continued from page 1)

by teletype three weeks ago, he emphasized his complete reliance on his sales manager.

The convention adjourned shortly after noon.

Laemmle will leave for New York Sunday.

"U" Plant Getting Set

HOLLYWOOD, June 7.—The following production schedule for Universal was announced by Fred S. Meyer, general manager:

June 10—"Storm Over the Andes," with Jack Holt and Cesar Romero.
June 12—Spanish version of same film with Romero.
June 14—"Lonesome," with Zasu Pitts and Hugh O'Connell.
June 17—"Magnificent Obsession," a John Stahl production with Irene Dunne.
June 20—"King Solomon of Broadway," with Chester Morris, Dorothy Page and Pinky Tomlin.
June 24—"Her Excellency, the Governor."
June 29—"While the Crowd Cheers," with Clark Williams and All Americans.

Seven features are scheduled to start in July. They are: "East of Java," with Charles Bickford; "Stormy," a western musical with the Arizona Wranglers; "Yellowstone," with Johnny King; "Fast and Furious," with Jack Oakie; "Hangover Murders," a Carl Laemmle, Jr., production; "Next Time We Love," with Margaret Sullavan and Francis Lederer, and an untitled burlesque on G-men stories with Zasu Pitts and Hugh O'Connell. In August "Spinster Dinner" with Carole Lombard will go before the cameras.

Warner Meet Special Makes El Paso Stop

(Continued from page 1)

Hoefliger, R. Jamison, all of the Denver office, and Arthur Abeles, manager in Mexico, the train left at 11 A. M., with its next stop Los Angeles, where it arrives at 9 A. M. Sunday morning.

Whiling the Time Away

Herb Crooker, ordinarily of the Warner press department and now covering the lighter side of the westbound conventioneers, reported these goings on from Dallas last night:

"Train has ten packed cars, two diners, two wild club cars....luckily air-cooled....Gang getting musical with Tom Gilliam, Chicago, at the piano and Leo Blank, Minneapolis at the violin....Hot jazz and glee club formed by Norman Moray....also hoofing....Bob Smith, Milwaukee, insistently bellowing college songs but bass notes of the piano fell out when Leserman played the twentieth verse of "Frankie and Johnny"....Moe Silver sports the only cane and Hathaway of Cleveland, ballyhoos a new hair tonic for no visible reason....*Texarkana Gazette, Longview Journal* and *Dallas News* issue special Warner editions....Fans crowd stations to see stars with Andy Smith and Grad Sears taking bows....At Longview, sound truck blares musical welcome to the tune of "I Only Have Eyes for You" leading automobile procession through sweltering oil field where Herb Crooker remained stowaway on train....Also here delegates from New Orleans, Memphis, Atlanta, Charlotte joined....Noon at Dallas where police band, city officials and more fans join at station....Also Schepp Brewing Co. generous hosts ....at Abilene, Tex., met by Texas Cowboy Band and paraded to campus of Harding Simmons University for barbecues....Credit Allen Glenn for tearing Texas wide open at stations and in newspapers....All is terrific and hot but train cool....Current fashion note: Ten gallon hats, reception committee and us guys...."

Later from Fort Worth: "Moray, Blank and R. Lohrenz missed train at Dallas, but made it by taxi to this point."

J. L. Warner on Coast

HOLLYWOOD, June 7.—Jack L. Warner arrived here last night in advance of the Warner conventioneers.

Pictures Improving, Clubwomen Are Told

DETROIT, June 7.—Hollywood has kept its promise to the clubwomen of America and is making a higher percentage of films suitable for the entire family, Mrs. Richard M. McClure of Chicago, chairman of the motion picture committee, told 5,000 delegates to the national meeting of the General Federation of Women's Clubs.

"Last April this department announced producers had accepted our pleas for family night programs and had promised the 1935 production schedule would bring more films suitable for the entire family," Mrs. McClure said.

"Producers have kept that promise. Of 333 features released since May, 1934, 116 are classed as family entertainment, as against 70 the preceding year."

'Straight from the Shoulder'

CHICAGO, June 7.—EDWARD ("Diamond Jim") ARNOLD arrived in time to tell the delegates a couple of gags just before the Thursday morning session broke and ran for the eats and such readied in the dining salon below. Copies of the book, "Diamond Jim," had been passed out to members and Arnold spent the rest of the afternoon autographing them.

✤

JACK MILLER showed up for the buffet lunch and said business wasn't so hot, but the latter had nothing to do with the former.

✤

WILLIAM K. HOLLANDER of B. & K. came in and shook hands around.

✤

EDDIE BONNS, short subjects manager, screened the opening episodes of "The Roaring West," serial, at the World Playhouse on Thursday morning, putting the delegates in fighting fettle for the business session.

✤

WALLACE A. SAULT, St. John, N. B., who says that railroad transportation in the Dominion could teach school to the U. S. lines, brought along his overcoat—just in case—and got a swell chance to wear it when the mercury dived Thursday.

✤

DAVE MILLER, back in the fold and welcome in spades, unreeled a spanking new line of dialect stories that knotted all hands.

✤

CLARK RODENBACH of the *Daily News* eked an interview out of ARNOLD in the gastronomic interlude—eats to us—with neither boy ducking a dish.

✤

F. J. A. MCCARTHY held out for the customary room with the customary cold shower and got it, while the weather man conferred an equivalent courtesy, unasked, on the local and guest population gratis.

✤

D. LEDUC, Montreal, confirmed the generally credited rumor that good enough pictures can get the money without NRA, as in his territory where there never was a Blue Eagle, as well as with it.

✤

JOHN DRUMMY, chief booker for Great States, dropped in to renew old friendships, including a practically stone-age acquaintance with your reporter.

✤

CHARLIE RYAN, assistant to JAMES COSTON, and LARRY STEIN, publicist, contacted the conventioneers for Warner theatres.

✤

At a late hour sleuths were hot on the trail of the unidentified prankster who telephoned delegates at six a.m. Thursday to warn them, as they'd been warned the day before, not to be late for the screening at nine. He's to be dropped, if caught, from the top of the Stevens into Buckingham Fountain, forthwith.

U.A. Releases Over Last Year–Lichtman

(Continued from page 1)

among others, were joining the company he stated: "No new producers have been signed as yet, although negotiations are in progress."

Lichtman plans to remain here at least another week.

After American Units

LONDON, June 7.—Maurice Silverstone, managing director here for United Artists, declared today the company is negotiating for several important American producers, but refused to divulge their identity. He also stated an early announcement will be made of two big British pictures for U. A. distribution.

The company has closed for a Technicolor feature to be made by Tower Film Prod.

Joseph M. Schenck today decided to return to New York on the *Normandie* next week. Silverstone will accompany him.

Die for Theatre Murders

BOSTON, June 7.—Death in the electric chair at Massachusetts State Prison at Charleston early this morning ended the crime careers of Murton and Irving Millen and Abraham Faber in which depredations against theatre men figured prominently. The trio had been convicted of murdering Fred Sumner and Bill Poster, film men, during a holdup at the Paramount, Lynn.

New Financing for Mascot Up in Talks

(Continued from page 1)

distribution would probably be continued through Mascot's present franchise holders.

Nat Levine, president of Mascot, and Gordon Levoy, attorney, are here from the coast for the negotiations. A proposal for distribution of Mascot's new season lineup by First Division, broached recently, is now definitely off.

Mascot officials could not be reached yesterday for comment on the progress of the Yates' conferences.

Old Timers to Mark Loew N. Y. Closing

(Continued from page 1)

time producer; New Wayburn, whose "Minstrel Misses" was staged there; George M. Cohan, Arthur Hammerstein, Gus Edwards, Belle Blanche. Others who have been invited are: Elsie Janis, Pat Rooney, Trixie Friganza, Billie Burke, Anna Held, Jr., Gene Buck, Harry B. Smith, Fannie Brice, Daniel Frohman, Lillian Lorraine, William Morris, Jr., Theodore Mitchell and David Warfield.

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Republic Set On Financing List—Golden

(*Continued from page* 1)

was received with cheers by the 150 men present. Later Golden declared that the company was ready to take its place among the leading producing and distributing firms.

Golden asserted Republic would continue the Monogram policies. The new company's reputation, he declared, would be founded on the practice of "delivery on every promise." He pointed out that in 1933-34 every picture promised by Monogram was delivered. Golden said Republic's policy of placing the various sales territories under local control was being recognized by other companies as the only sensible method of operation.

According to Golden, the majors have taken recognition of the value of action films in their new announcements, something which he said his organization had taken cognizance of a long time ago. Golden said he wished to correct any impression Republic would make pictures only for the double-feature market.

The convention was opened this morning by W. Ray Johnston, president. He backed up Golden's statements about company financing and said that every promise made would be kept.

Says Has High Ideals

"Republic has high ideals for the production of pictures," Johnston said, "and they are—to see that its product is of such a nature that any member of a family can see it and be entertained without being offended by indecency and grossness."

"It aims," he declared, "to give the public the classics and works of famous authors, as well as to encourage American authors to write better stories for the screen."

Johnston also said that "as the company grows and new positions of authority are created they will be filled by men from the ranks," adding that next year he expected "to see a number of boys now in the field seated on the dais in some executive capacity, thus building up our structure on a firm foundation."

Johnston then introduced Mayor Russell Wilson of Cincinnati. The Mayor welcomed the guests in the name of the city and extended the well wishes of himself and official family.

Edward Finney, advertising and publicity head, said Republic would continue the policies of Monogram on a far more extensive basis. He revealed a number of tieups had already been arranged on the first Republic releases, "Forbidden Heaven" and "Eastward Ho!" and stressed truth in advertising.

All franchise holders were present except Floyd St. John and J. T. Sheffield, for whose benefit a special meeting will be held after the close of the Cincinnati convention.

Trem Carr and Ben Goetz arrived from the coast as the afternoon session opened.

Following luncheon, Golden again took the floor, and, after going into salesmanship angles, announced that Republic would make 46 attractions on its 1935-36 program. These are to be broken up into several groups, the first of which is five special productions to be known as Gold Medal Specials, the second five Blue Ribbon Winners, then eight Showmanship Pictures, eight Entertainment Group, eight John Wayne Greater Western Series, eight Fast Action Westerns and four Serials.

First in the de luxe group of five Republic Gold Medal Specials to go into production will be "Forbidden Heaven" with Charles Farrell and Charlotte Henry. This picture is to be directed by Reginald Barker.

There will be another session of the convention tomorrow concluding with a banquet in the Netherlands-Plaza Saturday night.

Looking 'Em Over

"The Clairvoyant"

(*Gaumont British*)

Claude Rains here gives another of his sterling characterizations, this time as a misunderstood clairvoyant. It is good entertainment on the whole.

Director Maurice Elvey has played up the science of gift—whatever it may be—of clairvoyancy to enhance the film's values and, although at times the material almost borders on the far-fetched, he never allows the picture to get out of hand. The photography of Harry Hand is good.

An excellent cast, including Fay Wray, Jane Baxter, Ben Field and Mary Clare turns in good portrayals.

The yarn, taken from Ernst Lothar's novel of the same name, has Rains a small time vaudeville mindreader until the gift of seeing into the future suddenly comes upon him. After saving a newspaper publisher's daughter, Miss Baxter, from a train wreck by looking into the future he predicts the winner of the Derby and becomes the talk of London. But while climbing he loses his wife, Miss Wray, and is seen continually with Miss Baxter. After the people had failed to heed a warning that a tunnel would collapse they turn on Rains for revenge and he finds himself in court on trial as a public nuisance. In a dramatic climax he vindicates himself and the closing shot shows him and Miss Wray happily reunited.

Exhibitors have many exploitable angles in this one. If played up right the picture should react favorably at the box-office. Reviewed without production code seal. Running time, 70 minutes. "G."

"Inferno" Round Table Hits; Fox Will Use Ideas on Others

(*Continued from page* 1)

were studied, criticized, approved and revamped. The result of the endeavor was a complete campaign which will be whipped into shape by McCarthy's men, embodied in press books, and, of course, ultimately used by the circuits, including Loew's RKO, Butterfield, Lucas and Jenkins and others which were represented, since the ideas are theirs.

The decision on "Dante's Inferno" was to stress the modern story aspects of the picture, plus its spectacular phases, and subordinate the allegory.

Many of those present will remain in town today and depart for their respective cities tonight or tomorrow. The group included:

Elmer C. Rhoden, Kansas City; Rick Ricketson, Denver; Arch Bowles, San Francisco, and Harold J. Fitzgerald, Milwaukee, who are operating chiefs of the various National Theatre subsidiaries; Milton Feld, Monarch; Oscar A. Doob, Loew's; John Dowd, RKO; Morris Kinzler, The Roxy; Harry Browning, M. & P.-Publix, Boston; Charles Winchell, Minnesota Amusement Co., Minneapolis; H. E. Jameyson, Fox, Wichita, Kan.; Frank W. Buhler, Fox, Philadelphia; Charles B. Taylor, Buffalo, Buffalo; Gus W. Lampe, Eckel, Syracuse; E. E. Whitaker, Fox, Atlanta; Ollie Brooks, Butterfield Circuit, Detroit; John Carroll, Fay's, Providence; L. B. Cool, Fulton, Pittsburgh; William Hollander, B. & K., Chicago; George Tyson, Alvin, Pittsburgh.

Gabe Yorke, studio publicity head; M. L. Ahern, Arch Reeve, Earl Wingart, James A. Clark, Louis Shanfield, Jerry Novat, Carl Moss, Leslie Whelan, Jack Lewis, Herbert Hyman, Abe Goodman and Roger Ferri, all from the Fox home office.

New Rules Made for Mass. Sunday Shows

BOSTON, June 7.—Applications and programs accompanying licenses for Sunday shows, which must be submitted for the approval of the Commissioner of Public Safety under the Massachusetts Sunday censorship law, must be signed by the person responsible for the entertainment or they will be disapproved in the future. Patrick F. Healey, supervisor of the Bureau of Sunday Entertainments, has notified exhibitors to this effect.

Of particular interest to vaudeville houses is the part of the bulletin which states: "No change of program shall be permitted after same has received the approval of the Commissioner of Public Safety, unless such change has been approved by a representative of this bureau, and said approval must be received directly and not later than 12 o'clock noon Saturday.

Reliance Starts List

HOLLYWOOD, June 7.—Reliance Pictures starts its new season's lineup with "Red Salute," in which Constance Cummings will be starred.

"Amateur Girl," originally scheduled as the first, has been delayed.

St. Louis Has Building Boom With 6 Going

(*Continued from page* 1)

a house to be built on Delmar Boulevard.

The fifth house will be a 650-seater at Pine Lawn in St. Louis County. A sixth is to be constructed at De Soto, Mo., by the Karte Trading Co. for operation by the Collins Circuit.

Buy, Build in Texas Towns

DALLAS, June 7.—R. & R. Circuit has acquired five new theatres: the Palace and the Lyric at Commerce, and the Mission, Broadway and Palace at Sulphur Springs. East Texas Theatres have taken over the Rex at Arp and the Texas at Kilgore.

Small Texas towns continue a fertile field for new theatres. Lester Dollison has opened the Texas in Balmorhea. Edinburg will have the Aztec, owned by C. G. Harryman. H. J. McFerrin is operating a new house in Tuscola, the Cupid. W. A. Schennault has opened an outdoor theatre, the Airdome, in Quemado.

Plan Second Mass. Drive-in

BOSTON, June 7.—A second drive-in theatre is planned for this state. The second venture will be located north of Boston. Work on the first, which will be in the vicinity of Hingham, is well under way.

The Union Hill in Gloucester, recently taken over by M. & P.-Publix, is in operation. In East Weymouth, the Roosevelt has been rejuvenated with new sound.

Fire has closed the Methven at Methven Point. On Cape Cod at Chatham, Moore & Fitzgerald have opened the Chatham.

Warners Get Control

JOHNSTOWN, Pa., June 7.—Acquisition by Warners of the State gives the circuit virtual control of this town except for one house owned and operated by Wilmer & Vincent.

The State, at one time part of Paramount's property, has been managed under a Federal receivership for some time.

Sabatini Winner on Income Tax Appeal

WASHINGTON, June 7.—Income derived by Rafael Sabatini, British author, from sale of the film rights of five of his books, "Gates of Doom," "Strolling Saint," "Bardelys, the Magnificent," "Tavern Knight" and "Captain Blood," today was held by the U. S. Board of Tax Appeals to be exempt from American income taxes. The contracts gave the producers world wide picture rights to the books for $20,000 each. The agreements were signed in London.

Sabatini, however, was held subject to tax in this country for all receipts from the dramatization of "Scaramouche," for which he received an advance of $500 from Charles I. Wagner.

The Government was seeking the collection of some $40,000 in tax deficiencies and penalties for the years 1921-1928, inclusive.

The Leading Daily Newspaper of the Motion Picture Industry

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VOL. 37. NO. 135 NEW YORK, MONDAY, JUNE 10, 1935 TEN CENTS

60 Expected On W. B. List; Meet in L. A.

Convention Is Set — 180 Delegates There

Los Angeles, June 9.—Warners are expected to adhere to their current program of 60 features and the same number of Vitaphone shorts for 1935-36. The schedule will be outlined to the assembled sales force, domestic and partially foreign, later in the week.

Considerable attention will be concentrated on "A Midsummer Night's Dream," which, it is understood, will be the company's big shot for next season.

With the arrival this morning of the special train from the east, delegates from all points are now assembled at the Ambassador and tonight were prepared for the opening gun, which is slated for Monday morning. The meetings may run for as many as 10 days.

The convention, which is to be attended by Harry M., Albert W. and Jack L. Warner, all of whom are on the ground will be opened by Gradwell L. Sears, western sales manager. He will introduce A. W. Smith, Jr., eastern and Canadian manager. The latter will introduce H. M. Warner, who will deliver an address, followed

(Continued on page 8)

Grainger Revamps "U" Sales Forces

James R. Grainger, general sales manager of Universal, returned to New York from his company's three-day sales convention in Chicago on Saturday enthused over the deliberations

(Continued on page 10)

RKO to Take Sales For March of Time

RKO will be the new distributor of The March of Time beginning with the fifth edition of the reel to be released in July, Roy E. Larsen, presi-

(Continued on page 10)

Ascap Anti-Trust Suit Starts Today

Trial of the government's anti-trust suit against the American Society of Composers, Authors & Publishers is scheduled to begin today

(Continued on page 2)

Film Deliveries by Boat Beat Out Flood Problems

Kansas City, June 9.—Flood, following hard on the heels of dust storms and drought, added another note of drama to the film business in this territory. Northern Kansas—Manhattan, Topeka, Clay Center, Concordia, etc. — and Central Missouri above and below Jefferson City, experienced the most severe damage.

Drivers for Exhibitors Film Delivery Service probably came into more frequent and direct contact with flood areas than any one else in the business. It became a night and day problem for both drivers and Sam Abend. At Ottawa, Kan., where the Fox Webster was closed early in the week because flood waters had backed up into it, Film Delivery had to carry film in

(Continued on page 10)

Indiana Group Hits Allied's Lawsuit Plan

Indianapolis, June 9.—Expressing a viewpoint in sharp conflict with the policy of starting law suits "on 100 fronts" which was adopted at the recent national convention of Allied at Atlanta, the Associated T. O. of Indiana, a state independent exhibitors' organization headed by Charles R. Metzger, refers in its current bulletin to court recourse as a means of settling exhibitor problems as "a long and expensive procedure" which can

(Continued on page 2)

Criterion, Loew's Close; to Be Razed

The Criterion and Loew's New York closed last night for the last time and their passing leaves Broadway with two less of the old landmarks. Originally opened to house legitimate and musical shows, the Criterion turned to films over a decade ago. "The Birth of a Nation," "Wings," "Grass" and "The Iron Horse" were some of the old features that played there on a two-a-day policy.

Wrecking crews fell to work on both houses shortly after midnight.

Of the old houses that still feature pictures on Broadway only the Astor and Globe are left.

Rumors Stir Of Merger by Air Coolers

Hollywood, June 9.—Recent rumors of a possible merger in the air conditioning field gained credence here over the week-end when A. C. Blumenthal admitted he was interested.

"With 100 theatres in New York considering air cooling," he said, "it might be a good thing to get into the air conditioning field."

He was noncommital on details.

Blumenthal's presence here is said also to be due to a possible post with United Artists.

Cleveland Reported Set on Duals' Limit

Cleveland, June 9.—Sustained exhibitor effort to hold duals here to a minimum upon the expiration on July 8 of the single feature policy is reported to have resulted in a plan to limit them to one change a week.

The plan, reported ready for submission to the local exhibitor body, is said to contain restriction of duals to features that have not played a seven-day downtown first run engagement. The plan further provides, according to report, that violations will be followed by injunctions through regular legal procedure.

No date has been set for an exhibitor meeting to pass on this plan.

War Scare in Westchester

Purchase, N. Y., June 9.—A detachment of CCC workers bolstered by a horde of carpenters and construction gangs, has descended on this quiet little village to remodel and reconstruct storm cellars that haven't been used here since the Great Wind of 1899. Several of the large and more strongly built houses are

(Continued on page 11)

NRA End Seen As Brake for Merger Moves

Anti-Trust Laws Back in Effect, Is Warning

Voluntary codes, if they are adopted by the industry to perpetuate any of the advantages developed under the NRA code, cannot be made to protect subscribers to such agreements from the anti-trust laws, as was possible under NRA, President Roosevelt pointed out to industry at large in a statement over the week-end.

The declaration is regarded as significant in industry quarters in view of the consideration given by financial and executive groups to reported proposals for the merging of large film companies in recent months. Such mergers, it is pointed out, would have undoubtedly encountered fewer Federal objections while NRA, or any similar statute providing for the suspension of anti-trust laws for coded industries, was in effect. With the nullification of the NRA codes, however, and the declared impossibility of waiving compliance with the anti-trust statutes for the benefit of subscribers to voluntary industry codes, any anticipated mergers of large scale operations are once more regarded as being subject to close government scrutiny and intervention.

It has been rumored for weeks that several proposals for combinations of

(Continued on page 2)

Republic-Liberty Deal Set: Johnston

Cincinnati, June 9.—The long-pending deal with M. H. Hoffman, head of Liberty, calling for distribution through Republic of his company's product for the coming year has been set, it was revealed in an announcement made by W. Ray Johnston, Republic president, at the closing session of the new company's sales convention here yesterday. Liberty, Johnston said, is presently scheduled to make eight releases.

In making reference to the deal

(Continued on page 10)

Spurt in Production Is Begun on Coast

Hollywood, June 9. — Production jumped back towards the record peak of three weeks ago here last week, with the seven-day checkup showing 44 features and eight shorts shooting as

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MOTION PICTURE DAILY
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Spurt in Production Is Begun on Coast

(*Continued from page* 1)

compared to 38 features and two shorts for the preceding week.

Fox led the field, hitting a season's high for that studio with nine features shooting, none preparing and six in the cutting room. M-G-M was second with eight, one and 13; Radio, six, one and three; Paramount, five, two and three; Warners, five, one and nine; Columbia, three, four and three; Universal, two, one and two; Goldwyn, one, zero and zero; Roach, one, zero and zero. The independent group had four, five and eight.

Short subject production also registered a decided gain. M-G-M had two shorts in work, two preparing and six in the cutting room. Roach had two, zero and two; Universal, one one and one; Radio, one, zero and six; Columbia, zero, zero and three with the independents charting two, two and seven.

Ohio Picks Counsel To Defend Date Bill

CLEVELAND, June 9. — Rocker & Schwartz have been appointed special counsel to Attorney General John W. Bricker to represent the State in the case instituted by RKO to test the constitutionality of the preferred playing time bill. This bill, passed by both houses of the legislature, became a law without the Governor's signature on April 6. It goes into effect July 5.

The case, filed in Franklin county, will be heard in Federal court, Cincinnati, probably the end of this month.

Insiders' Outlook

By RED KANN

NOW that executive management of Paramount at this end is set and John E. Otterson on June 17 officially steps into the presidency, there remains a job to be done in the next few days about the studio, admittedly and, of course, the nerve center of any producing and distributing company, no matter how major or minor. Flowing from, through and about the various financial groups which are now welded together in Paramount come many angles touching upon the ultimate determination of this vital problem. . . .

▼

Available are the following, all predicated on what appears to go beyond gossip:

That Ernst Lubitsch, who took an airplane east from Hollywood yesterday, is generally favored for retention in a ranking production capacity.

That a long-term contract to replace his short-term contract which expired June 15 could be his. A matter of terms, which means negotiations.

That, the above being what it is, there enter several other possibilities, all of varying degrees of strength. One persistently and doggedly swings around the name of Emanuel Cohen and the report he may return to Paramount. One source says in his former capacity; another, in a high production post, but not necessarily the old one. A spokesman for the so-called Fortington-Atlas group on the new board, influential there, states his principals have consistently avowed Cohen's championship. . . .

▼

To conjure with, also, are these semi-loud whispers:

That Lubitsch and Henry Herzbrun would be retained in their present capacities of producer and business administrator, respectively, with a third man, who might be described as a general overseer, to collaborate with both. If such a procedure is determined, Watterson R. Rothacker enters the lists as a strong contender.

That not remote by any manner of means is the final possibility which would send Adolph Zukor, now chairman of the board, to Hollywood where he would assume stewardship of the studio. . . .

▼

The choice may come out of executive committee meetings in New York this week. Another piece of Grade A business which the committee will have before it is the subject of a formal contract with Otterson, it is reliably understood. It is reported no definite basis of remuneration was agreed upon between the new head at Paramount and the board prior to the election. The understanding is that an almost unanimous board wanted Otterson and that the former Erpi chief was not unwilling. It was on such a basis, there appears substantial reason to believe, the election was consummated. Terms, at best, are said to have been outlined only in general. A term contract for Otterson, therefore, is a task to be worked out. New York financial editors have been reporting his salary will run about $100,000 a year. . . .

▼

The Fox West Coast pool with John Hamrick in Seattle and Portland is capturing the attention of sales managers and others in New York. The operating merger makes F. W. C., or Evergreen State Theatres which are tantamount to the same thing, the big noise in those Far Northwestern cities. Wafted about is conversation about deals to come in that same area as part of a post-depression ambition to once again make F. W. C., certainly powerful enough now, the uncontested theatre giant of the Pacific slope. . . .

▼

Certain men, to remain unnamed here today, will be interested in the President's statement that relaxation of the anti-trust laws under voluntary codes, such as this industry is weighing, will not be countenanced. That may upset some plans smacking of mergers. . . .

Ascap Anti-Trust Suit Starts Today

(*Continued from page* 1)

before Federal Judge Henry W. Goddard in U. S. District Court.

At stake is the legality of Ascap's licensing and fee fixing policies for the reproduction of music in theatres and its recording in studios, radio broadcasting and other public performance of music. Numerous representative exhibitors are expected to be called by the government as witnesses for the trial which, it is expected, may continue for three weeks.

Cantor Recuperating

HOLLYWOOD, June 9.—Eddie Cantor has left the Good Samaritan Hospital. He is recovering nicely, and spends several hours a day working on magazine articles and on "Dreamland," his next picture.

Indiana Group Hits Allied's Lawsuit Plan

(*Continued from page* 1)

leave the exhibitor "bankrupt and out of business before some of the issues are settled finally."

The bulletin reflects on the significance to exhibitors of the nullification of the industry code, citing nine direct benefits achieved while it was in force which, the bulletin states, now are apparently lost.

"At first thought," it remarks, "many exhibitors will rejoice that they are now freed from the restrictions of the code. But, upon maturer consideration, many exhibitors are considerably disturbed about the future."

Referring to the court procedure, which was adopted by Allied's convention as a national policy, the bulletin declares that "the very nature of the motion picture industry means that you cannot afford to be tied up waiting for a decision for years. Looking back over the past 15 years of this industry, we cannot recall one time when any piece of litigation by either the government in behalf of exhibitors, or by exhibitors themselves, has ever given either speedy relief or the type of relief desired, or anything of substantial help."

Cites Benefits Under Code

"Our code," the bulletin says, "seemed to offer some rules (however imperfect) whereby we could know rather than guess where we stood on problems. . . . That is out now, but the need for such clarification in this industry remains."

The nine code advantages to exhibitors cited by the bulletin are clearance and zoning, restriction of prior run's protection, restrictions on overbuying, curtailment of the forcing of shorts with features, a helpful 10 per cent cancellation, bans on film service for non-theatrical competition, bans on servicing free street shows, restrictions on reduced admission practices and, finally, the definition of exhibitors' rights and liabilities.

Commenting on bank nights and lotteries, subsequent to the nullification of the code, the bulletin remarks that "it has long been our thought that lotteries and things of that nature help each theatre until your competitor puts on the same or a similar stunt. It is like double features, after your competitor starts them you are both doing the same business you did before you started them except that you are both spending a lot more money to do the same old amount of business."

NRA End Seen As Merger Moves Brake

(*Continued from page* 1)

large film companies have been considered by financial groups recently and reputedly favored by the heads of the companies involved. The most frequently advanced explanation of the change of venue in regard to such proposed combinations is that of government disfavor.

David Cohen a Father

BOSTON, June 9.—David Cohen of the M. & P.-Publix Fenway and Mrs. Cohen are receiving congratulations on the birth of a daughter.



MAX BAER
World's Heavyweight Champion

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Box Office Attractions
—That Sell Out!



JAMES J. BRADDOCK
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FIGHT PICTURE—JUNE 13

WORLD'S HEAVYWEIGHT TITLE — LONG ISLAND BOWL

Copyrighted and Fully Protected—the Entire World—In Sound—and Slow Motion

Is booked solid by RKO in New York State opening—
Friday, June 14th, at the following theaters:

PALACE	COLISEUM	WHITE PLAINS	ALDEN	ORPHEUM
APOLLO	FORDHAM	ALHAMBRA	KENMORE	YORKTOWN
81st STREET	FRANKLYN	COLONIAL	PROSPECT	MIDTOWN
23rd STREET	ROYAL	JEFFERSON	GREENPOINT	COSTELLO
58th STREET	CHESTER	STRAND-YONKERS	BUSHWICK	UPTOWN
86th STREET	FLUSHING	ACADEMY	TILYOU	FAR ROCKAWAY
REGENT	YONKERS	CROTONA	MADISON	ROCKAWAY PARK
125th STREET	MT. VERNON	PARK PLAZA	RICHMOND HILL	CEDARHURST
HAMILTON	NEW ROCHELLE	ALBEE BROOKLYN	DYKER	EMPIRE
				HOLLYWOOD

Palace — Albany, N. Y. Proctors — Troy, N. Y. Proctors — Schenectady, N. Y.
Keith's — Syracuse, N. Y. Century — Rochester, N. Y.

ENTIRE SKOURAS CIRCUIT

Foreign distribution throughout the World, outside of Canada, through RKO Export Corporation

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Executive Offices
HOTEL ASTOR
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BRyant 9-2100

New York City



JAMES J. BRADDOCK
Contender

IF IT'S A PARAMOUNT PICTURE IT'S

PARAMOUNT

★ AMOS 'N 'ANDY ★ BENNY BAKER ★ GEORGE BARBIER

★ WENDY BARRIE ★ JOAN BENNETT [In "Two for Tonight"] ★ DOUGLAS BLACKLEY

★ MARY BOLAND ★ JOHN BOLES [By Arrangement with Fox Films] ★ GRACE BRADLEY

★ CARL BRISSON ★ MARY ELLEN BROWN ★ KATHLEEN BURKE

★ GEORGE BURNS AND GRACIE ALLEN ★ KITTY CARLISLE

★ DOLORES CASEY ★ ERNEST COSSART ★ CLAUDETTE COLBERT

★ GARY COOPER ★ JOHNNY COX ★ LARRY CRABBE ★ BING CROSBY

★ KATHERINE DeMILLE ★ MARLENE DIETRICH ★ JOHN DOWNS

★ JESSICA DRAGONETTE ★ FRANCES DRAKE ★ MARY ELLIS

★ W. C. FIELDS ★ WILLIAM FRAWLEY ★ TRIXIE FRIGANZA

★ JAMES GLEASON ★ CARY GRANT ★ ANN HARDING [By Arrangement with R. K. O. Pictures]

★ JULIE HAYDON ★ SAMUEL S. HINDS ★ BETTY HOLT ★ WILLIE

HOWARD ★ DEAN JAGGER ★ HELEN JEPSON ★ ROSCOE KARNS

★ ROSALIND KEITH ★ WALTER C. KELLY ★ LOIS KENT ★ JAN

IF IT'S A PARAMOUNT PICTURE IT'S THE BEST SHOW

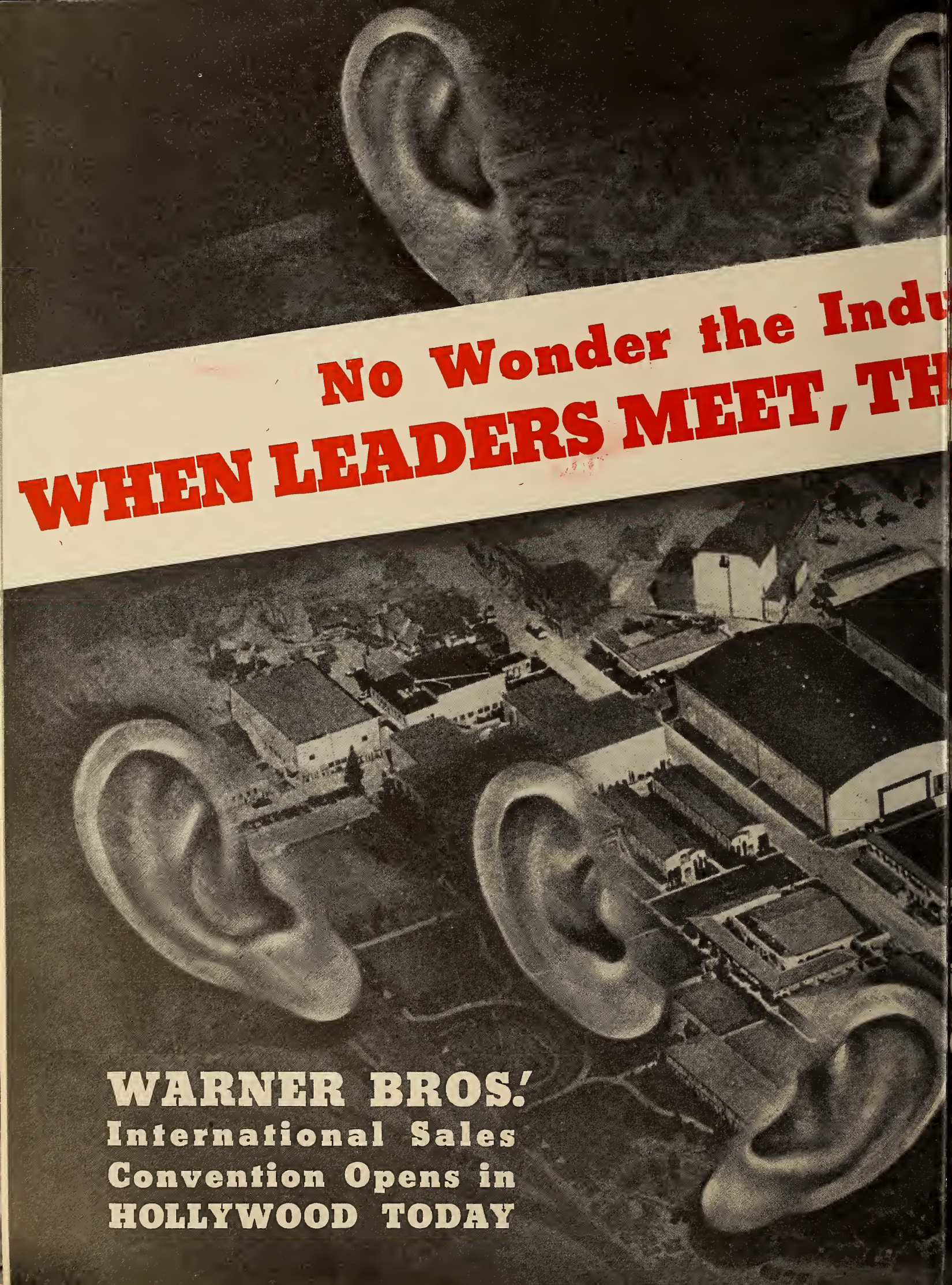
IN TOWN! . . . IF IT'S A PARAMOUNT P

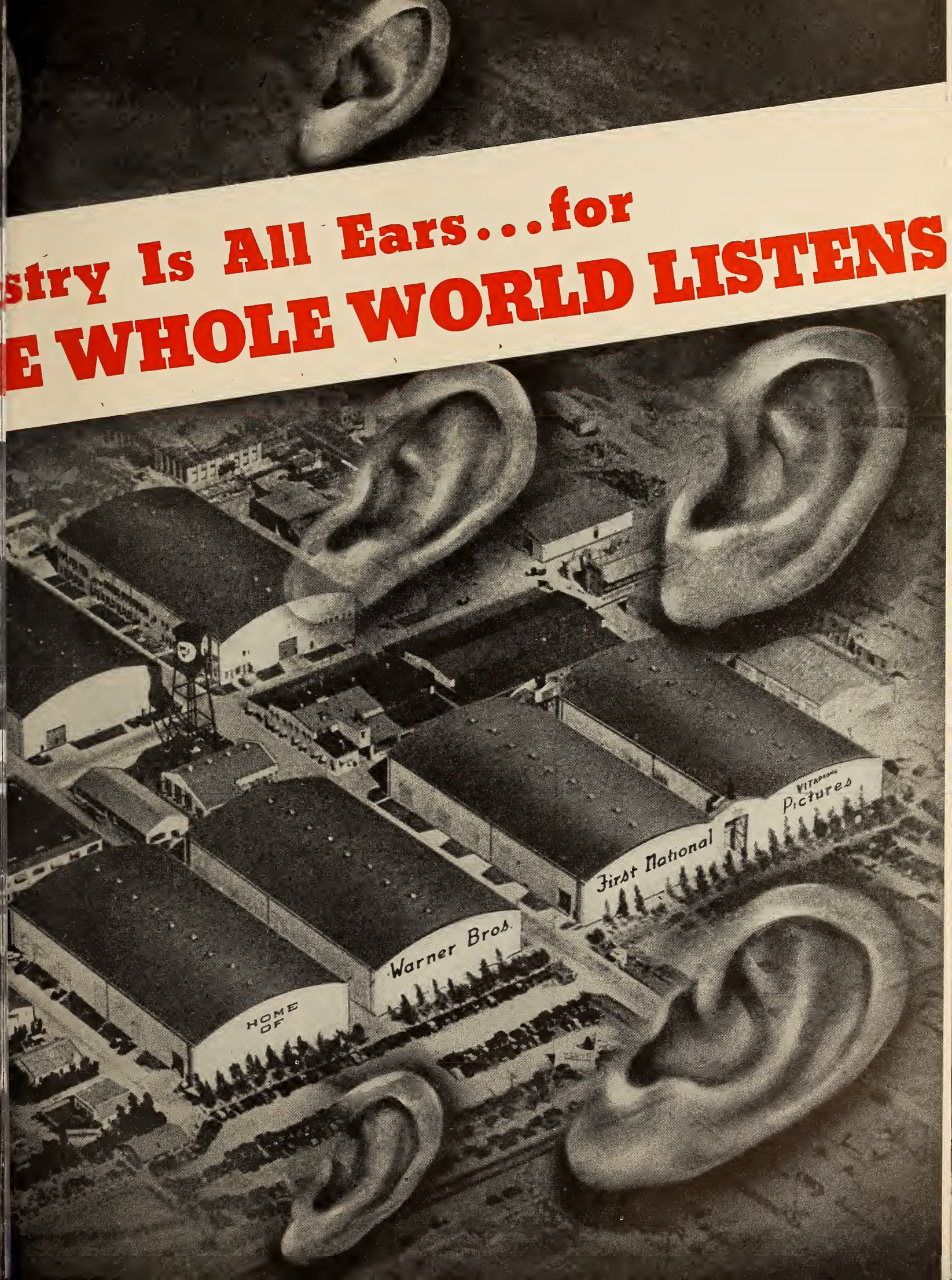
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IN PLAYERS

KIEPURA ★ ELISSA LANDI ★ BILLY LEE ★ BABY LeROY ★ HAROLD LLOYD ★ CAROLE LOMBARD ★ PAULINE LORD ★ IDA LUPINO ★ FRED MacMURRAY ★ MARIAN MANSFIELD ★ MARGO ★ HERBERT MARSHALL ★ ETHEL MERMAN ★ GERTRUDE MICHAEL ★ RAY MILLAND ★ JOE MORRISON ★ GRETE NATZER ★ JACK OAKIE ★ LYNNE OVERMAN ★ GAIL PATRICK ★ ELIZABETH PATTERSON ★ JOE PENNER ★ GEORGE RAFT ★ CLAUDE RAINS ★ MAXINE REINER ★ LYDA ROBERTI ★ CHARLIE RUGGLES ★ MARINA SCHUBERT ★ RANDOLPH SCOTT ★ SYLVIA SIDNEY ★ ALISON SKIPWORTH ★ SIR GUY STANDING ★ BARBARA STANWYCK ★ FRED STONE ★ MILDRED STONE ★ MARGARET SULLAVAN [By Arrangement with Universal] ★ GLADYS SWARTHOUT ★ AKIM TAMIROFF ★ COLIN TAPLEY ★ KENT TAYLOR ★ LEE TRACY ★ VIRGINIA WEIDLER ★ MAE WEST ★ HENRY WILCOXON ★ HERB WILLIAMS ★ LORETTA YOUNG [By Arrangement with 20th Century]

TURE IT'S THE BEST SHOW IN TOWN!


No Wonder the Indu
WHEN LEADERS MEET, TH
WARNER BROS.'
International Sales
Convention Opens in
HOLLYWOOD TODAY


stry Is All Ears...for
E WHOLE WORLD LISTENS
HOME OF
Warner Bros.
First National
VITAPHONE
Pictures

60 Expected On W. B. List; Meet in L. A.

(*Continued from page* 1)

by a talk by Albert Warner. The remainder of the morning session will be turned over to addresses to the delegates by Sam E. Morris, vice-president in charge of foreign distribution; S. Charles Einfeld, the company's advertising and publicity head; Joseph Bernhard, managing director of the Warner Theatres; H. S. Bareford, of the legal department; Norman H. Moray, Vitaphone sales manager in charge of shorts and trailers; Max Milder, managing director for Warners in Great Britain, and D. E. Griffiths, managing director for First National in the same country.

Jack L. Warner, Hal B. Wallis and William Koenig will welcome the delegates at a luncheon in the studio. This will be followed by a combination exhibitor and product conference at the studio, involving Jack L., Wallis, Major Warner, Smith, Sears, Bernhard and the theatre zone managers, including James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacobs, Newark; Moe Silver, Albany; Harry Kalmine, Pittsburgh; J. J. Payette, Washington; L. J. Halper, Los Angeles, and Howard Waugh, Memphis.

The complete attendance, 180 strong, follows:

Albany—Ray Smith, manager; Moe Silver, zone manager; G. Goldenberg.

Atlanta—H. Ochs, manager; R. R. Bryan, H. R. Kistler, H. Parks, F. Sands.

Boston—Tom Spry, manager; E. H. Warren, J. B. Magann, D. E. Purcell, W. Horan, B. Abrams.

Buffalo—Harry Seed, manager; J. Sitterly, J. R. Levee.

Charlotte—F. P. Bryan, manager; F. Gebhardt, D. House.

Chicaga—James Winn, manager; James Coston, zone manager; R. C. Herman, G. Weinberg, S. Rose, W. Kahl, T. R. Gilliam.

Cincinnati—A. Smitken, manager; H. Bugie, R. Burns, J. P. Eifert.

Cleveland—M. Mooney, manager; Nat Wolf, zone manager; W. J. Brandt, F. Hathaway.

Dallas—Fred Jack, southern district manager; W. E. Callaway, manager; J. Groves, W. Brumberg, R. McCoy, W. O. Williamson, Allen Glenn, exploiteer.

Denver—E. Bell, manager, W. Haefliger, R. Jamieson.

Des Moines—E. Tilton, manager; H. Herman, C. Pratt.

Detroit—F. North, manager; W. B. Collins, S. L. Gilbert.

Indianapalis—O. Kuschner, manager; F. Reimer, R. Shader, P. De Fazio.

Kansas City—W. Warner, manager; W. B. Adams, G. Diamond, F. Greenberg, R. McConnell.

Las Angeles—Jack L. Warner, vice-president in charge of production; Hal B. Wallis, associate executive in charge of production; William Koenig, general studio manager; Leon Schlesinger, Jack Brower, west coast district manager; Harry Lustig, branch manager; Edward Selzer, publicity director; George Bilson, in charge of trailers; J. K. Burden, A. S. Baily, J. N. Howland, Harry Maizlich, exploiteer.

Memphis—Byron Adams, manager; Howard Waugh, zone manager; G. Hammond and W. O. Williamson, Jr.

Milwaukee—R. T. Smith, manager; N. S. Bieringer, S. G. Honeck.

Minneapalis—Leo Blank, manager; A. W. Anderson, M. Comer, H. B. Johnson, R. Lohrenz, E. Perkins.

Newark—Don Jacocks, zone manager.

New Haven—Nat Furst, manager; I. J. Hoffman, zone manager; J. Pavone.

New Orleans—Luke Connor, manager; H. Hisey, P. Spindler.

New Yark—H. M. Warner, president; Albert Warner, vice-president in charge of distribution; Sam E. Morris, vice-president in charge of foreign distribution; A. W. Smith, Jr., eastern and Canadian sales manager; Gradwell L. Sears, southern and western sales manager; Joseph Bernhard, managing director of Warner Theatres; Norman H. Moray, Vitaphone executive in charge of shorts and trailers; Clayton Bond, S. Charles Einfeld, in charge of advertising and publicity; Sam Sax, Brooklyn Vitaphone studio chief; Harold S. Bareford, Robert Mochrie, Carl Leserman, A. W. Schwalberg. Arthur Sachson, H. M. Doherty, Stanley Shuford, Herbert Crooker, Gerald Keyser, Mort Blumenstock, Harry Rosenquest, C. Kemke, J. Kelly, Mike Dolid, C. L. Tietjen, R. H. Haines, metropolitan district manager; Harry Decker, New York and Brooklyn manager; Harry Hummel, New Jersey manager; C. Cohen, L. Jacobi, Sam Lefkowitz, I. Rothenberg, Paul Swift, G. Solomon, C. Kenneth.

Oklahama City—J. O. Rohde, manager; W. C. Blackstone, E. Slocum.

Omaha—C. K. Olson, manager; F. S. Hannon, L. Mendelson.

Philadelphia—W. G. Mansell, manager; C. Beilan, J. Bachman, J. R. Mahan, W. Quinlivan.

Pittsburgh—Charlie Rich, manager; Harry Kalmine, zone manager; R. H. Dunbar, P. Krumenacker, Bob Lynch.

Portland, Ore.—Vete Steward, manager; M. J. Keller, D. D. Matin.

Salt Lake City—W. Gordon, manager; M. Gustaveson, C. L. Marcroft.

San Francisco—Charles Muehlman, manager; Newt. Levi, W. C. Wheeler, H. B. Fish.

Seattle—Al Oxtoby, manager; C. Theuerkauf, C. W. Young.

St. Louis—Hal Walsh, manager; T. M. Eckert, J. Hill, L. Bona.

Washingtan—Robert Smeltzer, eastern district manager; N. Ayres, F. Beiersdorf, G. F. Contee, J. Fayette, zone manager.

Canada—L. Geller, manager; G. Simmons, Calgary; M. J. Isman, manager; A. Gorman, Montreal; L. McKenzie, manager, St. John; H. O. Paynter. Canadian district manager; F. Gilbert, Toronto; J. Plottel, manager, Vancouver, and W. Cohen, manager, Winnipeg.

Foreign—Robert Schless, general manager for France and Continental Europe, with headquarters in Paris; Max Milder, managing director for Warner in Great Britain; D. E. Griffiths, managing director for First National in Great Britain; Peter Colli, manager for Cuba, Panama and Central America with headquarters in Cuba; and A. S. Abeles, manager for Mexico.

The program, as far as it now goes, follows:

Sunday

9-9:30 A. M.—Arrival of delegates. Registration.

Monday

9:30 A. M.—Roll call and preliminary business meeting at Ambassador.

Noon—Convention will travel to Burbank studio by bus. Luncheon guests of studio officials, and will be entertained by all players working on lot. Afternoon will be devoted to visits to sound stages.

5:30 P. M.—Cocktail party at studio.

Tuesday

Business meetings morning and afternoon.

8:30 P. M.—Delegates will visit Biltmore to see "Three Men on a Horse" (stage play).

Wednesday

Business meetings all day. No plans for evening.

Thursday

"J. L. Warner Day." Business meeting all day and banquet in the evening.

In Los Angeles for the Warner Convention



Albert W. Warner
Distribution



Jack L. Warner
Production



A. W. Smith, Jr.
Eastern Sales Mgr.



Gradwell Sears
Western Sales Mgr.



HARRY M. WARNER
President



Norman H. Moray
Vitaphone Sales



Joseph Bernhard
Theatre Head



Sam E. Morris
Foreign Sales



Max Milder
U. K. Chief



D. E. Griffiths
U. K. Sales Head



Robert Schless
French Chief



S. Chas. Einfeld
Adv. and Publicity

Warners Have Big Contract Lineup Ready

HOLLYWOOD, June 9.—Here are the production names and factors who are under contract and who will make the company's 1935-36 program, as prepared by the Warners' studio:

Stars—21

Marion Davies, Paul Muni, Kay Francis, Leslie Howard, Joe E. Brown, Al Jolson, Dick Powell, Dolores Del Rio, Pat O'Brien, James Cagney, Ruby Keeler, Edward G. Robinson, Rudy Vallee, Claudette Colbert, Guy Kibbee, Robert Donat, Joan Blondell, Jean Muir, Warren William, Bette Davis, Ricardo Cortez.

Featured Players—54

George Brent, Genevieve Tobin, Mary Astor, Josephine Hutchinson, Margaret Lindsay, Glenda Farrell, Lyle Talbot, Verree Teasdale, James Melton, Colin Clive, Ann Dvorak, Anita Louise, Donald Woods, Patricia Ellis, Hugh Herbert, Barton MacLane, Frank McHugh, Allen Jenkins, Everett Marshall, Phillip Reed, Hobart Cavanaugh, Claire Dodd, Robert Barrat, Gordon Westcott, Ross Alexander, William Gargan, Helen Lowell, Phil Regan, Johnny Arledge, Maxine Doyle, Glen Boles, Ian Hunter, Henry O'Neill, Dorothy Dare, Olivia de Havilland, Robert Light, Mary Treen, Florence Fair, Paul de Ricou, John Eldredge, Nan Gray, June Martel, Winifred Shaw, Gordon Elliott, Mary Russell, Josepb King, Errol Flynn, June Travis, Jack Norton, Martha Tibbetts, Joseph Creban, Helen Ericson, Eddie Acuff, Jack Mulball.

Directors—22

Max Reinhardt, Mervyn LeRoy, Lloyd Bacon, Frank Borzage, Alfred E. Green, Archie L. Mayo, Michael Curtiz, William Dieterle, Raymond Enright, William Keighley, Bushv Berkeley, Robert Florey, Bobby Connolly, Arthur G. Collin, Stanley Logan, Ralpb Staub, Howard Bretberton, Frank McDonald, D. Ross Lederman, Robert Vreeland, William McGann, Gene Lewis.

Writers—38

Earl Baldwin, Edward Cbodorov, Pierre Collings, Tom Reed, Robert Andrews, Al Cohn, Ben Markson, Joe Traub, Sheridan Gibney, Delmar Daves, Jerry Wald, Roy Chanslor, Charles Kenyon, Lillie Hayward, Abem Finkel, Harry Sauber, Peter Milne, Carl Erickson, F. Hugh Herbert, Mort Dixon, Mary C. McCall, Jr., Warren Duff, George Bricker, Allie Wrubel, Casey Robinson, Bessie Bacon, Brown Holmes, Isabel Dawn, Laird Doyle, Julius J. Epstein, Charles Beldon, Harold Buckley, Harry Warren, Wm. Wister Haines, Seton I. Miller, Al Dubin, Boyce de Gaw, Dr. S. H. Malamed.

Studio executives include Jack L. Warner, vice-president in charge of production; Hal B. Wallis, associate executive in charge of production; William Koenig, general studio manager, and eight associate producers: Henry Blanke, Edward Chodorov, Robert Lord, Harry Joe Brown, Sam Bischoff, Lou Edelman, Earl Baldwin and Bryan Foy.

Muni in "Death Fighter"

HOLLYWOOD, June 9.—Paul Muni has been set by Warners for the leading role in "Death Fighter," an original story by Pierre Collings which deals with a scientist. Production is scheduled to follow "Dr. Socrates." No director has been selected.

Richards in "Big Shot"

HOLLYWOOD, June 9.—Warners have added Addison Richards, Joe Sauers and Arthur Vinson to the cast of "Little Big Shot." Glenda Farrell, Robert Armstrong and Edward Everett Horton head the cast, and Michael Curtiz is directing.

Looking 'Em Over

"Java Head"

(First Division)

With the familiar theme of "East is East and West is West and ne'er the twain shall meet" woven freely through the plot structure and vividly portraying the bigotry of the 18th century, this picturization of Joseph Hergesheimer's novel of the same name is good adult entertainment.

With Edmund Gwenn, Anna May Wong, John Loder and Elizabeth Allan heading the cast, the picture's value is greatly enhanced by their excellent portrayals. Director J. Walter Ruben has deftly handled his characters to keep the action moving along to the climax.

The familiar story has Loder, dashing sea captain, bringing home an Oriental bride, Miss Wong, to staid Bristol after he loses Miss Allan because of her family. His family, headed by Gwenn, accepts his wife and the two manage to conquer the prejudices of the town. All is serene until Loder's love for Miss Allan begins to crop up again along with hers for him. When Miss Wong realizes what has happened, she reverts to type and commits suicide. The fadeout shows Loder and Miss Allan sailing away together on his ship.

American audiences will probably appreciate this film, for it has many good qualities. Basil Dean Prod., London, produced.

Others in the capable cast are Ralph Richardson, Herbert Lomas and George Curzon.

Reviewed without production code seal. Running time, 80 minutes. "A."

"Circus Shadows"

(Peerless)

Forced situations and amateurish acting combine to make this independently produced picture a pretty dull effort. It will probably make the grade in the neighborhood grinds. Caught at the Skouras Valentine, the audience did not refrain from showing disapproval. Compared with other independent features, the photography could be improved considerably.

Her mother killed in a fall when she misses her trapeze in the circus, Dorothy Wilson takes up her career under the big top guessing weights. Being closely allied with Russell Hopton so many years, a strong friendship develops between the heroine and the pick-pocket. However, the entrance of Kane Richmond upsets the romance and Miss Wilson falls head over heels for the wealthy boy.

Complications set in when the heroine leaves the circus to join up with William Ruhl, a mystic, who goes into business for himself and becomes enmeshed in a plot to force Richmond's aunt to sell her mining stock. The hero finds the former circus girl mixed up in the affair, but it takes the stout hearted Hopton to set the lovers straight.

No production code seal. Running time, 66 minutes. "G."

"Tovarishi"

(Amkino)

Only those who dote on Russian pictures are likely to find more than mild entertainment in this Lenfilm production fitted out with English subtitles. American audiences will regard it as a bit dull, with no exhilarating photography to add interest to the film.

The story is a little muddled. It attempts to tell of life in the Soviet and results in a strange admixture of romance and Soviet ideals. Presumably it endeavors to show how the Russian's sense of fidelity and duty toward the Soviet governs everything he does. One is brought to this conclusion by the fact that the two leading masculine characters seem to have difficulty in carrying on their work as true sons of the Soviet state and at the same time doing justice to their love life. Romantically, the film ends happily for one but unhappily for the other.

Its music is one of the film's best assets.

The direction is by S. Timoshenko. Among the players are Nicolai Batalov, Anatoli Goriunov, Mikhail Jharov, Tatiana Guretskaya and Veronica Polonskaya.

No production code seal. Running time, 75 minutes. "G."

"Wagon Trail"

(Ajax)

There is more than enough entertainment to please western fans in this William Berke production, which stars Harry Carey. It is packed with action, with no stint of gun play, hoof beats and flying fists.

Carey is cast as a two-fisted sheriff who sets out to clear his son when the boy is condemned to hang for the death of a man killed in a stagecoach holdup. While the youth did participate in the robbery, he had no hand in the actual killing. It so happened he was the sole member

(Continued on page 11)

Three Hits, 2 Big Grossers Stir Detroit

DETROIT, June 9.—Three outstanding hits and a couple of other strong pictures had downtown managers giving three cheers. "Let 'em Have It" was a knockout in its second week at the State, running up to $12,500, which was $7,500 over a first week normal.

"Goin' to Town" topped normal by $4,300 for a total of $14,300 at the United Artists. "Our Little Girl," also in a second week, hit $18,600, which was $3,600 above the line. "Age of Indiscretion" was $2,400 up on a take of $22,400 at the Michigan.

Total first run business was $85,-300. Average is $70,000.

Estimated takings for the week ending May 30:

"A DARING YOUNG MAN" (Fox)
"NIGHT LIFE OF THE GODS" (Univ.)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $3,100. (Average, $5,000)

"OUR LITTLE GIRL" (Fox)
FOX—(5,100), 15c-55c, 7 days, 2nd week. Stage, 5 acts of vaudeville. **Gross:** $18,600. (Average, $15,000)

"GO INTO YOUR DANCE" (F.N.)
"LIVING ON VELVET" (F.N.)
FISHER—(2,975), 10c-40c, 7 days, 2nd run. **Gross:** $3,700. (Average, $5,000)

"AGE OF INDISCRETION" (M-G-M)
MICHIGAN—(4,100), 15c-55c, 7 days. Stage, 5 acts vaude. **Gross:** $22,400. (Average, $20,000)

"LET 'EM HAVE IT" (U.A.)
STATE—(3,000), 10c-40c, 7 days, 2nd week. **Gross:** $12,500. (Average, $5,000)

"GOIN' TO TOWN" (Para.)
UNITED ARTISTS—(2,070), 15c-55c, 7 days. **Gross:** $14,300. (Average, $10,000)

"BABY FACE HARRINGTON" (M-G-M)
BROADWAY-CAPITOL—(3,448), 10c-40c, 7 days. Stage, 5 acts vaude. **Gross:** $10,700. (Average, $10,000)

Authored by Lewis

Sinclair Lewis is the author of "Dodsworth," not Theodore Dreiser, as was erroneously reported in MOTION PICTURE DAILY of last Friday.

Wall Street

Columbia Big Board Leader

	High	Low	Close	Net Change
Columbia vtc (c1) 63	59½	62⅛	+3⅝
Cons. pfd. (1¼v). 15	15	15	— ⅛
Eastman 143	142	143	+1
Eastman pfd.....155½	155	155	+ ½
Fox "A"..... 15⅛	15	15⅛	+ ¼
Loew's 40¼	40	40⅛	+ ¼
Paramount 3⅝	3½	3⅝	+ ⅛
Pathe ..... ¾	¾	¾	+ ⅛
Pathe "A"..... 9½	9½	9½	— ⅜
RKO 2⅛	2	2⅛	+ ⅛
Universal pfd..... 31⅝	31⅝	31⅝	— ¼
Warner Bros..... 4½	4⅜	4½	.....
Warner pfd..... 27	26½	27	+ ⅛

Technicolor Up on Curb

	High	Low	Close	Net Change
Sentry Safety Control	½	½	½	.....
Technicolor 26¼	25⅞	26¼	+ ¾

Keith Bonds Gain 1¼

	High	Low	Close	Net Change
Keith B. F. 6s '46 80⅞	80	80⅞	+1¼
Loew's 6s '41 ww deb rights.....104	104	104	— ¼
Paramount Broadway 5½s '51.... 56¼	56¼	56¼	+ ¼
Warner Bros. 6s '39 wd..... 66	66	66	.....

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 8)

Purely Personal

BORIS SHUMIATSKY and F. ERMLER, visiting film executives, were guests of honor at a dinner the other night given at the Waldorf by MATTY RADIN of the Cameo. BORIS MORROS and ROUBEN MAMOULIAN were among those present.

•

ETHEL MERMAN, now appearing on Broadway in "Anything Goes," leaves for the coast early next month to work in "Dreamland," EDDIE CANTOR'S next.

•

CAPT. A. C. N. DIXEY of Anglo-American Renters, who has been here for several weeks discussing distribution deals, plans to leave for London next Thursday.

•

EDWARD CHILD CARPENTER'S story, "The Perfect Gentleman" has been sold to M-G-M through the Century Play Co.

•

CHARLES J. GIEGERICH, sales manager for Comi Color Cartoons, is on a tour of eastern exchanges.

Quip of the Day

"I confess," ejaculated Mox Shabbus in his most recherché Hollywood manner, "I know nothing from nothing."

"Just as soon as I learn that the 'zoning and clearing board' is not a lumber company, and that 'cease and desist' is not a line by an extra girl—along comes the Supreme Court, cracks down on NRA and 'bubkas.'

"I always told Yenta, my wife, I was crazy to buy a showcase for other people's pictures.

"I think I'll become a producer —a short life and a merry-go-round—that's my matzohs."

RUTH SLENCZYNSKI, child pianist, has been signed by Paramount for a role in "The Big Broadcast of 1935."

•

BERNARD NEWMAN, Radio designer, has flown to the coast after a short vacation here.

•

SI FABIAN has a brand new Pierce Arrow open roadster.

•

. . . *San Francisco*

BOB HARVEY, press agent at the Orpheum, has left for Australia on a new job, details of which are unavailable here.

ROWENA FOLEY, in charge of the local code offices, is still standing by waiting for further instructions before abandoning the office.

A. C. KARSKI is now making all the trailers for Fox West Coast since he moved up on Film row.

ARVID ERICKSON, manager of the St. Francis, is proud of a new marquee and neon sign, easily the most outstanding along Market St.

BOB HELMS, after a long drawn out battle, has finally closed his Capitol. During the struggle HELMS went non-union, was picketed, forced to stop advertising on account of lack of funds and went to three features for a dime.

EMIL EUMAN, who has been handling publicity for PHIL FREASE, has resigned to do free lance radio publicity.

Film Deliveries by Boat Beat Out Flood Problems

(*Continued from page* 1)

by boat. Flood waters barred the truck on the outskirts of town.

Dickinson's Wareham at Manhattan, Kans., didn't have a matinee June 4 because the lobby was filled with water, but the manager went through with the night show. Film was delivered after Film Delivery's driver had gone 250 miles out of the way to get into the town.

Main roads and principal bridges were out. Trains were not running. Two hundred miles and hours of nosing along little used roads, over small bridges, was the rule rather than the exception, according to Abend.

Dubinsky Brothers' New Capitol at Jefferson City was formally opened June 5 with the sound of flood waters in the ears of guests.

When waters of the Kaw reached to within a few inches of the levee top in the Argentine district of Kansas City, Kan., June 5, Fred Meyn brought in a crew to remove seats, screen and lobby boards from his Pershing. It was hoped the river would not go out at that point.

W. D. Fite of the Kansan, and R. R. Bichele, secretary of the K.M.T.A. and operator of the Osage, both of them in the Armourdale district, continued to show in spite of evacuation by some of the residents.

A group of ten film men chartered a plane the afternoon of June 5 to fly up the Kaw River to Topeka and back. Among them were Frank Bowen, Heywood-Wakefield; H. L. Blackwell, Independent Poster Exchange; Beverly Miller, National Screen Service; Homer Fox, Sun; C. H. Esterly, State, and his assistant, Jimmy Redwine; W. P. Humston, Consolidated Film Exchange; Bill Porter, Stebbins Theatre Equipment Co.; Jim Larson, assistant city counselor, and Paul Bayzman, *Box-Office*.

Observers do not believe the flood will affect business for long.

Omaha Houses Offer Aid

OMAHA, June 9.—All suburban theatres here are volunteering aid to the victims of Nebraska's recent floods. A special midnight performance will be given next Saturday in Sam Epstein's five houses to raise relief funds and 25 per cent of the gross on regular performances Wednesday night will be donated by the remaining 20 suburban houses.

A. H. Blank's Orpheum donated its entire receipts from a double feature showing last midnight for the fund. The program comprised "The Flame Within" and "It's a Small World."

RKO to Take Sales For March of Time

(*Continued from page* 1)

dent of The March of Time, Inc., stated Saturday.

"The need for widespread national and international distribution for The March of Time has been becoming increasingly apparent," Larsen said in making the announcement. He said that inquiries "from all sections of the world" asking where the reel could be seen convinced its owners that "an aggressive, world wide sales organization such as RKO" was needed for complete distribution coverage.

The fourth edition of the reel now showing is the last that will be handled by First Division. In breaking off relations with the company and its state rights affiliates Larsen paid a high compliment to the wholehearted cooperation and help which has been given, he said, "in bringing The March of Time to its present standing."

Plan Relief Shows In Parks, Armories

Following conferences between Mayor LaGuardia and Sophie Tucker, Tony Sarg, Earl Boothe, Charles Mosconi and Ralph Whitehead, a plan has been drawn up whereby municipal circuses will be presented this summer in public parks, armories, auditoriums and institutions.

The Mayor has scheduled a meeting for late this week between this group and heads of various relief departments to complete the arrangements.

The circuses were suggested by the American Federation of Actors to give employment to idle actors.

Republic-Liberty Deal Set: Johnston

(*Continued from page* 1)

Hoffman said: "I am happier today with the new proposition than ever before. I feel Republic is going places and I want to go along."

Trem Carr, Republic vice-president in charge of production, pledged every effort "to maintain a high average for new Republic product."

"Wrongly directed film advertising and publicity bunk is having a bad reaction on the industry," declared Ed Finney, director of advertising and publicity.

He promised to take the bunk out of Republic advertising so that the public will not be led to expect more than it receives.

Other speakers were Clarence Schultz, Kansas City franchise holder; Arthur Bromberg of the southeastern territory, Gilbert Nathanson of Minneapolis; Oscar Hanson, Canadian general sales manager; Claude Ezell of Dallas and M. E. Morey of Boston. The afternoon session closed the business program.

A banquet at the hotel was presided over by Edward A. Golden, general sales manager. Sales managers and their men began leaving for their homes today.

Johnston and other home office officials continue on to San Francisco from here to conduct the west coast convention.

To RKO Meet June 11

HOLLYWOOD, June 9.—J. R. McDonough, B. B. Kahane, Howard S. Benedict and Robert Sisk leave June 11 for the RKO Radio convention in Chicago. All but Sisk will continue to New York after the meeting for home office conferences.

Grainger Revamps "U" Sales Forces

(*Continued from page* 1)

tions and bringing word of several shifts in the selling personnel.

E. T. ("Peck") Gomersall, western sales manager, will make his headquarters in Chicago until the new selling season is under way and will supervise Chicago, Milwaukee, Des Moines, Omaha, Kansas City, St. Louis, Detroit and Des Moines. He will not be replaced in New York.

Harry Graham, Kansas City district manager, gives up St. Louis, Omaha, Kansas City and Des Moines to Gomersall, but takes over Charlotte, Atlanta, Memphis, New Orleans, Dallas and Oklahoma City, at the same time transferring his headquarters to Atlanta.

John Ezell, temporary southern district manager, returns to management of the Atlanta exchange. T. J. Jordon, temporary Atlanta manager, returns to his former salesman's post.

W. J. Heineman, in charge of the Pacific Coast, in the future will report directly to Grainger as against Gomersall. He came east with Grainger and will be here for about two weeks.

David Miller, a "U" veteran who recently resigned as manager in Buffalo to become a booker for Warner theatres in Philadelphia which post he subsequently quit because of poor health, is back with his first love as a special representative operating out of New York.

Carl Laemmle is due in today for a week at the home office after which he will return to California.

"U" Plant Moving Along

HOLLYWOOD, June 9. — Edmund Grainger, producer of "Diamond Jim" for Universal, has signed Ferde Grofe, composer, to write the music score for the film which stars Edward Arnold.

Harry Clork and Doris Malloy have been signed to do the screen play of "The Hangover Murders" from the novel by Adam Hobhouse.

H. M. Walker and Andrew Bennison have been signed to work on the script of "Lonesome," the first of the Zasu Pitts-Hugh O'Connell feature comedies. David Diamond is producing it as well as the second of their comedies, "Gee Woman," which will be directed by William Nigh.

Commander Frank Wead and Eve Greene have been signed to do the script of "Storm Over the Andes." Christy Cabanne will direct under Paul Kohner's supervision.

"Godfrey" Script Completed

HOLLYWOOD, June 9.—Robert Presnell, associate producer for Universal, has finished the script of the film in which William Powell is to star for the company, "My Man, Godfrey." Presnell is now on his way to Cuba with his wife for a six-week vacation. They get back July 15.

Herzbrun with Lubitsch

HOLLYWOOD, June 9.—Henry Herzbrun accompanied Ernst Lubitsch when the latter left by plane for New York today. It is understood they were summoned by John E. Otterson, new Paramount head, and Adolph Zukor.

Variety Club

Albany

ALBANY, June 9.—CHARLES JOHNSTON was guest of honor at the last club luncheon.

JOE WOLF and HERMAN RIPPS were kings for a day, and the principal speaker was WILLIAM FITZSIMMONS, president of the Albany Chamber of Commerce and the Bar Ass'n.

Cincinnati

CINCINNATI, June 9.—Preliminary notice has been posted for the picnic to be held at Stricker's Grove July 27.

TOM REILLY, who recently took over Pleasure Isle, a nearby summer resort, has the place in full operation.

BILL WILLIAMS of Albany Tent No. 9, accompanied by Mrs. WILLIAMS, was a visitor at local headquarters.

NAT TURBERG, manager of the Paramount, Hamilton, is the newest member of the Rotary Club there.

MRS. PRISCILLA MORITZ, wife of the club's prexy, is recovering at her home following an operation at a local hospital.

Para. Departments To Shuffle Offices

Paramount theatre departments under Y. Frank Freeman, now housed on the 17th floor of the home office building, will be consolidated with other home office departments on the ninth floor by the end of the month.

The legal and clerical staff of Root, Clark, Buckner & Ballantine, counsel to the Paramount trustees, which occupied the ninth floor during the bankruptcy period, will begin vacating the offices June 17 and are expected to be entirely removed by July 1. The trustees, Charles D. Hilles and Eugene Leake, with their secretarial staffs, are also preparing to vacate their ninth floor quarters shortly after June 17, the date on which Federal Judge Alfred C. Coxe is scheduled to be asked to sign an order directing the trustees to turn over the Paramount assets to the officers and directors of the new company.

Carey Sues Weiss

LOS ANGELES, June 9.—Harry Carey filed suit in the Superior Court against Louis Weiss for alleged breach of contract. Carey claims that in 1931 he was signed by Weiss to make eight films in 16 weeks at $1,500 a week; that he made four films, was paid $11,500 and told that his services were no longer needed. The actor is suing for $12,750. Artclass Pictures Corp. also is named in the suit.

Louis Weiss is still in California. His brother, Max, was not in New York on Saturday.

Delay Bank Night Case

CLEVELAND, June 9.—Hearing by Common Pleas Judge McMahon on the first bank night case filed locally, originally set for last Friday, has been indefinitely postponed.

Meyer Fischer, Fountain, is asking for an injunction to stop bank night at the Haltnorth, operated by M. B. Horwitz. Judge McMahon refused to issue a temporary injunction pending hearing the case on its merits.

Looking 'Em Over

"Wagon Trail"

(*Continued from page 9*)

of the gang to be caught. He was forced to join the outfit on the threat of the head villain, the owner of the town saloon, to turn over his gambling debts to his dad.

When Carey learns the truth he turns the boy loose, with the result he is deprived of his sheriff's badge. Carey sets out after the villains, with the added incentive of winning back his post. There is a hot chase when the gang gets its hands on the boy. The film winds up with the chief villain killing himself when he is caught and the boy and his sweetheart headed for a quiet nook. The girl, who is the foster-daughter of the saloon operator, is played by Gertrude Messinger.

Also in the cast are Edward Norris and Roger Williams. Harry Fraser directed and Robert Cline handled the photography, which is good.

Production Code Seal No 832. Running time, 55 minutes. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Twenty Dollars a Week"

(Ajax-Selected)

HOLLYWOOD, June 9.—"Twenty Dollars a Week" had the preview audience in the aisles—some rolling, but most walking out.

It is a tale of obvious lechery rampant all over a business office. Pauline Starke takes one look at James Murray, and falls into a staring love trance, but she has determined to marry a millionaire so she breaks their date to go out with a sub-boss, Bryant Washburn. She gets an apartment which could not be had under $20 a day, but remains militantly a good girl even when engaged to the owner of the business.

Produced by a major company, the story would be no worse than routine, but struggling with inadequate adaptation, direction and cutting, here it becomes a burlesque of heavy melodrama.

In the cast are Gwen Lee, Dorothy Revere, William Worthington, Audry Rice, Jr., Bertlett Carre. Wesley Forde directed the screenplay by L. V. Jefferson from Rob Eden's novel.

No production code seal. Running time, 60 minutes. "G."

War Scare in Westchester

(*Continued from page 1*)

merely being fitted with new steel windows and new locks and hinges, however.

The reason for all this preparation is The Film Daily Golf Tournament set for next Wednesday at the Progress Country Club. The townspeople intend to be prepared for the bombardment of mud clots that is certain to descend upon them once the film boys begin belaboring the earth with their clubs. The greatest danger, however, is thought to lie in the gales of wind that will sweep down on the houses all day long from missouts in swings. For those who have to venture outside on this day, special helmets and protective suits are being provided by the Village Board of Selectmen and special lifelines will be strung along the main thoroughfare. All traffic will be re-routed away from the town to insure safety to travelers forced to pass in this vicinity.

Approximately 150 filmites will meet to vie for the number of prizes, among which will be one presented by the Quigley Publications. James Cron, leading golfer of that organization, denies that that prize will be presented to the player whose divot travels farthest from where he makes his shot.

The main match of the day, however, will be the one between the teams from the M. P. Club and the Ampa for a leg on the Albee Memorial Trophy.

John W. Alicoate, formerly general of the Kentucky colonels, has been resting at White Sulphur by way of preparation for the event.

He, plus entourage, will arrive here Tuesday evening to survey the terrain and to make certain the cellars—wine, not storm— are in the pink.

PATRONS
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to the theatres with



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GUARANTEED PROSPERITY FRATERNITY

Id Your Theatre's Name to the Bottom of
this List... Don't Cross Off a Thing...
Advertise It to Your Patrons to Let Them
Know Your Spring and Summer Programs Will
Be Fine Entertainment All Through the Show.

Ernest Truex
in
"Friendly Spirits"

★

Sylvia Froos
with Warren Hull, in
"Love in a Hurry"
A Young Romance Comedy

★

"It Never Rains"
From the Stage Play
by Aurania Rouverol
Frolics of Youth with
Junior Coghlan
and Dorothea Kent

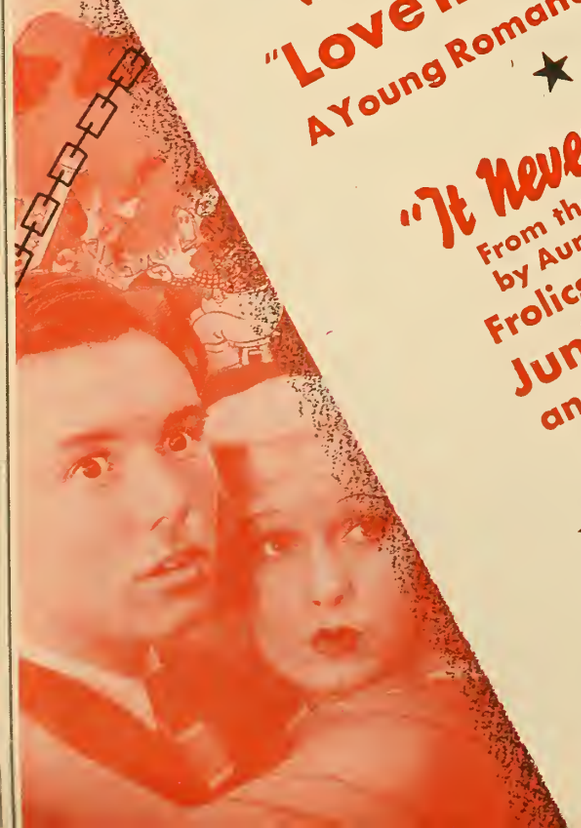
Tom Howard
and George Shelton in
"Time Out"

★

"Ski-Scrapers"
Another Gem from
The Treasure Chest

★

Paul Terry-Toons
by Frank Moser and Paul Terry
"A Modern
Red Riding Hood"
"Opera Night"
"King Looney XIV"



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Short Subjects Every Week...Tell Your
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The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 136 NEW YORK, TUESDAY, JUNE 11, 1935 TEN CENTS

M-G-M Peace Pact Foreseen In Windy City

Samuelson - Feist Talks Near Fruition Here

M-G-M's difficulties with Allied in Chicago will in all probability be straightened out within the next two weeks, it is learned. Several conference between Felix F. Feist, general sales manager for the distributor, and Sidney Samuelson, president of Allied, have been held in connection with the sales policy of M-G-M in the Windy City.

Although the first few meetings ended with no results, the later sessions are bearing fruit.

Samuelson will not discuss the M-G-M topic.

Feist Due from Chicago

CHICAGO, June 10.—Felix Feist, general sales manager of M-G-M, left

(*Continued on page 20*)

All Code Boards to Close on Saturday

All of the 31 code boards will be closed Saturday. Leases on all the offices have been paid up to June 15 when the secretaries wind up their work under the code. Furnishings in all branches are on lease and are being returned to respective owners, in some cases local Film Boards of Trade.

A number of the 20 girls working at Campi headquarters are being given

(*Continued on page 20*)

Giveaways Spread in N. O. as Code Passes

NEW ORLEANS, June 10.—Optimists who had hoped it would be possible to hold subsequent run houses together under NRA practices forbidding giveaways and the like are either due to

(*Continued on page 20*)

Pleased

Cincinnati, June 10.—Delegates to the Republic regional, prior to their departure over the week-end, expressed appreciation over distribution of *Motion Picture Daily* at their convention. The paper was flown here Friday and Saturday from New York.

"That's real service and characteristic of the paper," was the reaction.

Capital Stops Move to Delay Ascap Hearing

Cummings Vetoes Plan As Case Comes Up

Attorney General Homer S. Cummings in Washington yesterday vetoed a proposal calling for a postponement to October of trial of the government's anti-trust suit against the American Society of Composers, Authors & Publishers and insisted that the case go to trial immediately, as scheduled.

Accordingly, it is expected that trial of the suit will begin before Federal Judge Henry W. Goddard this morning. It will probably continue until July 1, when a forced adjournment

(*Continued on page 20*)

Television Cable Hearing Is Fixed

WASHINGTON, June 10.—A hearing on A. T. & T.'s application to the Federal Communications Commission to install a television cable between New York and Philadelphia has been set for June 17 here. Western Union and Postal Telegraph, who, it is reported, fear that the new service may

(*Continued on page 20*)

Ohio Playdate Case May Go Over to Fall

COLUMBUS, June 10.—Because of injuries sustained by Judges Robert R. Nevin and Benson W. Hough of the Federal Court in an automobile accident trial of the constitutional attack on the Ohio playdates bill may go over until fall.

It was scheduled for hearing this week.

"Pastures" Bought

Hollywood, June 10.—"The Green Pastures," Marc Connolly's play based upon the Roark Bradford negro stories, has been bought by Warners at what is reported a record-breaking price. Max Reinhardt may produce. Connolly is in negotiation with Warners on a supervisory position on this production.

Warners Up Sears, Smith And Einfeld

LOS ANGELES, June 10.—Promotion of A. W. Smith, Jr., eastern and Canadian sales manager; Gradwell Sears, western and southern sales manager, and S. Charles Einfeld, advertising and publicity head of Warners, to vice-presidents of the Vitagraph Corp. was announced by Harry Warner at the opening of the company's convention here today. Smith and Sears presided.

Harry Warner told the conventioneers Warner business today was double what it was at the height of the depression. He asserted the com-

(*Continued on page 28*)

RKO-Warner Product Deal to Be Set Soon

Negotiations between RKO and Warners for 50 per cent of the latter's product in the circuit's local houses will be concluded upon return of the distributor's sales heads from the sales convention on the coast.

Preliminary details were set on the deal before the Warner men departed for Los Angeles. Loew's gets the other 50 per cent of the product locally.

Senate Group Moves for Voluntary Code Measure

WASHINGTON, June 10.—Paving the way for the adoption of voluntary codes, the Senate Finance Committee today agreed upon amendments to the measure passed last week extending the Industrial Recovery Act to April 1, next.

The measure will be brought up tomorrow in the Senate, which will meet an hour early for the purpose, and will probably be disposed of within an hour or two.

The committee amendment adds to the House extension of the NRA a provision that "the exemptions provided in Section 5 of such title shall extend only to agreements and action thereunder (1) putting into effect the requirements of Section 7-A, includ-

(*Continued on page 20*)

Circuit Idea Goes Dormant In N. Y., N. J.

Exhibitors Dislike Idea Of New Corporation

Despite manifested hopes of its sponsors that the plan eventually will bear fruit, the two local schemes to corral about 150 independent houses in New York and approximately 75 in New Jersey into two compact corporations again have reached the dormancy stage after having emerged three weeks ago from a prolonged lethargy.

It's the same old story and its corollary reasons why nothing may come of the plan. The story is that where exhibitors are asked to pool their interests in a corporation for which stock would be given in return, although management would be retained by the owner, there develops

(*Continued on page 2*)

Rogers, Goldstein Will Join Republic

Budd Rogers, sales manager of Liberty, and E. H. Goldstein, former general manager of Majestic, are expected to join Republic's home office staff in executive sales capacities. It is probable Rogers will concentrate on circuit sales, while Goldstein's duties are not yet defined. Both men will work under supervision of E. A. Golden, general sales manager.

W. Ray Johnston, Norton Richey, Herman Rifkin, Herman Gluckman, Rogers, Ed Finney and Madeleine White returned from the Cincinnati regional yesterday morning. Golden is en route to Seattle, where a second regional will be held beginning Friday.

Report Rosenblatt May Join the TOCC

Reports are current that Compliance Director Sol A. Rosenblatt will be retained as counsel for the T.O.C.C. upon his retirement from the NRA on Sunday. Rosenblatt has held several conferences with Charles L. O'Reilly,

(*Continued on page 20*)

Joining Paramount

It is understood Watterson R. Rothacker will join Paramount in an executive capacity. Reports persist his new post will identify him with the studio.

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"Flame" Gets Weak $21,000 at Capitol

"The Flame Within" at the Capitol last week garnered a meagre $21,000, but "Public Hero Number 1" and Sophie Tucker on the stage are aiming for a much higher gross with the show scheduled to hold another week.

For the 12 days of "Chinatown Squad" at the Mayfair under Walter Reade's operation, the tally was $7,500. Loew's yesterday opened the house, having taken a five-year lease with options for five more, at $55,000 annually. The fourth week of "Goin' to Town" at the Paramount ended with $18,000. The Roxy took in $24,000 with "Loves of a Dictator" and this week "The Clairvoyant" will approximate $25,000. "Break of Hearts" at the Palace wound up with $8,000.

German Distribution Will Be Centralized

BERLIN, June 10.—Centralization of distribution for all German films abroad has been ordered by the Propaganda Ministry, effective Sept. 1. The ministry also has put a clamp on exhibition of films from pre-Nazi days in which Jewish actors had parts.

Most Complete
PRODUCTION LIBRARY
CHOICE PATHE STUDIO STOCK SHOTS
Write or Wire
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GENERAL SERVICE STUDIO
1040 No. Las Palmas Hollywood, Calif.

Purely Personal

MIKE ROSENBERG, head of Principal Theatres, has returned to Los Angeles after attending product confabs with National Theatres subsidiary heads here. HAROLD J. FITZGERALD has gone back to Milwaukee, but JACK J. SULLIVAN, RICK RICKETSON, ELMER C. RHODEN, ARCH BOWLES, CHARLES SKOURAS and EDWARD ZABEL remain for additional talks.

•

JOHN GILMOUR, producer of General Electric Industrials, is in town from Schenectady. He has just finished "Excursions in Science" and may make other short reels for the company at the rate of four annually.

•

CECIL B. DEMILLE is due in with a print of "The Crusades" on Thursday. He will make an appearance at the Paramount sales convention at the Waldorf this week.

•

MAX GORDON is all set on the deal whereby M-G-M will participate in the financing of his shows and papers are expected to be signed shortly.

•

J. ROBERT RUBIN sails shortly for a month's vacation in Europe. He doesn't like the coast and that's why he's passing it up.

•

CHARLES WALDRON has been signed by M-G-M for a role in "Here Comes the Band." The deal was handled by the William Morris Agency.

•

ROUBEN MAMOULIAN has been awarded the American Institute of Cinematography honor diploma for his work on "Becky Sharp."

•

ED KUYKENDALL had to postpone his planned trip here and now does not expect to be in until the middle of next week.

•

IKE LIBSON will arrive from Cincinnati tomorrow for conferences with RKO home office executives.

•

MORT SINGER is fully recovered from his recent illness. He may take a train to Chicago any day now.

•

H. W. REITER has been appointed publicity director of International Road Shows, Inc.

•

NATE BLUMBERG has licked that cold and was back on the job of running RKO theatres yesterday.

•

IRVING BERLIN arrived from the coast yesterday after finishing music for "Top Hat."

•

LORETTA YOUNG arrives from the coast today for a brief vacation.

•

PAUL ASH headlines the revue at the Roxy beginning Friday.

•

LILY PONS is due to arrive in Hollywood about July 1.

•

LEE SHUBERT sails Friday for Europe. Business and pleasure trip.

•

. . . Cincinnati

HAROLD ECKARD, assistant manager of the RKO Shubert, is at the ticket window of Latonia racetrack since closing of the theatre for remodeling 10 days ago.

ED BOOTH, M-G-M manager, back from a sojourn in Florida.

NELSON TROWBRIDGE, head man at the Cox, has taken his family to Michigan for the annual summer vacation.

E. V. DINERMAN and JOE GOETZ, advertising chief and division booker, respectively, for RKO, have given up their contemplated trip to Hollywood, and will spend part of their vacation in New York instead.

ROY MILLHOLLAND, staff artist at RKO division office, has resigned to join the art department of the Kroger Grocery & Baking Co. here.

Lubitsch, Herzbrun Start Conferences

Ernst Lubitsch and Henry Herzbrun, who arrived from the coast by plane yesterday morning, went into conference early in the afternoon with Adolph Zukor and John E. Otterson and remained closeted until a late hour.

Out of the conferences with Lubitsch and Herzbrun are expected to come the recommendations for the new Paramount board and executive committee which will decide the future executive setup at the studio. The executive committee is scheduled to consider the subject this week and may itself take summary action, subject to the later approval of the board.

Strike Closes Three Mexico City Houses

By JAMES LOCKHART

MEXICO CITY, June 10.—A strike resulting from alleged unjustified dismissal of 25 ticket-takers and a demand for increased wages has closed three neighborhood houses and threatens to shut one first run and five second runs next Saturday.

A boycott of Mexican and foreign distributors has been voted by the local branch of the Confederation of Workers and Peasants, this country's strongest labor organization, as a protest against distributors' refusal to allow their employes to join the Cinema Employes' Union. The confederation has advised some distributors that the boycott will be put into effect unless they reinstate employes dismissed for alleged union activities. Other branches of the confederation are supporting the boycott move.

The distributors point out that these workers already have a union of their own.

Philip Klein, 46, Dead

HOLLYWOOD, June 10.—Philip Klein, 46, film writer and producer, died here yesterday of pneumonia. He won the Academy award several years back with his script of "Four Sons." He wrote Shirley Temple's first starring vehicle, "Baby, Take a Bow." His last writing job was the script of "Dante's Inferno," on which he collaborated with Robert M. Yost.

Surviving are his widow and three daughters. Klein will be cremated and his ashes scattered over the Pacific.

Gar Moore's Son Killed

NEW ORLEANS, June 10.—Gar Moore, Jr., son of Gar Moore, Orpheum Theatre publicity head, was instantly killed here Wednesday when he darted in the path of an automobile.

Circuit Idea Goes Dormant In N. Y., N. J.

(*Continued from page* 1)

sufficient distrust in the minds of some exhibitors to upset the applecart.

About two weeks ago when the plan was revived about 25 New Jersey independents openly approved the idea at a meeting in Newark. Following this session, a conclave of 86 New York exhibitors was held at the M. P. Club. The men present were in the mood and endorsed the local tieup en masse, but when it came time to follow through, that was something else.

Sponsors of the plan visualized the present as propitious for pooling, since it is just a few weeks ahead of new selling. It was figured it would take a few weeks to work out the details and if the plan were successful the combine would make itself felt when the new selling season broke.

Milton C. Weisman, attorney for the I.T.O.A., had been detailed to draw up the plan for the local unit, but he has been busy with other matters. The idea has no connection with either the I.T.O.A. or the T.O.C.C.

Although the circuit idea is back in the doldrums, there are several unaffiliated exhibitors who cling to the last remaining hope that in the future something will develop along the lines outlined. However, the few advocates and hopefuls are not precise as to a definite date. No future meetings are scheduled in New Jersey and New York.

May Quigley Award Goes to Sindlinger

Al Sindlinger, manager of the Appleton, Appleton, Wis., is winner of the May Quigley Award. He captured it for his campaign on "Goin' to Town," and was the winner by a close vote of the judges for Managers' Round Table Club of *Motion Picture Herald.*

Herb Morgan, Loew's Baltimore publicity man, came in second and won the bronze plaque for his campaign on "Les Miserables."

Three entries received first mentions. These were: Ongie Ratto and Lou Brown, Loew's Palace, Washington, "Goin' to Town"; Sam Gilman, Loew's Harrisburg, "Mark of the Vampire"; Dwight Van Meter, Warners' Astor, Reading, "Bride of Frankenstein."

Milgrim Files Suit Against Fox on Film

PHILADELPHIA, June 10.—Suit has been filed by David Milgrim of the Garden, West Chester, in the Eastern District Court, against Fox, alleging that the distributor assured the exhibitor he would continue to get Fox product. Milgrim claims he has been playing Fox for the last two years and now the company has sold away to Warners. Ben Golder is representing the plaintiff.

Felix Jenkins, general counsel of Fox, yesterday stated he had heard of the suit but has had no details.

The FIRST COMPANY in 1935-1936





THE *First* COMPANY *keeps* FAITH!

1935-1936

There's an obligation in leadership. The following pages tell why M-G-M in '35-'36 will be the backbone and security of your business. They explain why M-G-M has meant safety, not speculation, for eleven years. They reveal why your patrons who buy names will want the line-up that has more STARS than all other companies combined. In no previous year of its history has the Leader offered such an array of Giant Productions. Keeping faith means keeping FIRST. Keeping FIRST means having the greatest resources and talent on earth! Here it is!
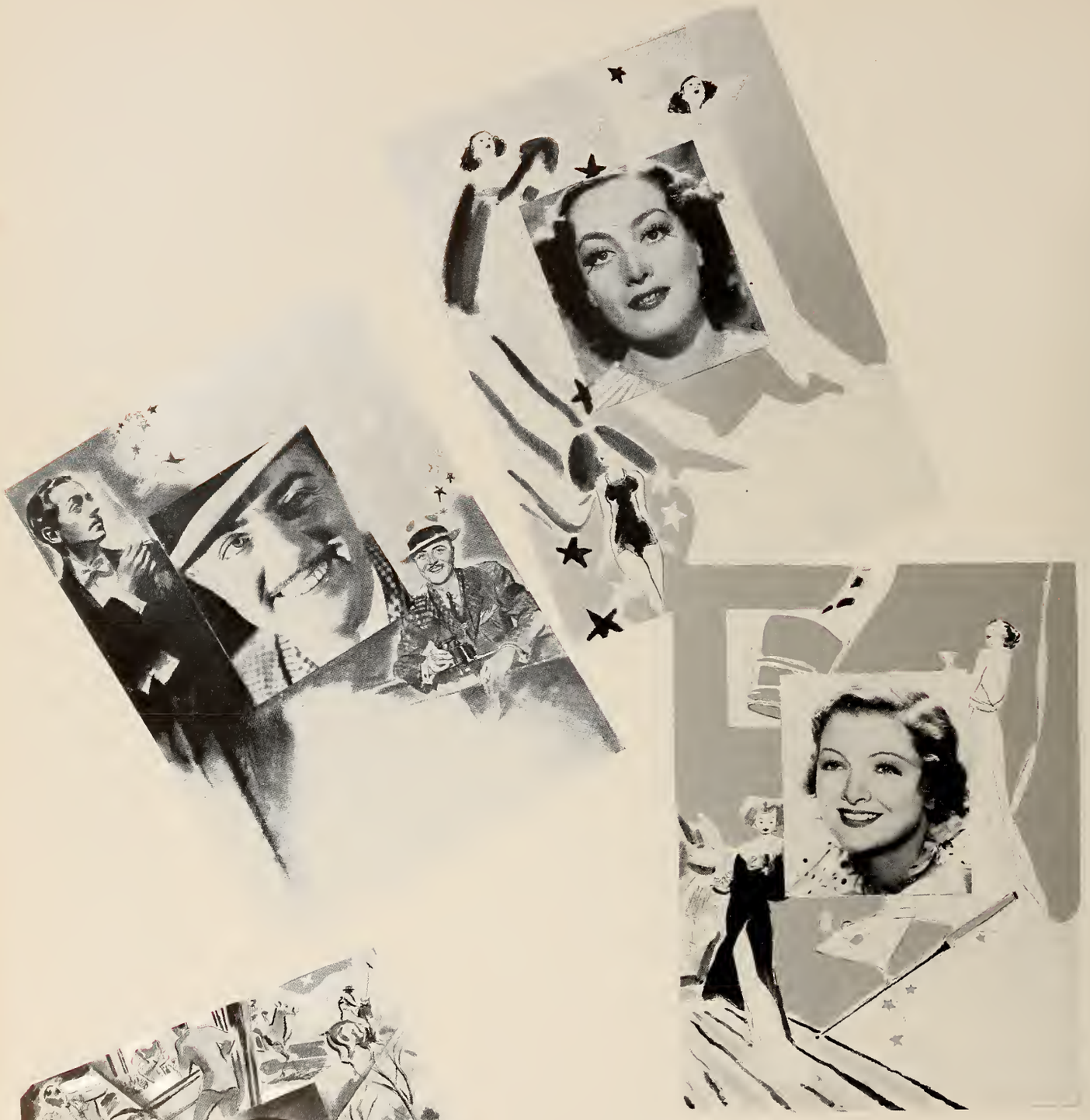










Presenting  on this page that First Lady of the Screen NORMA SHEARER—that gent who is a diamond in the rough WALLACE BEERY—the One and Only GARBO and CLARK GABLE whose smile is *his* fortune and *yours!*



Such an assemblage of STELLAR names on this page: JOAN CRAWFORD at the very top of box-office glory—WILLIAM POWELL that debonaire fellow—and the girl the public voted for Stardom MYRNA LOY—also that sly mixer of fun and romance ROBERT MONTGOMERY.
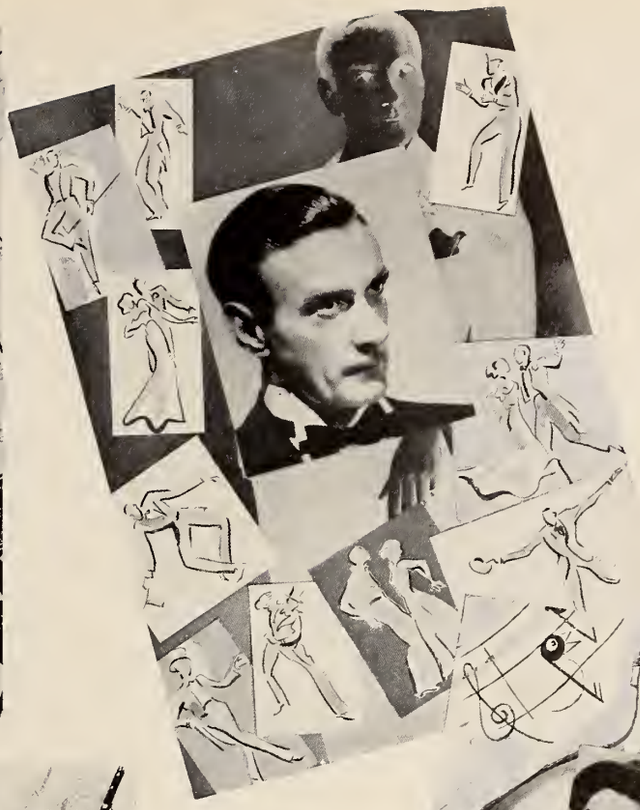








We have with us on this page JEAN HARLOW, luscious lady of platinum tresses — and CHARLES LAUGHTON who appears in big hits only — also JEANETTE MAC DONALD exquisite song bird; and the handsome star whose fan mail is the envy of Hollywood NELSON EDDY, next season's big name!



Needing no introduction Miss GRACE MOORE who wins all the prizes; LAUREL-HARDY, who win all the laughs and that boy FREDDIE BARTHOLOMEW whose Copperfield was just the beginning — CONSTANCE BENNETT more stunning than ever and bless his heart, that grandest man LIONEL BARRYMORE.











Smart Leo to have signed up (*on this page*) that merriest of radio favorites JACK BENNY, that stage star, comedian and dancer CLIFTON WEBB; here also are beloved JACKIE COOPER; those mad MARX BROTHERS and SPENCER TRACY; for all of them Leo has very interesting plans, indeed!


THE First PRODUCT OF 1935 & 1936
6 Specials
of STAR-combination and GIANT-size destined to be the year's Extended Run hits!
22 Star Productions
from the Gallery of the Great emblazoned on preceding pages
4 Promotion Specials
a new sensational showmanship idea in the M-G-M manner
3 Musical Pictures
with STAR casts in famed vehicles of "Naughty Marietta" prominence
14 Marquee Pictures
reverting to their original popular policy of timely stories, strongly cast!
49 from M·G·M
(and they will make box-office history!)

Six Specials

CHINA SEAS

is COMPLETED and will be released in August. It is one of the GREATEST FILMS EVER MADE! *starring*

CLARK GABLE · JEAN HARLOW · WALLACE BEERY

Based on novel by Crosbie Garsten. Directed by Tay Garnett. Adapted by Jules Furthman

WHEN you glimpse Irving Thalberg's production of "China Seas", you will get an idea of the kind of product M-G-M will flash on the industry in the new season. From now on the title "China Seas" will be mentioned wherever film folk meet. You will read about it often in the trade press.

Behind a wall at the M-G-M studios is one of the most amazing sets created since "Ben-Hur." It is the harbor of Hong Kong, noisy, crowded, colorful. Here is enacted the pulse-pounding drama between Clark Gable, as the hard-bitten sea-faring man; Jean Harlow as the frank lady of the Oriental ports and Wallace Beery as the bluff trader who also seeks Miss Harlow's affections. The power and the elemental thrill of Gable and Harlow in this picture is even more tempestuous than it was in "Red Dust."

"China Seas" deals with fierce loves, bitter hatreds and dangerous intrigues and is played against a background of tropical hurricanes and pirate raids. Aboard the wheezy old liner Kin Lung, as she beats down the coast from Hang Kang to Singapore, are not only the group of white people in her cabins but also a wild assortment of Malay gangsters in her forecastle. Storms batter the Kin Lung and all but disable her. Pirates capture her and torture Gable, her skipper. The pirate raid is a scene never to be forgotten in the action annals of films. And right out of the headlines, too, for this coast of China is the last stronghold of pirates today. This stark, throbbing panorama comes to the screen for the first time in what is destined to be one of the most lustily exciting screen dramas of our time.

WIFE vs. SECRETARY

Based on the novel by Faith Baldwin in Cosmopolitan Magazine

LISTEN to this yarn . . . and visualize it portrayed by BIG STAR names . . . and produced in the de luxe M-G-M manner with backgrounds of Park Avenue penthouses, swanky Palm Beach, beautiful Bermuda. Faith Baldwin, the authoress, who knows what-the-public-wants, has given here in full, rich measure, a sparkling comedy drama. She relates her high-voltage story in the ultra modern manner, and yet with a tug at the heart and a primitive elemental thrill of the soul. Briefly, a combination business executive and society playboy in love with his wife engages in a harmless flirtation with his beautiful secretary. This man finds it passible to be crazy over two women at the same time and true to both of them. The secretary doesn't want another woman's husband. She doesn't know that side of him. She's in love with her boss, a different kind of loyalty and devotion that the modern world of business causes to happen. On the other hand, the wife doesn't truly know the man at the office. But audiences will be excited by this true-story-telling, because these human relationships happen in their own lives. The showman-producers of M-G-M sensed this in the selection of this story. Their judgment has been confirmed by the overwhelming response which Miss Baldwin's story has received nation-wide from readers of Cosmopolitan Magazine. It is one of the HIT magazine features of the year. It will be one of the HIT screen attractions of '35-'36 in a Star-Studded, de luxe M-G-M entertainment.

(Continued on the following page)

BROADWAY MELODY OF 1936

Cast: JACK BENNY, ELEANOR POWELL, ROBERT TAYLOR, SID SILVERS, BUDDY & VILMA EBSEN, JENNY LEGON, FRANCES LANGFORD, SHIRLEY ROSS, UNA MERKEL, STUART ERWIN, JUNE KNIGHT, NICK LONG, JR., Etc.

Director, Ray Del Ruth. Baak by Jack McGawan and Sid Silvers. Music by Brown and Freed. Dances staged by Dave Gauld. Special Dance Number by Carl Randall.

OKAY, gentlemen... tell us it was a long time caming ... tell us the public has patiently awaited another smash ramantic musical to equal M-G-M's one and only original "Braadway Melady." But don't farget to add that all the dreams have come true... here is **"Broadway Melody of 1936"** to tap its famed predecessor with its talent, with its music, with its praduction wonders and with its stary that combines heart-throbs, dramatic suspense, a million laughs and a wallop at the end to send them away cheering. It was the exciting human interest story af M-G-M's earlier success that kept them clinging to the edge of their seats. The **"Broadway Melody of 1936"** is blessed with a dramatic lave stary twice as intense, with twists and unexpected developments in rapid-fire, breath-taking profusion. Unique methods of introducing song and dance and spectacle, make this a model of ingenuity. Carl Randall's "Magic Dance" number, mystifying as a Houdini trick and beautiful to behold, is a brand new note on the screen. Numbers like "I've Got A Feeling For You," "Broadwoy Rhythm" and "Lucky Star" blaze a new trail for music and spectacle on the screen. And that WALLOP at the end... a surprise finish with a bang! And what a cast, headed by radio favorite Jack Benny. And those gowns by Adrian! Sing out the good news... **"Broadway Melody of 1936"**... a success-picture that will pack them in for the biggest money's worth of joy they've ever had in their lives.

A TALE OF TWO CITIES

starring

RONALD COLMAN

and big name cast, including

ELIZABETH ALLAN, BASIL RATHBONE, DUDLEY DIGGES, EDNA MAY OLIVER, CONSTANCE COLLIER, HENRY B. WALTHAL, REGINALD OWEN, WALTER CATLETT

Based an the Charles Dickens navel. Adapted ta the screen by W. P. Lipscamb, who did the famed script an "Les Miserables." Jack Conway, Directar

AT this time when BIG spectacular productions defy all precedent in what they can do at the box office, M-G-M cames alang with the BIGGEST! **"A Tale of Two Cities"** is Dickens' mast celebrated action romance, read by millians, known the world over.

The drama takes place in Landan and Paris during the thunderaus days af the French Revolution. Ranald Calman plays the part of Sidney Cartan, handsame English idler wha falls in lave with Lucie Manette, French beauty. Lucie, after securing the release af her father from the grim prisan Bastille, marries Charles Darnay, a titled French nobleman who greatly resembles Carton. Darnay bravely faces the terror of Paris to rescue an old family servant; he is betrayed by the shrewdness of the relentless Madame Defarge, a wine-seller, and is thrown into the dread dungeons of the Revolutionists. The spectacle approaches its unforgettable climax when Ronald Colman, as Cartan, taking advantage of his resemblance to the candemned Darnay, saves the husband of Lucie whom he loves dearly, by substituting himself in the dungeon and gaing to his death on the scaffold instead of Darnay.

Haw fortunate that writer W. P. Lipscomb, whose screen stary of "Les Miserables" is so widely credited with that picture's success, should be the one selected to tell the stary af **"A Tale of Two Cities"** for the screen. Go back in yaur memory to the most glorious M-G-M giont attractions that have stirred the world and be assured that **"A Tale of Two Cities"** will top them all!

THE FORTY DAYS OF MUSA DAGH

Based on the novel by Franz Werfel. Screen play by Carey Wilson and Talbot Jennings.

THE most electrifying announcement of recent times was the flash to the world that M-G-M had bought the year's best seller, **"The Forty Days of Musa Dagh,"** and that this remarkable novel would be filmed by Irving Thalberg as one of the most staggering production-undertakings of all picture history. No wonder this news-flash sped to the four corners of the globe, because the book, with its heart-stabbing story, had gripped the sympathetic attention of a world-audience. More than a hundred and seventy thousand copies were rapidly sold and the presses have been pouring forth additional thousands ever since! Why? Because this is life's blood, vivid on the printed page . . . the drama of the people of seven Armenian villages who, during the first year of the World War were cut off from the rest of the world. Facing extermination at the hands of the Turks, their beautiful daughters fleeing from the bestial approach of the soldiery, struggling against inhuman odds to preserve their lives, this wretched band entrenched themselves in the wild fastnesses of the holy mountain Musa Dagh. At their head was a handsome and wealthy young Armenian who yielded a life of ease and luxury in Paris to lead his distressed people. A mountain forest fire, a devastating avalanche, the endless replacement troops of the enemy, the distracting love of a beautiful woman . . . all these plagued him, but for forty memorable, world-shaking days he and his little band held out. And then at desperation's last stand, when the French cruisers arrive for the breath-taking rescue, there is climax on climax to win the tears and cheers of all audiences. There are actually 63 name parts assuring a host of the industry's stars in the brilliant cast of next season's towering entertainment. Salute now the genius of Thalberg, for this picture is destined for inclusion among the rare few immortalized in the Screen's Hall of Fame! Backed by a $2,500 Prize Contest now current in Modern Screen Magazine in cooperation with M-G-M and the publishers, Viking Press.

THE GREAT ZIEGFELD

starring

WILLIAM POWELL

and Big Name Cast

By arrangement with the estate of Florenz Ziegfeld and presented in an original story by William Anthony McGuire

EVERYBODY wanted it! M-G-M got it! So big in possibilities, so gigantic in stature for proper presentation of the most magical name in show business . . . that only M-G-M could handle it! ZIEGFELD! What a wealth of showmanship it represents for every highway and byway of the globe! It is the symbol of this generation's ultimate vision of what's top in the show world! A trademark on any theatre's marquee that pre-sells a giant entertainment GLORIFYING THE AMERICAN GIRL. Only M-G-M has the rights to **"The Great Ziegfeld,"** a name that's worth its weight in gold, built up by years of glamour and scintillating headliners. The production of this picture is being undertaken by the M-G-M studios on a scale ranking with the most pretentious in its history. William Powell has been chosen for the role of Ziegfeld. Harriet Hoctor, dancing star, is the first of a long list of celebrities engaged. Of many lavish scenes, a typical example is the Lion Ballet being staged by the renowned dance director, Seymour Felix, in which countless beauties, trained lions, ponies, dogs and other animals take part. William Anthony McGuire, who wrote the original story, will be associated in its production. McGuire's background of hits gives you an idea of what he can do..."Whoopee," "Three Musketeers," "Kid Boots," "Roman Scandals," just to mention a few that poured millions into box-offices! And that's why Mr. Exhibitor may safely dust off the S.R.O. sign...or better yet, get himself a few extra ones, for here comes M-G-M's **"The Great Ziegfeld."**

22 Star PICTURES

(In addition to the names mentioned below there will be co-stars as occasion permits)

2 CLARK GABLE
2 GARBO
1 GRACE MOORE
3 JOAN CRAWFORD
2 JEAN HARLOW
1 JEANETTE MacDONALD
1 JEANETTE MacDONALD—NELSON EDDY
3 LIONEL BARRYMORE
1 MARX BROTHERS
1 NORMA SHEARER
2 ROBERT MONTGOMERY
2 WALLACE BEERY
1 WILLIAM POWELL

3 MUSICAL PICTURES

with STAR Casts in famed vehicles of "Naughty Marietta" prominence.

14 MARQUEE PICTURES

Reverting to the original popular policy of this series. Timely stories with strong casts.

4 Promotion Specials

Introducing a new idea in the merchandising of motion pictures. Of course, M-G-M does it first. Combines a smash advertising campaign with a new twist. The plan is now being developed nation-wide, and details will shortly be announced. Depend on it for something box-office-wise that's never before been attempted!

First in Personnel

GREAT TALENTS MAKE GREAT PICTURES

(Listed Alphabetically)

STARS — Lionel Barrymore, Freddie Bartholomew, Wallace Beery, Constance Bennett, Jack Benny, Jackie Cooper, Joan Crawford, Nelson Eddy, Clark Gable, Greta Garbo, Jean Harlow, Charles Laughton, Myrna Loy, Jeanette MacDonald, Marx Brothers, Robert Montgomery, Grace Moore, William Powell, Norma Shearer, Spencer Tracy, Clifton Webb.

FEATURED PLAYERS — Brian Aherne, Elizabeth Allan, Granville Bates, Robert Benchley, Virginia Bruce, Charles Butterworth, Bruce Cabot, Joseph Calleia, Mary Carlisle, Constance Collier, Dudley Digges, Wera Engels, Stuart Erwin, Madge Evans, Louise Fazenda, Betty Furness, Gladys George, Maritza Gervay, Russell Hardie, Frank Hayes, Louis Hayward, Ted Healy, Louise Henry, William Henry, Jean Hersholt, Irene Hervey, Gyles Isham, Allen Jones, June Knight, Otto Kruger, Frances Langford, Paul Lukas, Mala, Una Merkel, Frank Morgan, Karen Morley, Edna May Oliver, Maureen O'Sullivan, Reginald Owen, Cecilia Parker, Jean Parker, Nat Pendleton, Eleanor Powell, Luise Rainer, May Robson, Mickey Rooney, Shirley Ross, Rosalind Russell, Frank Shields, Harvey Stephens, Henry Stephenson, Harry Stockwell, Lewis Stone, William Tannen, Robert Taylor, Franchot Tone, Charles Trowbridge, Henry Wadsworth, Lucile Watson, Johnny Weissmuller, Diana Wynyard, Robert Young.

DIRECTORS — Richard Boleslawski, Clarence Brown, George Cukor, Jack Conway, Roy del Ruth, Victor Fleming, Sidney Franklin, Karl Freund, Tay Garnett, Edmund Goulding, William K. Howard, Fritz Lang, Robert Z. Leonard, Frank Lloyd, Edward L. Marin, Charles Riesner, Richard Rosson, Walter J. Ruben, George Seitz, Paul Sloane, Edward Sloman, Richard Thorpe, W. S. Van Dyke, William Wellman, Sam Wood, Sam Zimbalist.

WRITERS — Marion Ainslee, John Balderston, Philip Barry, Vicki Baum, Sam Behrmann, Charles Beldon, Robert Benchley, Al Boasberg, Major R.V. C. Bodley, Ethel Borden, Karl Brown, Robert Carson, Allain Chandor, Harry Conn, Marc Connolly, Ruth Cummings, John Emerson, Guy Endore, Gladys von Ettinhausen, John Farrow, Michael Fessier, Leonard Fields, Edith Fitzgerald, Douglas Foster, Jules Furthman, James Edward Grant, Richard Goldstone, Leon Gordon, Albert Hackett, Oscar Hammerstein, Geza Herczeg, John C. Higgins, Monckton Hoffe, Robert Hopkins, Talbot Jennings, George S. Kaufman, Virginia Kellogg, Jack Kirkland, Edwin Knopf, Charles Lederer, Robert Lees, Robert Liebmann, Lew Lipton, W. P. Lipscomb, Anita Loos, Dr. Thomas MacLaughlin, John Mahin, Herman Mankiewicz, Joseph Mankiewicz, Joseph Moncure March, Frances Marion, John McGowan, James McGuinness, John Meehan, Bertram Millhauser, Byron Morgan, Louis Mosher, George Oppenheimer, Louis Paul, Hyman Pearson, Laura Perelman, S. J. Perelman, Robert Pirosh, Charles Powell, Gottfried Reinhardt, Fred Rinaldo, Howard Emmett Rogers, Wells Root, Florence Ryerson, Morrie Ryskind, Richard Schayer, George Seaton, Ted Shane, Joe Sherman, Sid Silvers, Dave Silverstein, Donald Ogden Stewart, Pete Smith, Dan Totheroh, Ernest Vajda, Salka Viertel, Claudine West, Carey Wilson, Hans Wilhelm, Harry Leon Wilson, P. J. Wolfson, Edgar Allan Woolf.

From the Star Group

GARBO *and* FREDRIC MARCH *in* ANNA KARENINA

(For September Release.) It is completed and is positively the greatest Garbo picture of her entire career. Based on the novel by Tolstoi. Director Clarence Brown

The Cast: GRETA GARBO, FREDRIC MARCH, FREDDIE BARTHOLOMEW, MAUREEN O'SULLIVAN, MAY ROBSON, REGINALD OWEN, BASIL RATHBONE, REGINALD DENNY, PHOEBE FOSTER, JOAN MARCH and 15 more!

THOSE who have been priviliged to see the completed production of **"Anna Karenina"** state without reservation that this is the Garbo picture for which the fans have yearned. This is the Garbo to yield tears, to grip souls, to thrill a romance-hungry world. Beautiful wife of a neglectful Russian government official, she meets the handsome Vronsky and their lives become fatefully joined. Their overpowering love surmounts tragedy and social ostracism. Their story is tear-dimmed, yet exquisitely beautiful, a drama so gripping it reaches deep into the public heart. Garbo is magnificent. Fredric March, newly applauded in "Les Miserables," is handsome and powerful in his role of lover. Freddie Bartholomew makes his first appearance following his "Copperfield" triumph and is definitely on the way to stardom. The skilled direction of Clarence Brown prophesies a headline triumph of the next season!

AFTER THE THIN MAN *with* WM. POWELL • MYRNA LOY

A NATURAL because the fans are waiting for it. And Dashiell Hammett, the author, Goodrich and Hackett, the adaptors, and W. S. Van Dyke, the director, are conspiring again to repeat the record-breaking success of their previous popular entertainment, "The Thin Man." The sequel is equally smart in dialogue and much more dramatic in story, with the delightful romantic feeling between William Powell and Myrna Loy that the fans loved.

First in Story Properties

Following are part of M-G-M's great story properties from which many of the 1935-36 productions may be selected

MAYTIME
Sigmund Romberg's famed light opera, one of the most tenderly romantic ever written, set the world singing "Will You Remember?" a love song of imperishable quality. By Rida Johnson Young, who wrote "Naughty Marietta."

SACRED AND PROFANE LOVE
The renowned artist's model story by Arnold Bennett.

TISH
Mary Roberts Rinehart's story of the indomitable old lady who meets any situation and triumphs.

TIMBERLINE
Gene Fowler's best-seller portraying great events and great romance in the lives of two newspaper publishers in the roaring West.

THE WIND AND THE RAIN
Stage hit by Merton Hodge of British boarding school life and a youth who falls in love with the headmaster's pretty wife.

BLACK CHAMBER
By Herbert O. Yardley. The inside goings-on of the American secret service in Washington during the war.

AH WILDERNESS
Theatre Guild success by Eugene O'Neill. George M. Cohan's role won fame comparable to Frank Bacon's "Lightnin'." An extensive road-tour has given the play a national reputation. Clarence Brown director.

LIVING IN A BIG WAY
Cosmopolitan Magazine novelette by Louis Bromfield. A beauty contest winner gets into trouble with gangsters in New York and is rescued by an old lady friend from her home town.

MAN CRAZY
Based on Liberty Magazine serial story, "Bright Girl" by Vina Delmar. A small town girl leaves home to make her own way in the world only to find out that home is the best place after all.

LADY COMES TO TOWN
Cosmopolitan Magazine. Novelette by Clements Ripley. Story of a Boston schoolgirl who goes to Colorado and falls in love with a gambler.

HER EXCELLENCY'S TOBACCO SHOP
European stage hit. A girl behind the counter of a tobacco shop is lifted to Cinderella heights by the love of a Prince.

GOLD EAGLE GUY
Outstanding hit of New York's famed Group Theatre. By Melvin P. Levy. Story of a great shipping family of the Pacific Coast. Spectacular scenes include the San Francisco earthquake.

HERE COMES THE BAND
A super-musical featuring Ted Lewis and his great band' plus Ted Healy, Nat Pendleton and other names from stage and screen. Music by Jerome Kern.

SILAS MARNER
George Eliot's greatest novel. M-G-M picks another world-beloved winner.

OLIVER TWIST
Who but the producers of "Copperfield" could better capture for the screen the heart-stabbing pages of this world-famed Charles Dickens masterpiece.

WITCH OF TIMBUCTOO
Fantastic Voodoo rites in Africa, the horrors of Devil's Island and the mysteries of the Paris underworld. To be directed by Tod Browning as one of the most important mystery-horror thrillers of the year.

MALA
M-G-M stands alone in the department of "expeditionary pictures." "White Shadows," "The Pagan," "Trader Horn" and others. M-G-M the leader of trail-blazing enterprises in search of unusual entertainment sent Director Richard Thorpe and a staff of sixty, including technicians, actors and others, to Papeete. "Mala," the drama of the coming of white civilization to the innocent natives of the Polynesian group, will be a screen event!

THE SHINING HOUR
Celebrated Broadway stage success by Keith Winter. Produced by Max Gordon.

GOODBYE, MR. CHIPS
The great heart-touching novel by James Hilton. Hundreds of thousands of copies have been sold all over the globe.

RAGE IN HEAVEN
Another stirring novel by James Hilton.

THE PRISONER OF ZENDA
The greatest of Graustarkian romances. The novel by Anthony Hope Hawkins and the play by Edward Rose are known the world over.

MA PETTINGILL
By Harry Leon Wilson, author of "Ruggles of Red Gap." Famous Satevepost character comes to life running a dude ranch in California.

WHIPSAW
Liberty magazine prize story of the detective who goes to novel lengths to get his girl.

THE BISHOP MISBEHAVES
Now current on Broadway. Great John Golden stage success by Frederick Jackson. A. E. Du Pont, Director.

MURDER MAN
Temporary title for the brilliant original story selected as a vehicle for Spencer Tracy.

TELL NO TALES
Mystery drama aboard a gold-laden ship by Oliver H. P. Garrett and Fritz Lang

ANY PORT IN A STORM
Satevepost series of a Scotch sea captain who sails many ports and never gets a bad bargain. Guy Kilpatrick "S. S. Glencannon Stories".

PICKWICK PAPERS
The producers of "David Copperfield" pick another winner from the pen of the great portrayer of humanity—Charles Dickens.

MERRILY WE ROLL ALONG
One of the decade's big stage hits. Play by George S. Kaufman and Moss Hart. Produced by Sam Harris.

ROBIN HOOD OF EL DORADO
Walter Noble Burns's novel tells the story of the romantic adventures of Joaquim Murietta, the early California bandit.

THE HOUSE OF TRUJILLO
Story by Anne Cameron ran serially in Satevepost and now a novel. An American girl involved in an affair with an impetuous romantic native is rescued by an American engineer in colorful Central America.

20,000 LEAGUES UNDER THE SEA
The great Jules Verne novel hailed as one of the most imaginatively thrilling ever written.

THE DISTAFF SIDE
By John Van Druten. Current season's stage success in both London and New York. The story of three generations of women.

THE GIRL FROM TRIESTE
Franz Molnar's delightfully exciting story of the little secretary who is treated to a month in the great Swiss resort and what happens when luxury overtakes her.

MIRACLE IN THE MOUNTAINS
Molnar's religious thunderbolt with the dramatic intensity of Hall Caine's "The Christian."

KIM
By Rudyard Kipling. Takes place in the same locale and is as big in thrill and spectacle as "Lives of a Bengal Lancer."

NANCY STAIR
Popular novel by Elinor Macartney Lane. Adapted for the screen by Philip Barry.

LILY MARS
Booth Tarkington's story of a small town girl who becomes the greatest actress of today.

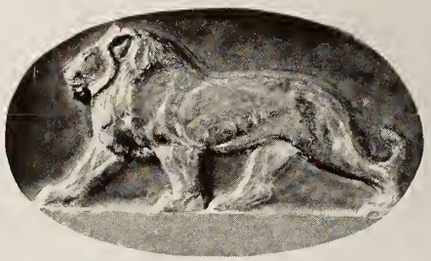
RENNIE PEDDIGOE
Popular Satevepost hit by Booth Tarkington, who created Penrod.

SUZY
Herbert Gorman's novel of an American girl involved with spies in Paris during the war. George Fitzmaurice who made "Mata Hari" is director.

THREE WISE GUYS
Collier's short story by Damon Runyon, author of many screen successes.

MANNERS MAKETH MAN
Original story by John Monk Saunders of the regeneration of a fresh American boy who goes to Oxford University.

ONLY ONE COMPANY CAN BE FIRST



The Answer Has Been the Same For 11 Years

May 29th, 1935

The FIRST COMPANY
is naturally
FIRST *in* SHORTS!

Next Week in this Magazine Metro-Goldwyn-Mayer reveals its Junior Features of 1935-36

Capital Stops Move to Delay Ascap Hearing

(Continued from page 1)

may be taken, and resumed again in October.

If Ascap's proposal to delay trial until fall were accepted, counsel for the government and Ascap would have got together in the meantime for agreement on various forms of evidence which would be admitted at the trial. With Ascap consenting to various stipulations which were expected to result from the summer conferences, the trial itself could have been greatly shortened next fall, attorneys said.

The suggestion to adopt this procedure was made by Nathan Burkan, Ascap's counsel, who refuted the government's statement that the trial could be concluded in three weeks if begun immediately, as scheduled. Burkan said the trial would consume at least three months and pointed out that with Judge Goddard slated for another court assignment July 1 the Ascap trial would have to be postponed until fall on that date, regardless.

Special Assistant Attorney General Andrew Dennett would have agreed to the postponement on the condition that Ascap's attorneys agreed during the summer to certain stipulations on evidence which would have saved considerable trial time next fall. Judge Goddard, likewise, indicated that he approved this course. When Burkan agreed to Dennett's condition an effort was made to obtain Attorney General Cummings' sanction of the postponement.

The courtroom was crowded yesterday with witnesses and attorneys. The government is endeavoring to have Ascap's licensing and price fixing policies declared illegal. It is understood that Ascap's current contracts, some of which expire early next fall, would be extended to the end of the year if the trial were delayed until October.

Gene Buck, Ascap president, yesterday named national radio broadcasting companies as the real figures behind the government's action.

"Ascap is glad that the whole thing is being brought out into the open," he said. "The monopolies which have sold millions of receiving sets and tubes have scrapped practically every phonograph in America and closed the lid on every piano. The composer wants a fair deal and an end to the legalized piracy of his work."

Cohen Advisor on Beacon

Sydney Cohen, advisor to the Roxy bondholders' committee and treasurer of Artco, which has a management contract with the theatre, has been retained by the Beacon Theatre bondholders' group to reorganize the property. Springer & Cocalis are now operating the Beacon.

Pine East Again

HOLLYWOOD, June 10.—Bill Pine, Paramount studio publicity head, is scheduled to fly to New York Tuesday to attend the Paramount sales convention.

Senate Group Moves for Voluntary Code Measure

(Continued from page 1)

ing minimum wages, maximum hours and prohibition of child labor and (2) prohibiting unfair competitive practices which offend against existing law or which constitute unfair methods of competition under the Federal Trade Commission Act."

The measure as reported to the Senate will continue Section 4, providing for voluntary agreements, and Section 5 excepting them from anti-trust prosecutions as well as Subsection B of Section 3, providing that violations of standards of fair competition in codes in interstate and foreign commerce shall be deemed an unfair method of competition under the Federal Trade Commission Act.

It was stressed by Senator Harrison of Mississippi, chairman of the Finance Committee, that there is no waiver or suspension of the anti-trust law except as provided in the agreements, and violations, he hoped, would be prosecuted by the government.

New Color Process Gets Chicago Trial

CHICAGO, June 10.—Sons of J. Szczepanik, an inventor, who died in Europe in 1928 after eight years development work on a color process bearing his name, demonstrated the completed apparatus at Chicago Film Laboratory to an invited audience under auspices of Pennington-Hick Corp., a patents and investment securities house.

The inventor's sons explained, through an interpreter, that their camera feeds a continuously flowing negative at 30 per cent above normal speed past a single lens supplemented by 18 to 24 secondary lenses revolved back of it and in front of the negative. Projection is from a single positive with three lenses successively exposed by a dissolving shutter device, picture frames being colored green, red and a shade of violet, consecutively. The pull-down is 40 against the usual 24. It is claimed for the process that black and white can be used in the same film with color and that production cost is moderate. No commercial use of the process has been made, according to the interpreter.

Report Rosenblatt May Join the TOCC

(Continued from page 1)

president of the Independent exhibitor's group.

O'Reilly yesterday denied the story. Despite the denial, it is reputed Rosenblatt would make his headquarters at the T.O.C.C. Whether this would be under a temporary arrangement until Rosenblatt gets himself an office is not known, but the T.O.C.C. president also denies this.

Several weeks ago, Rosenblatt disturbed O'Reilly when he drafted a basic operators' wage scale for this territory. Other independents raised hullabaloo, contending that the NRA executive was favoring the I.A.T.S.E. and Local 306. This immediately led to reports that Rosenblatt had been retained by the International, starting June 16. Denials were made both by Rosenblatt and George Browne, head of the I. A.T.S.E.

Says Europe Needs Technical Experts

HOLLYWOOD, June 10.—"Technical experts with Hollywood training are more necessary to the improvement of European films than Hollywood stars," says William Goetz, vice-president of 20th Century Pictures. He is back from an extended tour of European film centers.

According to him, the recent exchange of players is just a forerunner of a closer alliance of producing companies. He looks forward to the time when technicians and producers will be exchanged between American and European companies.

Shearer to Be Juliet

HOLLYWOOD, June 10.—Irving Thalberg has definitely decided to make "Romeo and Juliet," with Norma Shearer in the Juliet role and is now looking for a lead to play Romeo.

All Code Boards to Close on Saturday

(Continued from page 1)

jobs by major companies. Lillian Silver, secretary of the New York grievance board, is returning to the T. O. C. C. as Charles L. O'Reilly's secretary. Florence Abramson, secretary of the local clearance board, may rejoin the New York Film Board.

Records and files in the various code branches are being forwarded to New York where they will be stored.

Giveaways Spread in N. O. as Code Passes

(Continued from page 1)

be pessimists shortly, or must overlook the facts.

Giveaways are spreading in one form or another. Schulmann Bros. opened the Plaza giveaway with surprise boxes. The Coliseum is advertising prizes, which will probably compel the Happy Hour to follow. United Theatres, which have given prizes wherever it has been thought necessary to boost business or meet competition, have made no move as yet, but have reduced prices at the Washington to 15 cents.

Boston Records Shipped

BOSTON, June 10.—All code board records have been shipped to New York. The office furniture in the Hotel Touraine has not been sold as yet, but the offices will close June 15.

M-G-M Peace Pact Foreseen in Chicago

(Continued from page 1)

for New York this afternoon on the 20th Century after spending four days in almost continuous conferences on the Loew building and M-G-M product situations here.

He issued no statement before leaving, but it was indicated that an important announcement might be made in New York after his arrival. No comment was forthcoming from local M-G-M officials.

Television Cable Hearing Is Fixed

(Continued from page 1)

be made available for commercial telegraph work, will oppose the application.

Installation of the cable, it was stated by A. T. & T. spokesmen here, is primarily wanted to test television transmitting facilities outside the laboratory.

The television transmissions will require a circuit of amplifying stations at 10-mile intervals and the testing facilities will cost about $600,000 it was said.

RCA, through David Sarnoff, president, also announced a $1,000,000 fund would be applied for field tests of television transmission in the near future. The tests are expected to be conducted over a period of a year with experimental transmission headquarters being established in the Empire State Bldg., according to report.

Reports of a television invention enabling the transmission of images in their original colors simultaneously with sound have reached here from Brussels, Belgium. The invention, said to be the work of Leon Damas, a radio amateur, is reported to employ a screened lamp which can be produced at a wholesale cost of about $10.

Old Timers at Last Rites for New York

Oldtimers and stars of today were present at the closing of Loew's New York yesterday where they exchanged reminiscences of performances at the theatre and did bits of their acts before wreckers began demolishing the building.

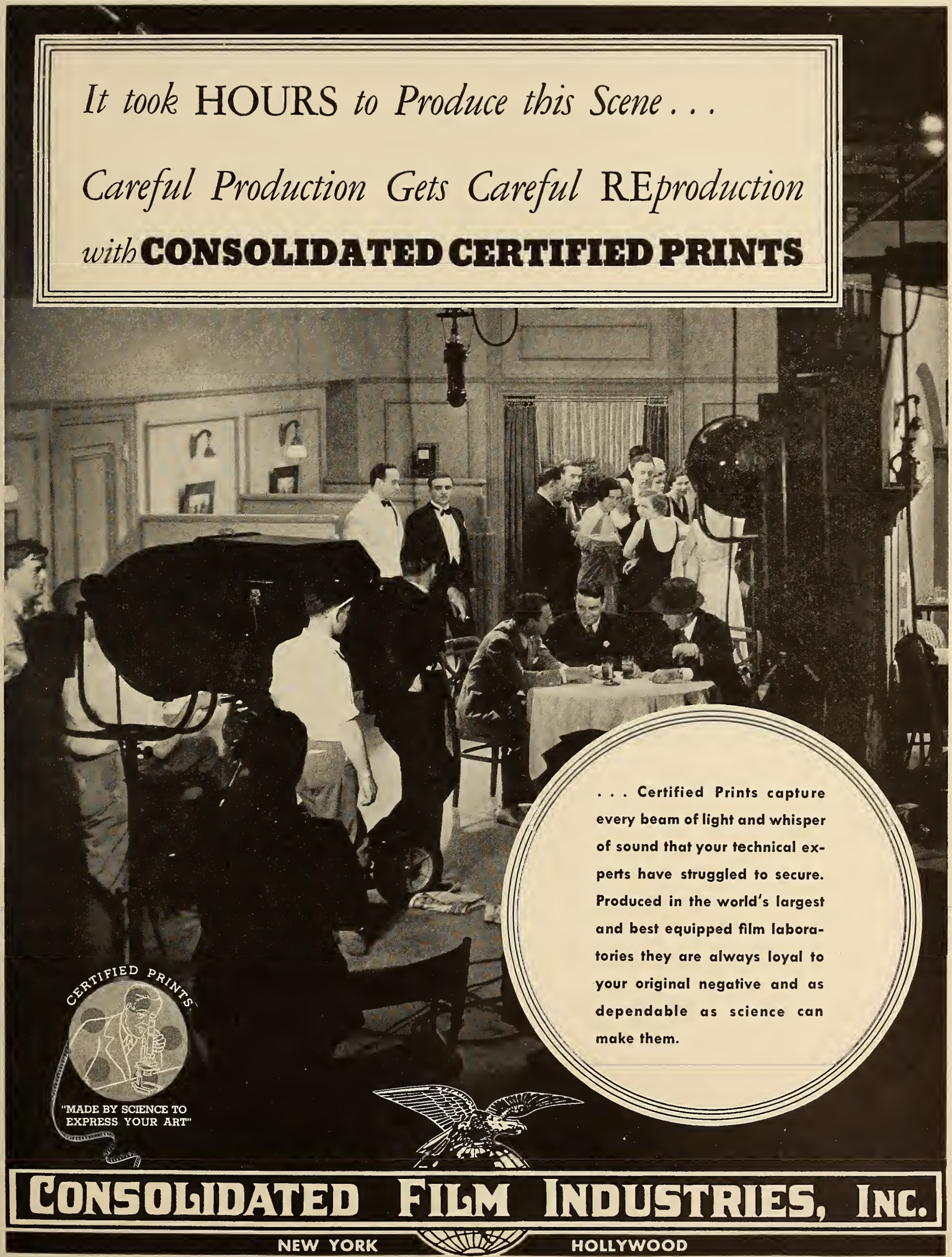
Among those present were: Daniel Frohman, Arthur Hammerstein, Ned Wayburn, Charles Moskowitz, Victor Moore, Joe Weber, Pat Rooney, Gus Edwards and Eugene Howard. Joe Laurie, Jr., presided and offered a toast after which the guests joined in singing "Auld Lang Syne." The participants in the ceremony were given bricks and parts of the stage door as mementos of the occasion.

The party went over to the recently acquired Mayfair where a bronze plaque of Marcus Loew which had been transferred from the New York was unveiled by Arthur Hammerstein in a ceremony presided over by Charles C. Moskowitz.

The manager of the New York, Jack Feinman, takes over the reins at the Mayfair and three cashiers, Virginia Langdon, Mae Kirby and Ethel Shostak who began in 1915 when they were employed by Loew, keep their jobs.

The first day of operation of the Mayfair by the Loew circuit developed into a grosser. At 9 P. M. the tape was up and some ticketholders had been waiting to see the opening program, consisting of "Cardinal Richelieu" and "The Scoundrel."

Moskowitz, general operator of the New York City Loew houses, was on deck, busily checking the house and the smoothness with which operations were proceeding, even taking tickets at the door.


It took HOURS to Produce this Scene . . .
Careful Production Gets Careful REproduction
with CONSOLIDATED CERTIFIED PRINTS
. . . Certified Prints capture every beam of light and whisper of sound that your technical experts have struggled to secure. Produced in the world's largest and best equipped film laboratories they are always loyal to your original negative and as dependable as science can make them.
CERTIFIED PRINTS
"MADE BY SCIENCE TO EXPRESS YOUR ART"
CONSOLIDATED FILM INDUSTRIES, INC.
NEW YORK
HOLLYWOOD

Wants Allied Work With Less Talking

Passage of a resolution calling upon Allied's leaders to do less talking and more hard work may be asked at the board of directors' meeting at the Warwick Thursday and Friday.

President Sidney Samuelson yesterday asserted: "We've got a job to do which entails a lot of work. If we are to be successful in the job, we'll have to spend our time working and not talking."

Asked if any lawsulits had been filed, following a resolution favoring them passed at the Atlanta convention, the Allied head said: "Wherever a lawsuit is warranted it will receive the blessing of Allied, both financially and physically."

No meeting is slated for Allied of New Jersey today. Samuelson hasn't set one for next Tuesday, but is considering calling a session to be held either in New York or Newark.

Ohio Manager Is Held

FRANKLIN, O., June 10.—Charles C. Steinbeck, operating the Ohio, independent, is being held pending outcome of wounds inflicted on Orville Coleman, negro. Coleman is said to have become obnoxious in the theatre and to have been ejected by Steinbeck. He tried to reenter. A scuffle followed, and Steinbeck is said to have procured a revolver from his office and shot Coleman twice, one bullet entering his abdomen and the other his left leg. Hospital authorities report his condition serious.

Listen to "Teresina"

KANSAS CITY, June 10.—Jack Robbins, president of Jack Robbins Music Co., M-G-M affiliate, and in charge of music at M-G-M studios, picked up the Municipal Opera at St. Louis over the week-end.

With a representative of Loew's and one from M-G-M from the East, Robbins heard Oscar Strauss's "Teresina" in Forest Park with the possibility in mind that M-G-M may make a musical based on it. It was the American premiere.

Schines Spread in Ohio

COLUMBUS, June 10.—Rumor is current here that Schines will have five additional houses in their Ohio circuit, all of which will be new structures. One house at Bucyrus is partially completed and the report is that the chain will acquire it. Others will be built at Bellevue, Port Clinton, Van Wert and Wooster, according to the story.

Form a Partnership

Robinson Smith and Frederick W. Ayer have formed a partnership for production of stage plays next season. Smith has been both an actor and director. Ayer also has been on the stage as a player and director and has had experience in London. Until last week he was connected with *Motion Picture Herald.*

One More for U. A.

HOLLYWOOD, June 10.—Conchita Montenegro has been signed by New Films, Paris concern, for the top spot in "Parisian Life," which United Artists will release. The London office of Selznick & Joyce negotiated the deal through Sherman Grantcell, the actress's manager.

Looking 'Em Over

"The Farmer Takes a Wife"

(Fox)

SAN JOSE, June 10.—Under the spell of Victor Fleming's competent direction, California theatre patrons, at a first preview, saw Janet Gaynor as a canal girl and Henry Fonda as a farm boy reveal a rare romance, and showmen present sensed an important, big money picture was ready for the market.

In 1840, set against the picturesque backgrounds of the Erie canal, cities of the Empire State and historical events cavalcade behind the love story, as covered wagons parade west, county fairs boom, railroads arrive and the canal relinquishes to progress.

Before such a moving panorama is enacted a heart-socking romance, suffused with warmth and charm, racy with the flavor of good earth and painted in heroic proportions.

Simplicity marks the story of Miss Gaynor, who is fiercely loyal to the canal people in conflict with Fonda, who is working on the canal to earn enough money to buy a farm.

There's that likable heavy, Charles Bickford, who can lick any man on the canal and drink twice as much. There's Slim Summerville, who wins a set of dentist's instruments in a poker game and starts practicing. There's Andy Devine, hog caller and perfume buyer; Roger Imhof, who runs a boat and wins a lottery; Jane Withers, who says: "Cows don't give milk, you've got to take it from them."

Everyone in the cast is topnotch. Miss Gaynor is lovely to look at and gives her best screen performance, graduating from her syrupy roles with skill. Young Fonda, a find, resembling young Abraham Lincoln, is sincere, repressed and strong in what it takes. In linking Miss Gaynor with Fonda a new romantic team is created.

Edwin Burke's screen play adapted from Max Gordon's play and from the novel "Rome Haul" by Walter Edmonds, is taut, well constructed and strongly focused on young love.

The production contains comedy, wealth of dramatic interludes and a homey, down-to-earth tang. Enriched by the beauty of Ernie Palmer's photography, the authentic settings make for eye appeal.

With Miss Gaynor going from sweet-faced roles to maturity in a romance that captures an interesting era, Fox, in producing this, has transmuted dramatic metals into finely rolled gold, cashable at any box-office.

Production Code Seal No. 927. Running time, 80 minutes. "G."

"Calm Yourself"

(M-G-M)

SAN JOSE, June 10.—This lively farce is expertly played and designed as average entertainment.

Robert Young, an advertising agent, is fired by Claude Gillingwater for flirting with Betty Furness, his daughter. Gillingwater's temper inspires Young to start a confidential service bureau to perform unpleasant tasks. When established, the service draws a wide variety of clients. Ralph Morgan employs Young to take care of his daughter, Madge Evans, until he can tell his second wife that he is old enough to have sired a grown child. Hardie Albright uses the service to rid himself of a baby he has been asked to mind. An unseen client turns over a great Dane for care. In the complication a kidnap angle is introduced and Young finally wins Miss Evans.

Director George B. Seitz maintains a rapid fire pace throughout, building situations deftly for hilarity. Nat Pendleton, introduced with the kidnap theme, scores many laughs. The screen play by Arthur Kober and the production by Lucien Hubbard are up to M-G-M standards for this type picture. The title lends itself nicely for exploitation.

No production code seal. Running time, 71 minutes. "G."

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Orchids to You"

(Fox)

HOLLYWOOD, June 10.—Combining appealing love interest with natural drama and refreshing comedy, this picture, properly sold, should stimulate much patronage.

Modernly toned, a character nicely accentuated by swanky production

(*Continued on page* 28)

Paramount to Take Back Ten in Miami

Paramount Enterprises will resume operation of 10 Miami houses under a deal just closed with E. J. Sparks, who took over operation of the houses from Paramount Enterprises several years ago. The theatres involved are the Olympia, Rex, Rosetta, Community, Roxy, Paramount, Coral Gables, Flagler, Colony and the Miami Little Theatre.

Negotiations for a renewal of Louis Dent's operating agreement for the Paramount Salt Lake City houses were not concluded during Dent's visit here last week and will be resumed at the home office in the near future.

Old Associates Join For Kennebeck Lunch

John E. Kennebeck, managing director for Paramount in Australia, who is in town for the sales convention, will be honor guest at a luncheon today at the Tavern, to be given by his former associates and Paramount executives.

Among those expected are John Hicks, Claud Saunders, Oscar Doob, William Danziger, Leon J. Bamberger, Albert Deane, John McInerney, Jack Pegler, Russ Moon, Les Whelan, Harry Royster, Fred V. Greene, Fred Walters, Ed Wall, Irving Zeltner and A-Mike Vogel.

Mrs. Johnston Stays

CINCINNATI, June 10.—Mrs. W. Ray Johnston, who accompanied her husband to the Republic convention, will remain here for a week as guest of Nate Levine, Universal salesman, and his wife, old friends of the family. Before returning east she will visit her former home at Pleasantville, O., where her father passed away a few weeks ago.

Roach Starts Thursday

Hal Roach will place "Lucky Beginner," in work at Eastern Service Studio Thursday with Eddie Foy, Jr., and Ted Claire in the leads. This is the two-reeler growing out of the amateur contest conducted in association with the *New York Daily Mirror.*

Brecher Adds the Apollo

Leo Brecher has added to his local string of theatres the Apollo on West 125th St. Brecher is president of the Duane Theatre Corp., which has just taken a long term lease on the property owned by Sydney Cohen.

Mrs. Al Cohen a Mother

BOSTON, June 10.—Mrs. Al Cohen, sister-in-law of Elias M. Loew, circuit operator, and the widow of the former E. M. Loew Theatres traveling manager who was killed a few months ago in an automobile accident, has become the mother of a baby girl.

Denies Normandie Deal

HOLLYWOOD, June 10.—Fred Meyer emphatically denies that British Normandie, headed by Belaine Gordon, will produce films at Universal studios. He says he has not had any negotiations with the company or any of its representatives.

Sheehan Going Abroad

HOLLYWOOD, June 10. — Winfield Sheehan is planning to leave for Europe in the fall.

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ITS BREATHLESS
BEAUTY BURSTS
UPON THE WORLD
IN LIVING COLOR!

★

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This week the crowds at
RADIO CITY MUSIC HALL
behold the stunning glory
of NEW TECHNICOLOR
as they thrill to the stirring
human drama of . . . . .



BECKY SHARP

The most astonishing private life in the annals of the world . . . recreated on the technicolor screen!

MIRIAM HOPKINS

BECKY



A ROUBEN MAMOULIAN PI

A WOMAN OF THE WORLD . . . Her silvery laugh was the toast . . . and scourge . . . of common men and kings! Her beauty blazed in conquest . . . while the world about her flamed! . . .

SHARP



ODUCTION

A PICTURE AS DEEP AS THE HUMAN HEART... AS BIG AS THE MIGHTY EVENTS THROUGH WHICH ITS DRAMA ROLLS!

★

PIONEER PICTURES
PRESENTS

MIRIAM HOPKINS

in

BECKY SHARP

the carefree charmer who rose from the mud of a great battlefield to the palace of a king . . . .

WITH

FRANCES DEE
CEDRIC HARDWICKE
BILLIE BURKE
ALISON SKIPWORTH
NIGEL BRUCE • ALAN MOWBRAY

★

DESIGNED IN COLOR BY
ROBERT EDMOND JONES

FILMED IN ALL THE BEAUTY OF THE NEWLY PERFECTED
TECHNICOLOR

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A
ROUBEN MAMOULIAN
PRODUCTION

★

RKO-RADIO PICTURE
PRODUCED BY KENNETH MACGOWAN



"Thomas" Top In Dull Week At Pittsburgh

PITTSBURGH, June 10.—The small-seat houses had a corner on the slim business here last week while the de luxe theatres for the most part took it on the chin. The Fulton did well with "Doubting Thomas," getting $5,500, although it was the smallest gross a Will Rogers picture has had here in some time.

"Let 'Em Have It" was the lone other stand-out, getting $5,250 at the Warner. It was the first week for the return to a single feature policy and the attraction did considerably better than duals have been doing of late.

At the Penn, "The Mark of the Vampire" was a flop, and didn't round out the week, the first time in three years that this house has been forced to yank a picture prematurely. It did only around $4,000. The return for a week of Johnny Perkins on the stage didn't help the Alvin as much as had been expected and with "Under the Pampas Moon" on the screen, the take was around $8,500.

Total first run grosses were $37,250. Average is $47,500.

Estimated takings for the week ending June 6:

"UNDER THE PAMPAS MOON" (Fox)
ALVIN—(2,000), 25c-55c, 6 days. Stage: Johnny Perkins, Ruth Petty, Terrell and Fawcett, Kirk and Lawrence, Gray Family, Jerry Mayhall's orchestra, Streamline Alvinettes. **Gross:** $8,500. (Average, $10,000)

"DOUBTING THOMAS" (Fox)
FULTON—(1,750), 25c-40c, 7 days. **Gross:** $5,500. (Average, for 6 days, $4,500)

"MARK OF THE VAMPIRE" (M-G-M)
PENN—(3,300), 25c-40c, 5 days. **Gross:** $4,000. (average, for 6 days, $10,000)

"GIRL FROM 10TH AVE." (Warners)
STANLEY—(3,600), 25c-55c, 6 days. Stage: Frank and Milt Britten band, Serge Flash, Weldon and Honey, Tee Tina and Six Zeigfeld Dancers. **Gross:** $14,000. (Average, $18,000)

"LET 'EM HAVE IT55 (U. A.)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $5,250. (Average, $5,000)

Boats and Beaches Hit Buffalo Takes

BUFFALO, June 10.—Boats and beaches got the week-end trade with the result that the balance of the week could not make up the difference. Every house was below normal. "Doubting Thomas" took $12,700 at the Buffalo.

Total first run take was $37,600. Average is $42,800.

Estimates for week ending June 7:

"DOUBTING THOMAS" (Fox)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Paul Gerrits, Sylvia Manon, Carlton Emmy and Lou Breese's Amateur Contest Winners. **Gross:** $12,700. (Average, $14,300)

"BABY FACE HARRINGTON" (M-G-M)
"LADIES LOVE DANGER" (Fox)
CENTURY—(3,000), 25c, 7 days. **Gross:** $5,200. (Average, $6,000)

"BREAK OF HEARTS" (Radio)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $6,800. (Average, $8,000)

"LET 'EM HAVE IT" (U. A.)
HIPPODROME—(3,000), 25c-40c, 7 days. **Gross:** $7,100. (Average, $8,000)

"MILLS OF THE GODS" (Col.)
"SWELL HEAD" (Col.)
LAFAYETTE—(3,300), 25c, 7 days. **Gross:** $5,800. (Average, $6,500)

Nenes Goes to Clinic

HOLLYWOOD, June 10.—G. K. Nenes, who operates the Grand at Miami, Ariz., is at the Mayo Clinic in Rochester, Minn., ill with a heart ailment.

"Bride" and "Dow" Top in Providence

PROVIDENCE, June 10.—"Bride of Frankenstein" and "Alias Mary Dow" at the Majestic were the only pictures to pull real money for the week, these two jacking the gross up to $8,500, better than $1,000 over par.

Despite its ballyhoo and raves of critics, "The Scoundrel" was $400 under average at the Strand, catching $6,100. A dual, "The Flame Within" and "Awakening of Jim Burke," netted only $6,500 for Loew's, and the Albee was down $1,000 under its usual take with "Break of Hearts" and "The People's Enemy." Shirley Temple in her second week with vaudeville at Fay's was under, getting $6,500.

Total first run business was $34,300. Average is $40,500.

Estimated takings for the week ending June 6:

"THE SCOUNDREL" (Para.)
"PARTY WIRE" (Para.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,100. (Average, $6,500)

"THE FLAME WITHIN" (M-G-M)
"AWAKENING OF JIM BURKE" (Col.)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $6,500. (Average, $12,000)

"OUR LITTLE GIRL" (Fox)
FAYS—(1,600), 15c-40c, 7 days, 2nd week. Stage: "Broadway Jamboree." **Gross:** $6,500. (Average, $7,000)

"BRIDE OF FRANKENSTEIN" (Univ.)
"ALIAS MARY DOW" (Univ.)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $8,500. (Average, $7,000)

"BREAK OF HEARTS" (Radio)
"THE PEOPLE'S ENEMY" (Radio)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $5,900. (Average, $7,000)

"BROKEN MELODY" (Olympic)
"PRINCESS CHARMING" (G. B.)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $800. (Average, $1,000)

"West Point" Tops Montreal on Dual

MONTREAL, June 10.—First run houses had more or less of an off week during the seven days ending May 25 with two theatres having the tail-end of extended engagements and most of the citizenry turning to the great outdoors for Victoria Day, the first of the summery holidays.

The Capitol headed the list with $10,500 on "West Point of the Air" and "Florentine Dagger," while Loew's was stronger than usual with $9,000 for "George White's 1935 Scandals" and "$10 Raise." Second week of "Naughty Marietta" at the Palace brought $7,000 after a first week's $12,500. "Cardinal Richelieu" continued at the Princess with $6,000.

Total business was $36,500. Average is $40,500.

Estimated takings for the week ending May 25:

"WEST POINT OF THE AIR" (M-G-M)
"THE FLORENTINE DAGGER" (Warners)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $10,500. (Average, $9,500)

"DAMAGED LIVES" (Col.)
IMPERIAL—(1,914), 20c-25c-34c, 7 days. **Gross:** $4,000. (Average, $3,500)

"GEORGE WHITE'S 1935 SCANDALS" (Fox)
"$10 RAISE" (Fox)
LOEW'S—(3,115), 30c-34c-40c-50c-60c, 7 days. **Gross:** $9,000. (Average, $10,500)

"NAUGHTY MARIETTA" (M-G-M)
PALACE—(2,600), 25c-35c-40c-50c-65c, 7 days, 2nd week. **Gross:** $7,000. First week: $12,500. (Average, $11,000)

"CARDINAL RICHELIEU" (U. A.)
"I'LL LOVE YOU ALWAYS" (Col.)
PRINCESS—(2,272), 30c-35c-50c-65c, 7 days, 2nd week. **Gross:** $6,000. First week: $10,000. (Average, $6,000)

"Little Girl" And Show Top Boston Draw

BOSTON, June 10.—"Our Little Girl" and a stage bill headed by Donald Novis at the Metropolitan were the principal profit-makers of the week. The $24,000 take passed average by $2,000.

"Goin' to Town," brought back as a second run on a dual bill with "The Last Wilderness," hit $8,000, up by $1,000, at the Paramount, and the same bill was also over the line by $500 on a $5,000 take at the Fenway, but elsewhere business was dull.

Total first run business was $72,500. Average is $66,500.

Estimated takings for the week ending June 7:

"GOIN' TO TOWN" (Para.)
(Second Run)
"LAST WILDERNESS" (Du World)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,000. (Average, $4,500)

"BREAK OF HEARTS" (Radio)
KEITH'S MEMORIAL—(2,907), 25c-65c, 6 days. **Gross:** $7,500. (Average, $10,000)

"FLAME WITHIN" (M-G-M)
"VAGABOND LADY" (M-G-M)
LOEW'S STATE—(3,537), 25c-55c, 7 days. **Gross:** $9,000. (Average, $12,000)

"OUR LITTLE GIRL" (Fox)
METROPOLITAN—(4,332), 35c-65c, 7 days. Stage: Donald Novis heading big stage show with Elida Ballet and Fabien Sevitzky and Grand Orchestra. **Gross:** $24,000. (Average, $22,000)

"GOIN' TO TOWN" (Para.)
(Second Run)
"LAST WILDERNESS" (Du World)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)

"THE NITWITS" (Radio)
"CHINATOWN SQUAD" (Univ.)
RKO BOSTON—(3,246), 25c-50c, 7 days. **Gross:** $10,000. (Average, $11,000)

"Miserables" Good in 2nd Seattle Week

SEATTLE, June 10.—"Les Miserables," in its second week, stood up in spite of a general slump, getting $4,600 at the Blue Mouse. It was held for a third stanza.

The only other attraction to get over the average mark was "Break of Hearts" which took $4,100 at the Music Box.

Total first run business was $27,600. Average is $31,000.

Estimated takings for the week ending June 8:

"LES MISERABLES" (U. A.)
BLUE MOUSE—(950), 25c-40c-55c, 7 days. 2nd week. **Gross:** $4,600. (Average, $4,000)

"THE FLAME WITHIN" (M-G-M)
FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $5,100. (Average, $7,000)

"AIR HAWKS" (Col.)
"MILLS OF THE GODS" (Col.)
LIBERTY—(1,800), 10c-15c-25c-35c, 7 days. **Gross:** $4,000. (Average, $4,000)

"BREAK OF HEARTS" (Radio)
MUSIC BOX—(950), 25c-40c-55c, 7 days. **Gross:** $4,100. (Average, $4,000)

"LET 'EM HAVE IT" (U. A.)
"CHASING YESTERDAY" (Radio)
ORPHEUM—(2,40), 25c-35c-55c, 7 days. **Gross:** $5,200. (Average, $6,000)

"THE DEVIL IS A WOMAN" (Para.)
"VAGABOND LADY" (M-G-M)
PARAMOUNT—(3,050), 25c-35c-40c, 7 days. **Gross:** $1,600. (Average, $6,000)

Build at Moncks Corner

ST. STEPHEN, S. C., June 10.—A new theatre will be opened in Moncks Corner soon. Norbut C. Cummings will be the operator.

"Thunder" Is Money-Maker, Minneapolis

MINNEAPOLIS, June 10.—"Thunder in the East" was the surprise of the week. It netted a big $5,000, over par by $2,000, at the 400-seat World.

"People Will Talk" was also strong at the St. Paul Riviera, getting $5,500, above the line by $2,000. In its second week at the Century here "Les Miserables" was $500 up on a take of $4,500.

Total first run business in Minneapolis was $24,500. Average is $23,500. Total in St. Paul was $16,000. Average is $16,000.

Estimated takings:

Minneapolis:
Week Ending June 6:

"MODERN MOTHERHOOD"
(State Rights)
ALVIN—(1,486), 15c-40c, 7 days, 2nd week. Musical stock. **Gross:** $4,500. (Average, $4,000)

"LES MISERABLES" (U.A.)
CENTURY—(1,650), 25c-40c, 7 days, 2nd week. **Gross:** $5,000. (Average, $4,000)

"IT'S A SMALL WORLD" (Fox)
LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending June 7:

"BREAK OF HEART" (Radio)
ORPHEUM—(2,900), 25c-40c, 7 days. Stage show. **Gross:** $5,500. (Average, $5,500)

"THE FLAME WITHIN" (M-G-M)
STATE—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $5,500. (Average, $5,500)

"THUNDER IN THE EAST" (G.B.)
WORLD—(400), 25c-55c, 7 days. **Gross:** $5,000. (Average, $3,000)

St. Paul:
Week Ending June 7:

"THE FLAME WITHIN" (M-G-M)
PARAMOUNT—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $3,000. (Average, $5,500)

"PEOPLE WILL TALK" (Para.)
RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $5,500. (Average, $3,500)

"PARTY WIRE" (Col.)
ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $3,500. (Average, $4,000)

"HIGH SCHOOL GIRL" (Fox)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"SCHOOLS FOR GIRLS" (Liberty)
WORLD—(400), 25c-35c, 7 days. **Gross:** $1,500. (Average, $1,500)

"Moon" and "Wire" High in Portland

PORTLAND, June 10.—"Under the Pampas Moon," plus "Party Wire," a return to double billing at the Paramount secured the highest gross with $8,000, or $3,000 over normal.

Total first run business was $28,400. Average is $24,700.

Estimated takings for the week ending June 1:

"MARY JANE'S PA" (F. N.)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

"ROBERTA" (Radio)
(Second Run)
BLUE MOUSE—(700), 15c-25c, 7 days, 5th week. **Gross:** $1,400. (Average, $1,700)

"GOIN' TO TOWN" (Para.)
MAYFAIR—(1,700), 25c-35c-40c, 7 days, 2nd downtown week. **Gross:** $4,000. (Average, $3,000)

"STAR OF MIDNIGHT" (Radio)
ORPHEUM—(1,700), 25c-35c-40c, 7 days, 2nd week. **Gross:** $5,000. (Average, $5,000)

"UNDER THE PAMPAS MOON" (Fox)
"PARTY WIRE" (Col.)
PARAMOUNT—(3,008), 25c-35c-40c, 7 days. **Gross:** $8,000. (Average, $5,000)

"LET 'EM HAVE IT" (U. A.)
UNITED ARTISTS—(945), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

Warners Up Sears, Smith and Einfeld

(Continued from page 1)

pany's easiest way out of its theatre debts would have been to declare bankruptcy. "We could have let the receivers struggle with the problem and go out of business," he said, "but my brothers and I, having worked a lifetime to build up the business, refused to surrender without a struggle. Bankruptcy would have been cowardice."

Major Albert Warner told the convention the company would stop at no expense to produce high-quality product.

The conventioneers on Tuesday will be given the Vitaphone lineup for the new season with Norman H. Moray, in charge of sales of the abbreviated subjects, divulging the details.

In the morning, "cleanup" problems in connection with the remainder of the current season's product will be gone into by Smith, Sears; Robert Mochrie, who is the former's assistant, and Carl Leserman, who is Sears' aide. Discussion will hinge largely on "Alibi Ike," "Strand," "Don't Bet on Blondes," "Broadway Gondolier," "The Irish in Us," "We're in the Money," "Broadway Joe" and "Front Page Woman."

On Wednesday, the feature lineup, reported set at the usual 60, will be outlined.

Other speakers today were Sam E. Morris, Harold S. Bareford, Moray, Einfeld, Max Milder and D. E. Griffiths. Luncheon for the visitors was held at the Burbank studio with Jack L. Warner, Hal Wallis, and William Koenig as a triumvirate of hosts. It was followed by a round table on product from the theatre angle with the Warner circuit zone managers, headed by Joseph Bernhard, as chief participants. This group embraced Harry Kalmine, Pittsburgh; John J. Payette, Washington, D. C.; Nat Wolf, Cleveland; Don Jacocks, Newark, N. J.; Howard Waugh, Memphis; I. J. Hoffman, New Haven; James Coston, Chicago; Moe Silver, Albany, and Lou J. Halper, Los Angeles.

4 Working, 8 Preparing

HOLLYWOOD, June 10.—Four features are in production at Warners and eight more in preparation. The lineup:

Features in work include "Broadway Joe," starring Joe E. Brown with Ann Dvorak, Patricia Ellis, William Gargan and Gordon Westcott; director, Busby Berkeley; "We're in the Money," with Joan Blondell, Glenda Farrell, Hugh Herbert, Ross Alexander and Phil Regan; director, Ray Enright; "The Irish in Us," starring James Cagney with Pat O'Brien, Frank McHugh and Olivia de Havilland; director, Lloyd Bacon; and "Anchors Aweigh," starring Dick Powell and Ruby Keller with Lewis Stone, Ross Alexander, Nick Foran and Robert Light; director, Frank Borzage.

In preparation are "Little Big Shot," with Robert Armstrong, Glenda Farrell, Edward Everett Horton and Sybil Jason; "The Real McCoy" from the story by George Bricker; "Dr. Socrates," starring Paul Muni with Bette Davis in the novel by W. R. Burnett; director, William Keighley; "Captain Blood," starring Robert Donat in the Rafael Sabatini novel; director, Michael Curtiz; "Thin Air" from the Cosmopolitan Magazine story by Mildred Cram; "The Case of the Lucky Legs," starring Warren William in the Erle Stanley Gardner mystery; director, Robert Florey; "Backfire," based on a story by Dan Templin; and "Anthony Adverse," based on the novel by Harvey Allen.

New Joe Brown in Work

HOLLYWOOD, June 10.—Production on "Broadway Joe," new musical starring Joe E. Brown, will be completed in two or three weeks. It will be released in August. Supporting are Ann Dvorak, Patricia Ellis, William Gargan, Joseph Cawthorn, Henry O'Neill, Arthur Treacher, Gordon Westcott, and the Maxellos. Busby Berkeley is directing.

Darro Added to Cast

HOLLYWOOD, June 10. — Frankie Darro has been signed by Warners for a part in "The Real McCoy" which will feature James Dunn, Claire Dodd, Patricia Ellis and Ricardo Cortez. Bryan Foy is producing.

Strand Bookings Set

"Stranded," co-starring Kay Francis and George Brent, has been set to follow "In Caliente" into the New York Strand Theatre. The latter follows the run of "Oil For the Lamps of China," which stays a second week.

Sign Verree Teasdale

HOLLYWOOD, June 10.—Verree Teasdale will play the lead opposite Everett Marshall in "Romance in a Glass House."

New One for Bette Davis

HOLLYWOOD, June 10.—"Hard Luck Dame" by Laird Doyle is being prepared at the Warner studio as the next vehicle for Bette Davis, following her role opposite Paul Muni in "Dr. Socrates."

Borrow James Dunn

HOLLYWOOD, June 10.—James Dunn has been borrowed from Fox by Warner to play the lead in "Real McCoy," with Claire Dodd, Patricia Ellis and Ricardo Cortez also in the cast.

Now It's "Dress Parade"

HOLLYWOOD, June 10.—Title of the Annapolis picture at Warners has been changed to "Dress Parade." It formerly was called "Classmates" and later "Anchors Aweigh." Dick Powell and Ruby Keeler have the leads. Lou Edelman is producing.

Wall Street

Columbia Gains 1⅝ on Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	64	61	63¾	+1⅝
Eastman	144¼	143	144¼	+1¼
Fox "A"	15¼	14⅞	15⅛	.....
Loew's	40⅞	39⅞	40⅞	+ ¾
Paramount	3⅝	3½	3½	— ⅛
Pathe	¾	⅝	⅝	— ⅛
RKO	2⅛	2	2	— ⅛
Universal, pfd	31½	31½	31½	— ⅛
Warner	4½	4½	4½	.....
Warner, pfd	27	26	26	—1

Technicolor Up on Curb

	High	Low	Close	Net Change
Technicolr	27	26⅜	26½	+ ¼
Trans-Lux (.10K)	2⅜	2⅜	2⅜	+ ⅛

Most Bond Issues Gain

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11½	11	11	— ½
Keith B. F. 6s '46	81	81	81	— ⅛
Loew's 6s '41 ww deb rights	104¼	104	104¼	+ ¼
Paramount B'way 5½s '51	56¾	56¾	56¾	+ ¼
Paramount Publix 5½s '50	91¼	90⅝	91¼	+ ¾
RKO 6s '41 pp	40	40	40	.....
Warner Bros. 6s '39 wd	66⅝	66	66	.....

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 10)

Joseph Sauers has been signed for a part, and will leave for Annapolis soon to join the company now working on location under Frank Borzage's direction. Martha Merrill and Mary Treen already have left.

Warners Retitle Film

HOLLYWOOD, June 10. — Warners have retitled "Not on Your Life." Now it is called "Don't Bet On Blondes." Warren William, Claire Dodd and Guy Kibbee play the leading roles.

Buy Story for Cagney

HOLLYWOOD, June 10.—"You Have to Learn Some Time," a novel by Richard Wormser, has been purchased by Warners as a starring vehicle for James Cagney.

Ben Markson and Harry Sauber are working on the screenplay. Harry Joe Brown will produce.

Sign Up Warren Hull

Warren Hull, who has appeared in musical comedy and on the radio as actor, singer and master of ceremonies, has been signed to a long term contract by Warners and has left for Hollywood. For the past few months Hull has been featured on the air with Beatrice Lillie.

Buy "Petrified Forest"

Warners are understood to have purchased talker rights to "The Petrified Forest" for about $100,000. Leslie Howard, star of the play, probably will star in the film. He is reported to have eight more to make under his current Warner pact.

Felipe Mier Starts Writing, Producing

MEXICO CITY, June 10.—The popularity among Mexicans of dramatic and romantic tales, founded upon the history of their country, has inspired Felipe Mier, who resigned last fall as Warner manager, to become a distributor on his own, to branch out as a writer and producer. His first production is "El Tesoro de Pancho Villa" ("Pancho Villa's Treasure").

The picture is now being made and is scheduled for release in June. Mier has sold exhibition rights in the southern United States.

Another with a historical background is "Martin Garatuza," picturing deeds of a stout swordsman of that name who fought in the 17th century when Mexico was a Spanish colony. This production has had a good reception here. Aguila Films, S. A. is the producer.

Missouri's Racing Bill Gets a Veto

KANSAS CITY, June 10.—Governor Park has vetoed the bill legalizing horse and dog racing in Missouri. Because it would have made the state a partner in racetrack gambling enterprises, with 12 per cent to operators and three per cent to the state, Park pronounced it unconstitutional. Dog racing would have been legal within 20 miles of St. Louis, horse racing throughout the state.

Theatre men are pleased.

Cal. Income Bill Up Today

SACRAMENTO, June 10.—The Senate-Assembly Free Conference Committee today prepared to send to the floor of both houses of the California Legislature tomorrow the income tax bill calling for one-quarter the Federal rate, plus a tax on unearned income, such as dividends. The original Assembly bill called for one-third the Federal levy. This was amended in the Senate to one-fifth.

William Tallman Gains

EAST LIVERPOOL, O., June 10.—William Tallman, veteran theatre executive and for the past 20 years owner-manager of the Ceramic, is recovering following an operation in a Pittsburgh hospital.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Orchids to You"

(Continued from page 22)

values incorporated in an exclusive flower shop, the plot settings and names suggest unique exploitation.

Pitched to a human key, the yarn blends two intriguing situations. An ace lawyer conducting eviction proceedings becomes attached to a woman florist victim of big business greed. Meanwhile, a wife instituting divorce proceedings retains him. He is not aware that his wife is the mysterious co-respondent. The florist, through dealing with the smart set, knows the situation, but goes to jail for contempt of court rather then embarrass the man who has been considerate of her. The finale, fusing tense drama and gay comedy, adjusts the situations pleasantly for lawyer and florist.

John Boles, singing two songs, fits like a glove into the lawyer role. The florist, Jean Muir, performs with charm and grace. Charles Butterworth, characteristically bemoaning a blighted romance, abetted by Arthur Treachers, supplies sparkling comedy. Spring Byington, Ruthelma Stevens and Harvey Stephens are convincing in dramatic romantic contrasts. William Seiter's smart direction adds entertainment and an exploitation sock to the Gordon Rigby-Robert Dillon original expertly adapted by Howard Estabrook and Bartlett Cormack.

Previewed without production code seal. Running time, 75 minutes. "G."

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Voluntary Code Delayed By Trade's Legal Doubts

Arbitration Back Locally; It Reappears with a Bang

While ways and means of evolving a general industry program of voluntary code procedure is keeping brows furrowed, voluntary arbitration, virtually at a standstill since the code was put into force, is returning with a bang locally. Three cases were on the calendar at the New York Film Board of Trade yesterday. Only one was heard and two postponed until next Tuesday. One of the two delayed cases will most likely be settled in the interim.

Prior to the handing down of the Thacher decree declaring compulsory

(*Continued on page* 11)

Arbitration, Clearance Among Points Shy of Clarification

By RED KANN

Agreed that self-regulation, with or without benefit of NRA, would prove sane and sensible industry practice, major interests find themselves confused on procedure because of indecision on the Administration's part and trepidation over legalistic questions on the inside.

The latter is the chief bugaboo.

Insofar as action looking toward adoption of a voluntary code is concerned, the drift is all for it. Between approbation and consummation, however, a chasm yawns and steps up any contemplation of ways and means of hurdling it into the dubious division of courageous enterprise.

What Washington will do about the extension of the NRA, or what is left of it after the nine black-robed Supreme Court justices scraped the bones of the Blue Eagle, appears to be a far less pressing consideration

(*Continued on page* 10)

See Lubitsch And Herzbrun Remaining On

Early Talks Indicate No Paramount Shift

Indications that Ernst Lubitsch and Henry Herzbrun will be retained in their present capacities as executive producer and studio business administrator for Paramount, respectively, appeared yesterday at the end of the second day of conferences between the two and John E. Otterson, Paramount president-elect.

With the conferences still only midway toward conclusion, an eventual agreement on the retention of both Lubitsch and Herzbrun without change in their ranking studio posts and, probably, on long-term contracts, appears both reasonable and likely, according to informed report. That the decision to be made is being left entirely with Otterson also appeared evident from inquiries made with sources close to the new Paramount board. These sources flatly stated that the decision was being left to Otterson and any

(*Continued on page* 11)

140 to Attend Para. Sales Parleys Here

One hundred and forty delegates from the United States and various foreign countries will assemble at the Waldorf beginning tomorrow for a four-day Paramount sales convention. Neil F. Agnew, sales manager, will preside and will be assisted by Divi-

(*Continued on page* 7)

Arthur Lee Denies G. B. Is to Be Sold

Arthur Lee, executive vice-president of G. B., denied yesterday that his company was negotiating with anyone for acquisition of the company or for supplanting any of its major executives.

Lee stated that G. B. was more

(*Continued on page* 10)

Code Seals Needed Upon All Reissues

HOLLYWOOD, June 11.—All reissues of past releases must be approved by Joseph Breen before they can be put into general circulation.

M-G-M, which is reviving "Smilin' Thru" with Norma Shearer, is sending a print on from New York for a Hays okay.

Bloom Named For Otterson Post by Erpi

Edgar S. Bloom, president of Western Electric, was named president of Erpi to succeed John E. Otterson at a meeting of the board of directors held yesterday. His election was predicted by MOTION PICTURE DAILY on June 6.



Blank-Stoller Photo

Edgar S. Bloom

Bloom will assume his new post, at the same time retaining his present W. E. job, on June 17, when Otterson's resignation goes into effect so that he can become head of Paramount.

It is understood the refusal of the

(*Continued on page* 7)

Sarnoff Status Not Clear Under Ruling

Whether Monday's ruling of the Federal Communications Commission limiting officials of communications companies to one job with firms of this type would affect the position of David Sarnoff, head of the RCA, with RKO was not clear yesterday. It was said at his office the understanding was that the Federal order concerned only posts in the communications field.

Warners Stay At 130, Same Shorts List

LOS ANGELES, June 11.—Warners will release 130 shorts—52 in two-reels each and 78 in single reels—next season, the sales convention was informed here today by Norman H. Moray, Vitaphone sales manager. The number matches the current season's program.

Twenty will be made at the Warner studio here, the rest, exclusive of the 26 cartoons in two series, will be concentrated in the Brooklyn studio which operates under the general administration of Sam Sax.

Production on the shorts for next season is already under way. Moray said today the program had been planned as a result of observations gathered on a recent four month tour throughout the United States.

The releases have been split into eight series. They are:

32 "Broadway Brevities" two-reel musicals.

(*Continued on page* 7)

Record Crowd Going To RKO Sales Meet

CHICAGO, June 11.—The Drake hotel, the scene of the RKO sales convention to be held on June 17-19, will house the greatest number of conventioneers ever to attend an annual meeting.

Jules Levy, RKO vice-president and sales manager, announced that office managers and chief bookers from all

(*Continued on page* 11)

Feist Silent Upon Chicago Situation

Felix Feist, general sales manager for M-G-M, returned from Chicago after four days in the Windy City and had no comment to make about his trip, particularly in regard to the Allied situation.

"M-G-M has pictures to sell and we are selling them," was all he would say.

Meanwhile, Loew officials hold they are going ahead with building plans for a theatre in Oak Park. Robert Lynch of Philadelphia is still in Chicago on the circuit's theatre invasion plans.

Laemmle to Avoid Color Next Season

Carl Laemmle, Sr., is not keen for color and declared yesterday Universal will remain black and white next season regardless of what other producers may do.

In New York from the Chicago sales convention for a week, his optimism ran in high gear. "I am more

(*Continued on page* 11)

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Mercy Houses Gain, Convention Is Told

WALLA WALLA, WASH., June 11.—The ninth anniversary of the Mercy Theatres here, including the Liberty and Roxy, put these houses at the head of the circuit in patronage, according to Frederick Mercy, Sr., at the monthly meeting of the organization here.

It is expected that with the increased work in the canneries here this company will reopen its third house, the Capitol.

Among those who attended the sales meeting of the circuit at the Grand Hotel, were Frederick Mercy, Sr., Frederick Mercy, Jr., Harry Gillespie, Syd Turner and Arch Bartholet, all of Yakima; A. McArthur, Toppenish; Carl Jones, Sunnyside; Don Visger, Kennewick; Milt Wight, Pasco, and Jack Wright, Walla Walla. Jack Wright, Walla Walla manager, was host to the officials and managers.

Mayfair Gets $2,813

Opening day's receipts of the Mayfair under Loew operation tallied $2,813. The double headliner is "Cardinal Richelieu" and "The Scoundrel."

MICHAEL BARTLETT in COL.
"LOVE ME FOREVER"
JOHN BEAL in RKO
"BREAK OF HEARTS"
WILLIAM MORRIS OFFICE

Purely Personal

CLIFFORD ROSS, head of the production department of Ross Federal Service, of which his father, HARRY A., is president, is honeymooning in New England. He was married Saturday in New Rochelle to MARY VIRGINIA STEVENS. The couple will make their home in New Rochelle.

•

CHARLES CABALLERO, WALTER READE, SIDNEY and LEO JUSTIN, PHIL MEYER, HARRY THOMAS, F. LOUIS BLUMENTHAL, WILLIAM GEDRIS (Ideal Seating of Grand Rapids, Mich.) LOUIS PHILLIPS and many others kept the M. P. Club dining room humming yesterday.

•

EDMUND MANTELL returned yesterday from Lexington, Va., where he attended the Washington and Lee University graduation exercises. His son, BERTRAM, was awarded a journalism certificate.

•

E. R. GOURDEAU of Interworld Film Studios, London, has arrived in town to seek American product for European showings. He is making his headquarters with J. H. HOFFBERG.

•

TOM CONNORS returned yesterday from a short tour of M-G-M exchanges under his supervision. WILLIAM F. RODGERS is also back from a 10-day trip.

•

EDWIN ARNOLD, star of "Diamond Jim," was target at a cocktail party tendered him yesterday by his press representative, BEULAH LIVINGSTONE.

•

JOHN E. OTTERSON, new Paramount president, inspected available office suites in the Paramount Bldg. yesterday prior to making a selection.

•

LEWIS SEILER, Fox director, is due here tomorrow. He is looking for story material and will also do exteriors for "Police Parade."

•

WALTER HUSTON will be honor guest at a cocktail party to be given by G. B. at the company offices this afternoon.

•

ROBERT MONTGOMERY sails tomorrow on the *Majestic* for an extended tour abroad. His wife is accompanying him.

•

H. A. FORTINGTON, new Paramount factotum, was a visitor at home office desks yesterday.

•

MRS. A. P. WAXMAN sails on the *President Roosevelt* today for two months in Paris.

•

HENRY DANZIGER of the New York Film Board yesterday celebrated another birthday.

•

IRVING BERLIN is in from the coast and is stopping at the Warwick.

"Dad" Roach to Hospital

HOLLYWOOD, June 11.—C. H. ("Dad") Roach today was taken to the Good Samaritan Hospital for observation. He is understood to be suffering from coronary thrombosis.

Wall Street

Most Gain on Big Board

	High	Low	Close	Net Change
Columbia, vtc (cl)	64⅜	63¼	63½	.....
Consolidated	3¾	3½	3½	— ¼
Eastman	145½	144¾	145	+ ¾
Eastman, pfd	155½	155½	155½	+ ½
Fox "A"	15⅜	14⅞	15	— ⅛
Loew's	41⅞	41	41⅞	+1
Paramount	3¾	3½	3⅝	+ ⅛
Pathe	⅝	⅝	⅝	.....
Pathe "A"	9½	9⅜	9⅜	— ⅛
RKO	2¼	2	2	.....
Universal, pfd....	31¾	31⅝	31¾	+ ¼
Warner	4½	4⅜	4½	.....
Warner, pfd	26¼	26	26¼	+ ¼

Curb Issues Slightly Off

	High	Low	Close	Net Change
Sentry	7/16	⅜	⅜	— ⅛
Technicolor	26⅞	25¼	25¼	—1¼
Trans-Lux (.10K)	2⅜	2⅜	2⅜	.....

Keith Bonds Gain 1

	High	Low	Close	Net Change
Keith B. F. 6s '46	82	81	82	+1
Loew's 6s '41 ww deb rights..	104¼	104¼	104	.....
Paramount F. L. 6s '47	90⅛	90	90⅛	+ ⅞
Paramount Publix 5½s '50	92	91⅝	92	+ ¾
Warner Bros. 6s '39 wd	66½	66	66	.....

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 11)

Equal Rights Bill Is Signed in Penn.

HARRISBURG, June 11.—Governor Earle today signed the so-called equal rights bill granting like privileges in theatres, hotels, restaurants and other public places to all persons, regardless of creed or color. The measure thus makes it illegal to bar negroes from theatres.

The bill had passed both branches of the Legislature practically without opposition before its signing by the Governor. Assemblyman Leo A. Achterman introduced in the House a resolution recalling the bill from the Governor's office. The Senate, however, tabled the resolution.

Dr. Kalmus' Return Awaits Deal Abroad

By BRUCE ALLAN

LONDON, June 11.—Herbert T. Kalmus, head of Technicolor, will return to the United States either on July 3 on the *Normandie* or July 10 on the *Ile de France,* it was learned today. He will not leave until he has closed deals for Technicolor plants here and in Paris. Other groups are now seen competing with Sir Adrian Baillie, M.P., for the British rights to the Technicolor process.

Maxwell Sailing Friday

John Maxwell, chairman of the B.I.P. board, sails for London Friday on the *Bremen.* Prior to his departure, he will issue a statement relative to the company's distribution plans in this country. Arthur Dent, general manager, will stay on for another two weeks before returning home.

Waldorf Showing Set

Alliance Films, Ltd., a subsidiary of B.I.P., will preview "Regal Cavalcade," a film record of King George's reign, at the Waldorf Friday evening.

Under its British title, "Royal Cavalcade," MOTION PICTURE DAILY reviewed the picture from London on April 17.

Price Fixing Only Issue in Ascap Action

The elimination of "price fixing by concerted action" is the only issue recognized by the government in its anti-trust action against the American Society of Composers, Authors & Publishers, Andrew W. Bennett, special assistant to the Attorney General, told Federal Judge Henry W. Goddard with the opening of trial of the suit in U. S. District Court here yesterday.

"The government," Bennett said, "is not trying to injure Ascap or to cause its dissolution. We are only trying to correct a situation in interstate commerce which has prevented competition where competition should exist. We believe the evidence will show that price fixing by concerted action has made this possible and that is the only issue in this case."

Bennett's remarks followed the opening statements of Nathan Burkan, chief counsel for Ascap, who described the background and activities of the music society to the court and asked that all allegations relating to Music Dealers' Service Corp., named a defendant in the government's complaint, and which, Burkan said, has now been dissolved by the former directors of the corporation, be stricken out.

Sees 3 Cases Tried as One

Francis Gilbert, of counsel for Music Dealers' Service Corp. and Music Publishers' Protective Ass'n., the latter also a defendant in the government's action, echoed Burkan's motion and declared that the government, in reality, was endeavoring to prosecute three separate cases as one and should be required to specify which of the three it would elect to try.

In replying, Bennett pointed out that all three organizations had interlocking directorates, boards of governors, officers and even employed one switchboard for central offices at one time. He stated that E. C. Mills, present general manager of Ascap, at one time was both chairman of Music Publishers and chairman of the administrative committee of Ascap. Bennett admitted that Music Dealers was now a "dead" organization, but charged that the Music Publishers group planned to revive it later.

Burkan also contended that Music Publishers was not properly involved in the government's action against Ascap and moved that allegations to the publishers' organization also be stricken out of the government's complaint. Judge Goddard indicated he would rule on the defense motions within the next few days.

In his opening remarks Burkan said that most of the present-day users of Ascap's service came into being long after the licensing society was organized. He declared that a $30 annual assessment, in some cases, gives the licensee the right to use the works of 44,000 composers as often as desired.

The trial will continue today and is expected to run throughout the month. Judge Goddard is scheduled for a new court assignment during July and August, which may necessitate postponement of the case until fall if it is not concluded by July 1.

FOX

proudly presents these

AUGUST • SEPTEMBER
OCTOBER • RELEASES

for the

1935-36 SEASON

The strongest line-up in FOX history... cast with the greatest names on the FOX roster... conceived with an unerring eye for showmanship values. Read the following pages carefully and convince yourself!

More than 9,000 exhibitors who shared with FOX the fulfillment of its promises for the current year will hail with enthusiasm and confidence the announcement of the first FOX pictures of the coming season.



AUGUST

WILL ROGERS *in*

IN OLD KENTUCKY

With Dorothy Wilson, Russell Hardie, Charles Sellon, Louise Henry, Alan Dinehart, Bill Robinson. From the play by Charles T. Dazey. Produced by Edward Butcher. Directed by George Marshall.

• • •

FRANCIS LEDERER *in*

THE GAY DECEPTION

With Frances Dee. Original screen play by Stephen Avery and Don Hartman. A Jesse L. Lasky production. Directed by William Wyler.

• • •

WELCOME HOME

A B. G. DeSylva production. With JAMES DUNN, Arline Judge, Raymond Walburn, Rosina Lawrence, William Frawley, Charles Sellon, Charles Ray. Directed by James Tinling.

• • •

REDHEADS ON PARADE

With JOHN BOLES, Dixie Lee, Jack Haley, Raymond Walburn, Alan Dinehart. A Jesse L. Lasky production. Directed by Norman McLeod.



SEPTEMBER

THE DRESSMAKER

With TUTTA ROLF, CLIVE BROOK, Nydia Westman, Robert Barrat. From the play "La Couturiere de Luneville" by Alfred Savoir. Produced by Robert T. Kane. Directed by Harry Lachman.

• • •

WARNER BAXTER *in* A LADY REGRETS

(Tentative Title)

From the story by Vina Delmar. Produced by Robert T. Kane.

• • •

ZANE GREY'S THUNDER MOUNTAIN

starring GEORGE O'BRIEN

From the serial story in Collier's Magazine. Presented by Sol Lesser and John Zanft.

• • •

JANET GAYNOR *and* HENRY FONDA *in* THE FARMER TAKES A WIFE

With Charles Bickford, Slim Summerville, Andy Devine, Roger Imhof, Jane Withers, Margaret Hamilton. From Max Gordon's stage play, authors Frank B. Elser and Marc Connelly. Based on Walter D. Edmonds' novel, "Rome Haul." Produced by Winfield Sheehan. Directed by Victor Fleming.



OCTOBER

HERE'S TO ROMANCE

With NINO MARTINI, Genevieve Tobin, Anita Louise, Reginald Denny, Maria Gambarelli, Madame Schumann-Heink. A Jesse L. Lasky production. Directed by Alfred E. Green.

• • •

CHARLIE CHAN at the RACE TRACK

(Tentative Title)

Starring WARNER OLAND. Based on the character "Charlie Chan" created by Earl Derr Biggers. Produced by Edward T. Lowe. Directed by Louis Seiler.

• • •

DANTE'S INFERNO

With Spencer Tracy, Claire Trevor, Henry B. Walthall, Alan Dinehart. Produced by Sol M. Wurtzel. Directed by Harry Lachman.

• • •

SHIRLEY TEMPLE *in* THE LITTLE SKIPPER

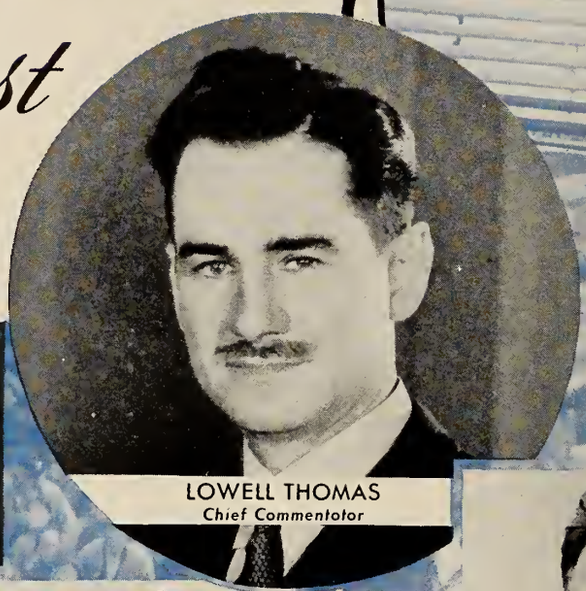
Story by Frank H. Spearman. Produced by Edward Butcher.

You haven't a show without FOX

Some of the names who make

FOX MOVIETONE NEWS

the world's greatest newsreel



LOWELL THOMAS
Chief Commentator



TRUMAN TALLEY
Producer and General Manager



BENJAMIN MIGGINS
European Director



SIR MALCOLM CAMPBELL
British Editor



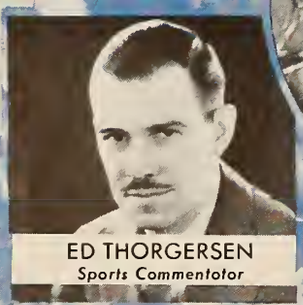
LAURENCE STALLINGS
Editor-In-Chief



ARRY LAWRENSON
Foreign Editor and Makeup Supervisor



GERALD SANGER
British Producer



ED THORGERSEN
Sports Commentator



RUSSELL MUTH
Central European Supervisor



LEW LEHR
Newsettes Commentator



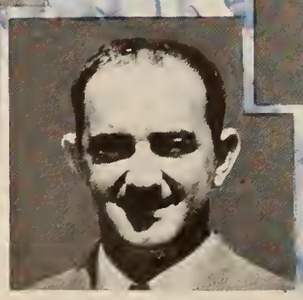
LOUISE VANCE
Fashion Commentator



BONNEY POWELL
Far Eastern Supervisor



VYVYAN DONNER
Fashion Editor



EDMUND REEK
News Editor

You haven't a show without FOX

Warners Stay At 130, Same Shorts List

(*Continued from page* 1)

20 two-reel Vitaphone Comedies.

13 one-reel "Our Own United States."

13 one-reel "Pepper Pot" novelties.

13 one-reel "Merrie Melodie" song cartoons in Technicolor.

13 one-reel "Looney Tunes" cartoons.

13 one-reel "Melody Master" band numbers.

13 one-reel "Big Time Vaudeville Units."

In detail, the schedule provides:

32 "Broadway Brevities"

Musical comedies, each in two reels, will be composed of the following units:

Seven two-reel Technicolor shorts, which will be produced in Hollywood. They will star Winifred Shaw, El Brendel, Maxine Doyle, Phil Regan, Dorothy Dare, Phillip Reed, Patricia Ellis, the Meglin Kiddies and others.

Twelve "Broadway Headliners," with stage names, including Sophie Tucker, Phil Baker, Hal LeRoy, Eleanor Whitney, Armida, Eddie Peabody, Kate Smith, Morton Downey and Fifi D'Orsay.

Six "Varsity Frolics," a new series, each to feature a different personality. Already set are Phil Harris, Hal LeRoy, Eleanor Whitney, N. Y. U. Glee Club, Georgie Price, and Columbia University Glee Club.

Seven "Presentation Revues" with Jean Sargeant, Buster West, Ray Heatherton, Evan Evans, Peggy Taylor, Barry McKinley, Lucille Page, Hal LeRoy, Grace Hays, Johnny Hale, and Thelma Leeds and others already under contract.

20 Vitaphone Comedies

Half of the schedule of these two-reelers will be made in Brooklyn and will include four with the Yacht Club Boys, three with Bob Hope, and three co-starring Shemp Howard and Roscoe Ates; with the remaining 10 to be made here with El Brendel, Hobart Cavanaugh, Allen Jenkins, Frank McHugh, Henry Armetta, and the "Old Timers," who include Ford Sterling, Ben Turpin, Marie Prevost, Chester Conklin, Hank Mann and the Keystone Comedy Gang.

13 "Our United States"

These one-reelers are planned as a follow-up to the "See America First" shorts. E. M. Newman, lecturer, traveler and author, has already sent a crew of cameramen to gather material. The releases will be: "Cosmopolitan America," "Playgrounds," "Curious Industries," "Beauty Spots," "Steel and Stone," "Harbor Lights,' "Nature's Wonders," "Marketing." "Vacation Spots," "Curiosities," "American Sports," a Surprise reel, in preparation, and "Highlights of America."

Thirteen radio commentators will supply the commentary. Under contract are James Wallington, Don Wilson, Howard Cleany, Milton Cross, John S. Young, Paul Douglas, H. V. Kaltenborn, Kenneth Roberts, Henry Vonzell, David Ross, with three more to be announced.

13 "Pepper Pots"

Vitaphone will release 13 instead of 26 as on the current quota. The Radio Ramblers, Singer Midgets, Charles Ahearn and His Millionaire Tramps, Edgar Bergen, the Jesse Crawfords, and the Easy Aces have already been signed.

26 Cartoons

Vitaphone will use Technicolor's three-point process in "Merrie Melodies" cartoons, while the 13 "Looney Tunes" are being set up with new characters in black and white. Both series will be produced here on the coast by Leon Schlesinger.

13 "Melody Master" Bands

Radio, night club and stage names have been signed for the "Melody Master" band series, including Little Jack Little, Claude Hopkins, Jack Denny, Johnny Green, The Rimacs, Phil Spitalny, Art Jarret B. A. Rolfe, and Dave Apollon.

13 "Big Time Vaudeville Units"

Vaudeville reels, which are part of the current season's "Pepper Pot" subjects, will total 13. Each reel is promised as "a complete vaudeville unit," and will contain four standard "big name" acts, a headliner and three supporting acts. Two or three will be composed entirely of circus type acts. Already under contract are Eddie Peabody, Aunt Jemima, Buster West, Babs Ryan & Bros., Hal Sherman, Radio Rubes, Ray Huling and Seal, The 4 Mullen Sisters, Lester Cole & Co., Fritz & Jean Hubert, Sakuri Japs, Alf Loyal's Dogs, Four Trojans, Harry Burns & Co., Kluting's Animals, Monroe & Grant, Proski's Tigers and others.

Following the report on the shorts lineup Gradwell Sears and A. W. Smith, Jr., announced the formation of a Warner 100 per cent club for the purpose of promoting top-rank salesmen in the field to branch managerships. The club will never have more than 12 members at any one time.

The first dozen salesmen to make up the roster of the club were named today as follows: John Pavone, New Haven; W. B. Collins, Detroit; G. Simmons, Winnipeg; Norman J. Ayers, Washington, D. C.; John Bachman, Philadelphia; Gus Solomon, New York; R. L. McCoy, Dallas; Fred Grenberg, Kansas City; R. Lohrens, Minneapolis; Newt Levi, San Francisco; C. W. Young, Seattle; G. C. Diamond, Kansas City.

Most of the conventioneers will remain here until Sunday for sightseeing, although the convention sessions end Thursday.

Harry M. Warner again will be the principal speaker tomorrow. He will be followed by Albert Warner and Joseph Bernhard at the morning session. S. Charles Einfeld, Sears and Smith are slated to talk in the afternoon, when the feature product will be announced.

Film Daily's 23rd Golf Jamboree Goes on Today

Pill-swatting, celluloid style, gets under way at the Progress Country Club at Purchase this morning when the 23rd *Film Daily* Golf Tournament will be held. Under the general supervision of Jack Alicoate and Don Mersereau, a long array of prizes has been assembled, reports late yesterday being there were enough to go around once and almost twice. This will allow errant husbands to prove to their wives where they spent the day and evening.

The piece de resistance will be the traditional conflict between the Ampa team which this year is made up of Tom Gerety, captain; Charles C. Pettijohn, Monroe Greenthal, Herb Berg, Herbert Fecke of *Motion Picture Herald* and James Allen Cron of MOTION PICTURE DAILY. This group will pit its wits and its golfing hips against the Motion Picture Club team, which is captained by Al Lichtman and made up of Mitchell May, Jr., Phil Reisman, Herbert J. Yates with Harry Brandt as manager.

About 150 are expected to play, while at the dinner which climaxes the day more are expected. Last night, as is customary, an advance guard descended on Progress to see that all arrangements, including the bar, were in working trim.

Over in 1936

Los Angeles, June 11.—H. M. Warner, on the economic status of the industry, in an address to the Warner conventioneers:

"The motion picture business has not passed through the depression, but is nearing the top of the hill after a tremendous struggle, and next year may go completely over the top."

140 to Attend Para. Sales Parleys Here

(*Continued from page* 1)

sion Managers J. J. Unger and Charles M. Reagan.

John B. Nathan, managing director of Paramount's organization in Argentine, Uruguay and Paraguay, arrives tomorrow on the *Northern Prince* for routine conferences at the home office and to attend the convention. S. E. Pierpoint, manager in Cristobal, Canal Zone, is also in New York en route to England on leave of absence. He will remain to attend the convention.

Pick "Silk Hat Kid"

HOLLYWOOD, June 11.—"Silk Hat Kid" has been chosen as the final title for "The Lord's Referee" by Fox.

Ask 34 Changes in Nebraska Law Suit

LINCOLN, June 11.—Two motions involving 34 requests either to strike out portions of the complaint or to make its allegations more specific were filed here today by the defendants in the $444,000 State Theatres' suit against Lincoln Theatre Corp., a number of distributors, Robert Livingston and Joe Cooper.

The suit was brought in an attempt to recover for damages allegedly inflicted on the now defunct State theatre, which, it is charged, was accomplished by collusion and conspiracy between the film companies and Lincoln. Three outstanding requests are made in the motions filed by the defendants today. It is asked that proof of any agreement between the Lincoln company and the distributors be shown; that the alleged $12,000 spent equipping the State be accounted for, and that proof be given that exclusive picture rights were granted Cooper and Livingston.

The suit was filed late in April and alleges that the State had shown an earning capacity of $15,000 yearly, which during the life of the lease would have amounted to nearly $148,000. The house closed, however, $11,000 in arrears, according to the complainant. Triple damages are asked in the suit.

Seeks Picket Halt

In an effort to put a stop to inter-union picketing of theatres here Mayor La Guardia yesterday ordered a conference of theatre owners and officials of operators' unions to be called by Police Commissioner Lewis J. Valentine. The Mayor wants to have it made plain to theatre men and operators that the inter-union labor fight is detrimental to the public interest.

Bloom Named For Otterson Post by Erpi

(*Continued from page* 1)

Federal Communications Commission on Monday to permit Walter S. Gifford, head of A. T. & T., to hold more than one communications post caused a flurry in the Erpi board yesterday, and there was some talk for a short time of delaying the election.

Bloom has been a prominent engineer in the telephone field for a number of years. When Erpi was formed he was its first head and held the post until 1928. He has been a director since the inception of the company. He is also a director of the Manufacturers' Trust Co., Interborough Rapid Transit Co., and National Surety Corp., and is a former trustee of the University of Pennsylvania.

He entered the telephone industry in 1896 as a member of the engineering staff of the N. Y. Telephone Co. Since that time he has held executive positions with various Bell operating companies on the Pacific Coast and in the Middle West. He was a vice-president of A. T. & T. from 1922 to 1926, when he became president and a director of Western Electric.

Is 60 Years Old

Bloom is a graduate of the University of Pennsylvania. He was born at Bloomsbury, N. J., Dec. 17, 1874, a descendant of the original Dutch settlers. He finished college in 1895, but took a post-graduate course of one year before joining the telephone company. His first post was on the engineering staff of the Metropolitan Telephone & Telegraph Co., predecessor of the N. Y. Telephone Co. He became construction engineer.

In 1906 he was made plant superintendent for the New York & New Jersey Telephone Co., and three years later took a similar post with the Pacific Telephone & Telegraph Co. at San Francisco. He returned east in 1910 as engineer of plant operations for A. T. & T. In 1912 he went to St. Louis as vice-president in charge of operations for various Bell units serving Missouri, Kansas, Arkansas and Oklahoma.

In 1914 Bloom was made receiver of the Central Union Telephone Co., Chicago. After reorganizing the company he became president of the Ohio Bell Telephone Co. and the Indiana Bell Telephone Co., and in 1920 he was made vice-president of the newly formed Illinois Bell Telephone Co., successor to the Chicago company.

Among the electric units of which he is a director are: Bell Telephone Laboratories, Inc.; Erpi, Graybar Electric Co., Inc.; Northern Electric Co., Ltd.; Teletype Corp., Western Electric Co., Ltd., Canada.

He is married and has one daughter and lives at 1020 Fifth Avenue.

Merchants Start Shows

GALENA, O., June 11.—Merchants will sponsor weekly showings of outdoor talking pictures, starting today, and continuing every Tuesday evening until September.

This will provide competition for Delaware, the nearest large town, where the localities have been going for their movie fare.



"ONE OF THE SCREEN'S
is the way the New Y

"A memorable motion picture entertainment.
"A well-directed, finely acted and mos
"Takes its place as one of the screen's
"Colorful, picturesque, sincere . . . engr
"Stunning, tense, exciting and harrowing. M

4TH HOLDOVER IN A R
—and in other theatres playing War

"O I L F C

LAMPS C

A Cosmopolitan Production . . . . . Directed by Merv

PAT O'BRIEN • JOSEH
JEAN MUIR • LYLE

A First N

'INEST ACHIEVEMENTS"

rk critics sum it up!

'he film is exceptional. A hit!"—American
enthralling motion picture."—Telegraph
nest achievements."—Evening Journal
ing and satisfying!"—World-Telegram
ure, exhilarating entertainment!"—Mirror

V AT THE N. Y. STRAND

r Bros. pictures from coast to coast!

R THE

CHINA

LeRoy from the famous best-seller . . . . . Starring

HINE HUTCHINSON
TALBOT • 1000's MORE

l Picture



Legal Doubts Delay Voluntary Code Start

(*Continued from page* 1)

than the what and the how of self-regulatory machinery.

Admittedly, a formula of some kind must be set up to adjudicate intra-industry disputes. This is conceded. Once known as arbitration, Judge Thomas Thacher, a few years ago, ruled the method, when compulsory, was illegal. Voluntarily pursued, the plan was within the law as the jurist read the law. Yet, major interests asserted then, as they do now, that any other type but the enforced type defeated the purpose which brought the plan into existence in the first instance. That purpose, in their lights, was to keep the flow of buying and selling running smoothly and without interruption or long-winded delay necessitated by recourse to overcrowded courts of law.

While it would seem that to any individual should be set aside the privilege of legal redress, it is also held to make sense that, under proper auspices and impartial trade judges, contract difficulties might better be settled from within.

At any rate, the Thacher decision is a mental and an actual hurdle which has to be jumped under any theory evolved for self-regulation. Exactly what the answer is is exactly what is causing much of the difficulty. Company lawyers are being relied upon to furnish the answer.

Have Been Burned Often

Having been burned plentifully and often, they may sidestep if they do not advise that the matter be kept on ice. In other instances, notably the 5-5-5 deliberations which ran hectically and then not so hectically over a period of 22 months, the legal coterie decided thumbs down because they envisioned unhappy days ahead with the Department of Justice and, perhaps, with the Federal Trade Commission thrown in by way of a next-to-closing act.

Clearance, once known as protection until there came along those who insisted upon a change of name to remove any impression smacking of racketeering, is a second big something which calls for an answer so far apparently not supplied. The legal standing of the practice which belongs as part of the fabric of the industry has been challenged from time to time through the years, but a clear-cut, sharply defined exposition of what can or what cannot be permitted without stubbing toes has never been forthcoming.

There are instances, distantly removed now, where clearance under its former monicker has been condemned in lower court decisions. Distributors, however, have been lax in carrying the fight up the line into higher courts of jurisdiction, the consequence being considerable lack of legal opinion as to their exact rights or otherwise.

Procedure in the past has taken a twofold course. Where complaining and allegedly hard-pressed exhibitors had won in earlier rounds, practice, as a rule, had been to straighten out such a situation and then call off the suit. In other instances where distributors had been found traveling too fast and too hard down protection's alley, consent decrees had been entered upon, thereby wringing an admission of malpractice out coupling with it a promise to be good in the future.

Several highly placed opinions, therefore, today assume the attitude that the problem of clearances and whatever rights rest in them have never been adequately cleared up. They tie in with this circumstance trepidation over new attempts along old lines and misgivings over adventures into new ones.

The one tangible suggestion about future methods of preventing trade disruption and chaos from sweeping in is that advanced by Ed Kuykendall, president of the M.P.T.O.A., who strikes out for curtailment of duals, price slashes and premiums through a modification the new wrinkle written into many of his film service contracts at the insistence of Karl Hoblitzelle of the Interstate Circuit in Texas.

The wrinkle has taken the form of a clause which would prevent any first-run product playing an Interstate house at more than 40 cents, night adult admission, from running in any house thereafter under 25 cents. Dallas neighborhoods have protested the plan and have tried their luck in court without success so far. In the meantime, Hoblitzelle, through his circuit buying power, has won his point.

How Kuykendall Plan Works

Kuykendall proposes to eliminate price reductions, giveaways and duals by restrictions in the form of a contract rider on distributor and exhibitor alike. If the distributor, for instance, violates the terms, he would be compelled to refund 25 per cent of the contracted rental to the Class A house. If the exhibitor takes a stroll on his agreement, the distributor would be relieved of the obligation to supply service.

It is noteworthy that the proposal would be confined to specifically named pictures; that other pictures of the same distributor may be sold in any manner and under any terms. Avowedly, the plan is directly designed to protect the Class A theatre with all thereafter patently slated to get along as best they can.

It was reported late yesterday some distributors will not take to the suggestion kindly. It would appear obvious as well that many exhibitors, including some of those who are M.P.T.O.A. members, also will not. While the proposed rider was described as a scheme emanating from Kuykendall's own think tank, a question unanswered was whether or not it does not actually constitute a "trial balloon" sent aloft by distributors at large to catch the sentiment of the exhibitor body to a suggestion which is heading for discussion as well as hot argument.

The M.P.T.O.A. Plan

The M.P.T.O.A. suggestion to end duals, to avoid admission price cuts and to eliminate all forms of premiums and giveaways is outlined in the organization's latest bulletin.

The purpose, as outlined in the bulletin is this:

"To protect the so-called de-luxe operations in competitive spots, and to prevent the cheapening and demoralizing of the business in such competitive areas, as has happened in the past time and again, we suggest the use of a provision in the license agreements by exhibitors operating Class "A" theatres similar to the following rider."

Execution of the idea, described as one to be voluntarily requested by the exhibitor, would take the form of a rider to existing exhibition contracts. It would provide:

This rider attached to and made a part of this application for a contract bearing even date herewith shall be deemed incorporated therein when approved by the distributor.

(1) The distributor agrees to require by contract with any exhibitor to whom a license is granted to exhibit any of the feature motion pictures specified in tbe contract to which this rider is attached and made a part thereof, for exhibition at any theatre situated within the territorial limits specified iu the Schedule in connection with the "run" and "clearance period" therein provided for, tbat during the exhibition thereat of any of said pictures such exhibitor will

(a) charge for adult admissions to said theatre an actual admission fee of not less than (*twenty-five) cents for the evening performances after (*6:00 P.M.) and/or not less than (*fifteen) cents for matinee performances prior to (*6:00 P.M.); or

(b) will not lower the prices publicly announced or advertised for admission thereto by giving rebates in the form of premiums, gifts, prizes, chances on anything of value, or by means of reduced script books, coupons, throw-away tickets or "two-for-one" admissions or any other thing of value or by any other method or device of a similar nature which directly or indirectly lowers or tends to lower such publicly announced admission prices; and will not conduct or operate any lottery, drawing, gamble or any other form of hazard at such theatre; or

(c) will not exhibit any of the said motion pictures together with another feature length motion picture for the same admission charge. (Any motion picture originally made and released in more than 3,000 linear feet of film shall be deemed a feature motion picture.)

If the distributor shall exhibit or grant to any exhibitor a license to exhibit any of said motion pictures for exhibition at any theatre situated within the said territorial limits in violaton of the provisions hereof, the rental specified in the schedule provided to be paid by the exhibitor to the distributor for each of said motion pictures so exhibited shall be reduced by a sum equal to (*25%) of such rental and, if paid by the exhibitor, the distributor shall repay to or credit the account of the exhibitor with the amount of such reduction.

(2) During the whole of the licensed exhibition period of each of the said motion pictures, the exhibitor agrees to and shall charge for admission to the theatre designated not less than the admission prices specified in said contract; and agrees to refrain from doing or permitting any of the acts specified in the paragraphs of this rider designated as (b) and (c).

If, during any such period of exhibition, less than said admission prices be charged, or if the exhibitor shall do or permit any of the acts specified in said paragraphs (b) and (c), the provisions of this rider contained in paragraph (1) thereof shall be deemed null and void and of no effect and the distributor shall be relieved of any further obligation to comply therewith and in addition the distributor shall have the right to waive or to eliminate from any contract made with any other exhibitor operating a theatre situated within the said territorial limits the provisions thereof made in compliance with the provisions of said paragraph (1); but tbe rights of the distributor under all other provisions of said contract shall remain unimpaired.

.....
Exhibitor

Approved:

.....
Distributor

*The minimum admission for evening and matinee performances; the time indicating when such performances begin and end respectively; and the percentage by which rentals shall be reduced, are matters for individual negotiation witb each separate distributor. The figures here used are by way of examples only.

Explaining how it foresees the plan in operation, the bulletin goes on:

"The responsible exhibitor with a real investment in the business will do well to give this suggestion careful consideration before it is too late. Negotiations are now starting for the coming season's exhibition contracts. The first or prior run exhibitor, seriously concerned with maintaining a single feature policy, relatively higher admissions and who has to pay a film rental many times larger than a subsequent run, can on his own initiative negotiate such an agreement with each distributor separately that supplies pictures for the theatre.

"These points should be noted:

"1) The restrictions would apply only to the pictures specified in the contract into which the rider is incorporated. Pictures of all other distributors and other pictures of the same distributor can be sold any way tbey choose to any theatres. It does not restrain other theatres from double featuring, giving premiums, etc., or charging unreasonably low admissions, merely that they cannot use tbese same pictures that way in unfair competition directly with this theatre.

"2) The specific provisions of such a rider can be cut to fit the local situation in any competitive area by eliminations or additions to the suggested provisions. The provisions are limited to only those theatres directly competing with the exhibitor's theatre.

"3) The exhibitor should be prepared to defend the agreement in court, if necessary. There is every indication that the premium dealers, promoters of "advertising" schemes and double feature producers will threaten law suits or get some small exhibitor to file one. As far as we can ascertain, these questions have never been decided by a superior court. There is an inferior court decision on a double feature clause, which is generally expected to be reversed on appeal anyhow, but this is on the grounds of a conspiracy between two or more distributors. In many situations the cost of such a court determination would be insignificant compared to the value of such protection against the chiseling of unfair and unscrupulous competitors.

"4) Under such a clause, if a distributor elects to license his pictures for subsequent run showings without requiring a minimum admission, etc., he must refund a percentage of the film rental paid by the exhibitor.

"5) If the subsequent run secures a limited license on condition that he will charge a minimum admission, etc., then violates this agreement in this respect, it is believed that the exhibitor would have a right to bring suit against such subsequent run for damages and/or an injunction because the agreement was made for his benefit, even though the exhibitor is not actually a party to the contract.

"6) The exhibitor using the rider must agree to maintain admissions in his own theatre, loses the protection if he fails to do so. The agreement is in effect reciprocal."

Arthur Lee Denies G. B. Is to Be Sold

(*Continued from page* 1)

than amply financed and that it is extending its theatre circuit, is spending more money on individual productions, and progress is being made on its equipment company to make it more self contained.

Lee pointed out that G. B. is probably the only company which, in addition to production, distribution and exhibition, also has large interests in co-relative organizations such as its own recording process, equipment company, research and invention staffs, its radio station in the Duchy of Luxembourg and in television.

The Ostrers, Lee asserted, are "in the business to stay; they have contributed much toward it and have made definite plans to make even greater contributions in the future."

All announcements pertaining to the 1935-36 lineup, he declared, will be carried through and delivered with the one possible proviso—that more money will be allocated to some of the pictures than originally intended, and all contracts for their distribution will be definitely adhered to by G. B.

Laemmle to Avoid Color Next Season

(Continued from page 1)

hopeful over next season than I have been in 10 past," he told MOTION PICTURE DAILY. "It naturally depends on the product, but we will deliver."

Laemmle leaves for Hollywood on Saturday night and is prepared to forego his usual European trip this year in order to keep a personal eye on production. He is sanguine over Universal's new unit system which calls for division of next year's program of 42 features among six producers.

Production is being geared with direct attention to overseas markets, he added. "Pictures today must be made not only for America, but for world consumption. We have made our plans accordingly," he concluded.

"U" Directors Meet

A regular monthly meeting of the directors of Universal was held yesterday. It ran its course in a handful of minutes. Procedure was described as routine.

Jane Wyatt Going West

Jane Wyatt, who has just closed a part in "The Bishop Misbehaves," stage play, flies west Friday, where Universal is lining up vehicles for her. A likely one is "Strangers at the Feast," by Beatrice Lubitz.

Begin on Holloway Short

HOLLYWOOD, June 11.—The Sterling Holloway short, "His Last Flame," has started at Universal under direction of Charles Lamont. Phyllis Frazer, Joy Ray and Carla Laemmle are in the cast.

Buck Jones Starts Work

HOLLYWOOD, June 11.—Buck Jones has started his new western for Universal under direction of Ray Taylor. Initial scenes of "Outlawed Guns" are being made on location in Kernville. Ruth Channing has the feminine lead.

One More Finished

HOLLYWOOD, June 11.—Shooting is finished on "Sing Me a Love Song," Universal musical, which has been retitled "Manhattan Moon." Stuart Walker directed with Robert Harris supervising and Ricardo Cortez, Dorothy Page, Henry Mollison, Hugh O'Connell, Luis Alberni, Henry Armetta and Regis Toomey in the cast.

Record Crowd Going To RKO Sales Meet

(Continued from page 1)

over the country will attend this meeting, in addition to home office executives, managers and men in the field.

Leon J. Bamberger, sales promotion manager, who has charge of the new product displays, is already in Chicago, accompanied by H. R. Follette of the American Display Co.

Lezama, Gulbransen Here

Luis Lezama, RKO's Mexican manager and Fred Gulbransen, manager of the Panama branch, have arrived at the home office in New York for conferences before proceeding to the Chicago meeting.

Back to Reviewing

PROVIDENCE, June 11.—Jack Sullivan is again reviewing pictures for the *News-Tribune*.

Arbitration Back Locally; It Reappears with a Bang

(Continued from page 1)

arbitration illegal several years ago, practically all key centers had Film Boards whose main function was to settle disputes between the distributor and exhibitor within the industry. Three distributors and three exhibitors were on these boards which met every week to dispose of pending cases.

Under the new setup locally, the distributor involved in the proceeding names two exchange men and the exhibitor delegates a like number of theatre owners. In the event of a deadlock, both contestants agree upon a fifth arbitrator.

Paramount yesterday had a complaint before the New York board where the validity of a contract with Albert Cooper of the Idle Hour, Long Island City, was involved. Paramount asked for $945. The board was composed of Robert Wolff and Jack Bowen of RKO Radio and M-G-M, respectively, and John Manheimer and Harry Lewis, selected by the respondent.

Henry Randel and Howard F. Leon testified for the exchange with Louis Nizer, secretary of the board, representing them. Cooper testified himself without benefit of counsel.

Paramount claimed it had entered into a contract with the exhibitor on Nov. 26 last and, after permitting Cooper to play about six pictures on the contract, cancelled it, later making a new deal on increased terms. About five pictures were dated on the new contract which were played and paid. On Jan. 18, the exhibitor had some trouble with the booker and canceled.

Cooper contended he had tried to get a number of pictures day and date with the Verona, his opposition, and when the booker could not give him the dates canceled before the exchange sent him a written approval. He then made a deal with Warners, he said.

During summation, Nizer warned the board that, if the decision was in favor of Cooper, all exchanges in the future would not spot book on contracts until home-office approvals were delivered. The board held in favor of Paramount. It decided that the Idle Hour must play all releases from June 20 on.

The two cases put over until next week are: Fox against A. W. Savage of the Rivoli, Hoboken, on an alleged breach of contract. Fox against Matty Chrystamos of the Mineola, Mineola, L. I., alleged breach of contract. The Savage dispute is expected to be settled before the meeting.

Mickey a Hit

London, June 11.—Arturo Toscanini, conductor of the New York Philharmonic, has been thrilled by Mickey Mouse. He saw one for the first time the other day.

"Surely, it is impossible; it is magnificent," he said, after seeing "The Band Concert." Then he wanted to see a Silly Symphony, and he did.

Walt Disney will be invited to his Italian home on Lake Maggiore, Toscanini says.

Ends Film Studies For New Army Post

HOLLYWOOD, June 11.—Lieut. Charles S. Stodter, here since last fall to study film production under a cooperative arrangement between the Academy and the War Department for training army men, left yesterday for Washington to take charge of the Signal Corps photographic laboratory and studio.

Capt. M. E. Gillette, here on the same duty last year, will take over the post of chief Signal Corps officer in the War Department, replacing Capt. Fred Hoorn in charge of the Army pictorial service.

Adams Drops Fox Suit

With Fox now serving the Park Lane, Palisades Park, N. J., in conformance with contracted clearance provisions, Adam and Peter Adams have withdrawn their injunction suit against the exchange. Fox had been serving the Leonia, Leonia, ahead of the Park Lane as a result of a code decision, but with invalidation of the codes by the U. S. Supreme Court, the distributor has reverted to the contracted stipulations.

I. T. O. A. Meet Off

No meeting of the I.T.O.A. will be held today, the next session being slated for a week from today. The exhibitor unit is on a summer schedule which calls for meetings every other week.

Says Half Possible Audience Is Ignored

NEW HAVEN, June 11.—In a recent interview, Dr. Mark A. May, executive director of the Yale Institute of Human Relations and President of the Council of Film Patrons, maintained that the picture industry was "stupid not to see that actually 50 per cent of the market of theatre patrons was not yet exploited." This 50 per cent, he explained, is represented by the higher intellectual class.

Dr. May originated and this year executed the idea of cutting to one reel old films which could be obtained for exhibition before junior clubs.

Republic May Handle Twelve for Liberty

HOLLYWOOD, June 11.—M. H. Hoffman, head of Liberty, who arrived here last night for conferences with Herbert Yates, said today his company's program for Republic release possibly would total 12 pictures, although the present lineup includes but eight.

No Plans Yet, Says Lasky Anent Rumors

HOLLYWOOD, June 11.—Jesse Lasky today answered reports he would become affiliated with Paramount or United Artists by saying he was not making any plans yet, his Fox contract not expiring until Oct. 1.

See Lubitsch And Herzbrun Staying

(Continued from page 1)

arrangement made by him with Lubitsch and Herzbrun could be regarded as final and its appproval by the board at its next meeting, June 27, taken as a matter of course.

Asked to comment on the reports yesterday, Lubitsch confined himself to the statement that "while no definite decision has been reached yet, everything is harmonious, the conferences are progressing smoothly and we are in accord on all important matters thus far."

Otterson could not be reached for his statement yesterday. It is understood, however, that the conferences will continue for several days. Neither Lubitsch nor Herzbrun knows definitely when he will be able to return to the coast as yet.

While it was generally anticipated that both studio executives would be retained by the new Paramount administration in important capacities, providing mutually satisfactory terms could be worked out, it was authoritatively reported within Paramount that the executive status of the two might undergo a change with a new studio "overlord" being named. The names most prominently heard in this connection were those of Watterson R. Rothacker and Emanuel Cohen. Current developments, however, indicate that Cohen's name either has been dropped from consideration or will be and that Rothacker's appointment to a top studio post now is unlikely. However, his name still figures in reports of a studio connection of lesser magnitude.

Take Claim Under Advisement

A proposal to settle George J. Schaefer's $98,500 claim against Paramount Publix for $55,000 was taken under advisement by Special Master John E. Joyce following a hearing yesterday at which no objections to the proposal were made.

Schaefer's claim is based on a personal service contract as general manager of the company. Joyce is expected to submit his report and recommendations on the proposed settlement in about two weeks.

A report approving Paramount's participation in a three-way pooling arrangement with M. E. Comerford and RKO houses in Rochester was submitted by Joyce yesterday to Federal Judge Alfred C. Coxe, by whom it must also be approved. The proposal involves Paramount's Century and Regent, Comerford's Capitol and B. F. Keith's Palace and Temple.

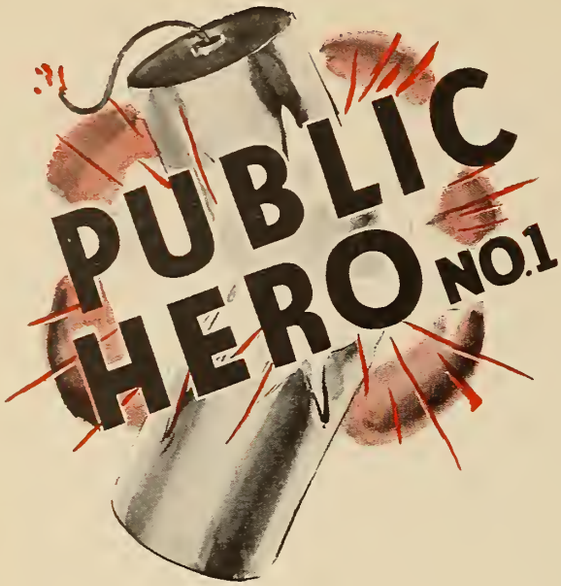
Five Straight for NBC

With "Sugar" Cain on the pitcher's mound and Pete Finnerty on the home plate, NBC won its fifth straight victory by swamping M-G-M with a score of 15 to 3. The NBC team remains at the top in the league standing.

The Roxy nine yesterday beat Loew's 175th St. nine by a score of 3-0. R. Dick, pitcher for the Roxy, only allowed one hit.

Last Saturday United Artists defeated M-G-M, 7 to 2, at James Madison Field. The RKO-Erpi game on that day was called because of rain.

Games scheduled for this week are: Thursday, Universal vs. NBC at George Washington Stadium; Saturday, M-G-M vs. Erpi at the James Madison Field.









And wait till *this one* explodes!

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

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Warners Name 45 of 60 on Season's List

Some Have Stars, Casts; Include Six Westerns

Los Angeles, June 12.—Jack L. Warner told the Warner convention today that the company will release 60 features during 1935-36, thereby confirming Motion Picture Daily's forecast of Monday. Of that total, 45 were listed by name and title and, in many instances, by stars and casts. Six westerns figured in the releasing plans, although no data as to star, story or director was divulged.

Likewise was the lineup completely silent on "A Midsummer Night's

(*Continued on page* 10)

4,000 W. B. Pacts Reported Signed

Los Angeles, June 12.—Four thousand contracts, representing 36 per cent of a normal year's business, already have been signed for Warners' product for the new season, it was disclosed at the company's convention here today by S. Charles Einfeld, publicity and advertising director who was promoted to a vice-president of Vitagraph the other day.

Einfeld asserted that during the coming year Warners would have the largest newspaper advertising budget

(*Continued on page* 10)

Production Code to Have Office in N. Y.

Facilities of the Production Code Administration paralleling those established in Hollywood will be conducted in New York in response to the request of the Film Group of the Federation of British Industries, it was decided yesterday at the quarterly meeting of directors of the M. P. P. D. A.

"The British producers requested

(*Continued on page* 9)

Say Sarnoff's RKO Posts Not Affected

Washington, June 12.—It is understood here that the Federal Communications Commission ruling barring David Sarnoff from holding official positions in two communications companies will not affect his connections with RKO as the commission has jurisdiction only over public utilities.

Para. to Hold Lineup to 65 For 1935-36

Schaefer to Tell Plan at Start of Convention

Paramount will adhere to its traditional output of 65 features next season, its sales force, assembled from the United States, Canada and a number of foreign countries will be told by George J. Schaefer, vice-president of the company, today. Little change is anticipated in the lineup of shorts.

The first of four daily sessions is slated to get under way at 9:15 this morning in the Jade Room at the Waldorf. Assembled in New York are division, district, branch and sales managers, bookers, ad sales managers and members of Paramount's 100% Club. Elsewhere in the city and

(*Continued on page* 8)

Approval Is Given Allied Owner Plan

Approval of the plan of reorganization for Allied Owners, Corp., was given yesterday by Federal Judge Robert A. Inch in Brooklyn and attorneys present were instructed to present a detailed order for him to sign.

Objections were made by Murray Kraushaar, who said he was attorney for the Sabath Congressional Committee investigating various corporate reorganizations.

The motion for approval had been presented by Monroe Goldwater of

(*Continued on page* 9)

New Setup Puts Hub Met in Para. Control

Boston, June 12.—The Metropolitan, largest theatre in New England, is retained by Paramount through a

(*Continued on page* 9)

LICHTMAN TO BE NEW U. A. HEAD

"Sir Oscar" Back

Toronto, June 12.—Oscar Hanson, Toronto, president of Empire Films and general manager of Allied Exhibitors of Ontario, comes back from the Republic regional with a story he's been dubbed Sir Oscar Hanson. The Pennsylvania Railroad held a train 20 minutes at Pittsburgh when it became known that "Sir Oscar" wanted to make connections for Toronto.

Republic to Take Mascot In New Setup

Mascot Pictures will be absorbed by Republic Pictures with Nat Levine becoming a vice-president and director of the Republic producing and distributing companies, W. Ray Johnston, head of Republic, said yesterday.

Closing of the Mascot deal, which has been in negotiation for the past 10 days, follows similar recent consolidations which brought Liberty and Majestic Pictures into the Republic fold, thereby combining four of the leading independents in the new national producing and distributing com-

(*Continued on page* 9)

Theatre Loan Limit Raised to $50,000

Under the revised rulings of the Federal Housing Administration raising from $2,000 to $50,000 the limit

(*Continued on page* 4)

Slated for Election by Board Here June 25, Statement Says

Al Lichtman will be elected president of United Artists when the board of directors meets in New York on June 25.



Al Lichtman

Mary Pickford, Charles Chaplin, Douglas Fairbanks and Samuel Goldwyn, representing four-sixths of the ownership of the distributing company, from Hollywood yesterday issued a joint statement in which they declared agreement on Joseph M. Schenck's successor had been reached.

From Wilmington came word yesterday of a bid on the part of Miss Pickford, Chaplin and Goldwyn for an additional one-sixth interest in U.A. now held by Art Cinema which is in the process of dissolution.

Maurice Silverstone, for 12 years managing director of British United Artists, will be elected chairman of

(*Continued on page* 4)

Receiver Will End Campi's Activities

Code Authority will wind up its activities by means of a receivership. A petition has been filed in the N. Y. County Supreme Court, by the Lexington Theatre, Inc., of Ill.. Shaine & Weinrib are attorneys for the petitioners with M. Seligman of the company handling the case. Tyree Dillard, Jr., is representing Campi.

A hearing yesterday was put over until June 18.

Receiver Is Asked For Pathe Exchange

A petition asking the appointment of a receiver for Pathe Exchange, Inc., has been filed in the state Supreme Court and is scheduled for hearing before Justice Edward Dore this morning.

The application was filed by Martin E. King, attorney, on behalf of Pat

(*Continued on page* 4)

Report Upon RKO Claims Scheduled Within a Week

A report which will indicate the probability and ultimate allowance of more than $25,800,000 of claims filed against RKO in its reorganization proceedings will be submitted to the Federal district court here within the next week by Special Master Thomas D. Thacher, it was learned yesterday.

The report will cover all but approximately $10,000,000 of the total claims filed by all RKO creditors, including the huge Rockefeller Center and RCA claims. It is regarded as being of special significance in the light of current activities on the develop-

(*Continued on page* 4)

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M. & S.-RKO Hearing To Wind Up Tonight

Closing arguments in the arbitration of Meyer & Schneider's breach of lease charges against RKO will be held before the board of three arbitrators tonight at the Bar Ass'n Building. A decision from the board will then be due not later than June 24.

Arbitration of the case was begun early last winter, but encountered numerous delays and postponements. M. & S. contended that RKO had failed to play the same product at the Hollywood and Apollo on the same policy as at RKO houses in comparable classifications and alleged that its percentage of the grosses at the two houses, provided for in the leases with RKO, was injured as a result.

Supply Men Gather At Chicago Session

CHICAGO, June 12.—Joe E. Robin arrives at the Edgewater Beach Hotel tomorrow to open a two-day session of the board of directors of the Independent Theatre Dealers' Supply Ass'n. This will precede a four-day convention scheduled to start Saturday.

About 60 reservations have been made. Convention sessions will be held in the east lounge and the west lounge will be used for an exhibit.

McVickers Back to Jones

CHICAGO, June 12.—Aaron Jones is expected to take back the McVickers from Paramount within two months.

Purely Personal

"HAM" BEALL, well known coast publicity man, was in New York yesterday en route to Hollywood. Was at the Shriners' convention in Washington which he handled publicity-wise.

•

MAURICE SILVERSTONE, managing director for United Artists in London, will sail for New York on the *Normandie* June 15. He will attend the U. A. sales convention on the coast in July.

•

MORT SINGER, practically recovered from the gout, leaves for Chicago tomorrow. After two weeks in the Windy City, he will head for his Beverly Hills home.

•

ANNA STEN and her husband, EUGENE FRANKE; ROBERT MONTGOMERY, and WALTER HUSTON will be on the *Majestic* when it sails this afternoon.

•

GEORGE SKOURAS has changed his mind about moving to Great Neck and will stick to Mamaroneck where he is a neighbor of SPYROS.

•

MIRIAM DUNN of Republic International was one of the winners of a consolation prize in the Irish Sweepstakes.

•

BERNARD NEWMAN, RKO fashion creator, has left for Hollywood where he will design LILY PONS' "Love Song" wardrobe.

•

IRVING BERLIN has signed a new contract with Radio to do the music and lyrics for "Follow the Fleet."

•

ROBERT EDMOND JONES is due in from Central City, Col., to attend the premiere of "Becky Sharp."

•

SAM KESTENBAUM of the Republic publicity department will start his vacation Saturday.

•

SINGER'S MIDGETS started work yesterday in a short at the Vitaphone plant in Brooklyn.

•

NICHOLAS M. LUDINGTON is expected from Philadelphia in a few days.

•

JOAQUIN GARAY is being held over at the Roxy for a second week.

•

JAMES A. FITZPATRICK is due from Africa late in July.

•

. . . Canada

N. L. NATHANSON, president of Famous Players Canadian Corp., has gone to England for a month to look over new British product . . . thus giving the Rue de Gossip in Toronto another opportunity to spring possible alliances with G. B., LORD BEAVERBROOK et al.

J. P. BICKELL, vice-president of Famous Players, Toronto, has gone north with Premier M F. HEPBURN of Ontario for a fishing expedition and they may talk about the heavy amusement tax increases.

Col. J. A. COOPER, president of M. P. Distributors' Ass'n., Toronto, spent several days in Montreal for the Conference on Social Welfare in behalf of the industry.

CLAIR HAGUE, general manager of Canadian Universal, Toronto, shares honors with His Majesty the King for a long reign. CLAIR has been receiving felicitations from associates and rivals because of his quarter century as Canadian representative of "U."

FRED TREBILCOCK, assistant manager of the Imperial, Toronto, leaves June 20 for a round-the-world cruise which will wind up with a sailing on the *Normandie* from Havre to New York, arriving at N. Y. Sept. 2. Before crossing the Pacific, TREBILCOCK will look over California.

JACK ARTHUR, manager of the Toronto Imperial, and BEN CRONK of Famous Players Canadian, went to Washington for the Masonic gathering.

Cantor Denies It

Broadway gasped and got itself into a state of excitement yesterday over a report that Eddie Cantor had died.

Elevator men forgot to say "Floor, please," and asked: "Have you heard the news?"

It spread like a prairie fire. United Artists used the teletype to the coast. All the big wire services began shooting queries.

Cantor blinked his big eyes and grinned.

"It ain't so," he insisted.

Skouras, FWC Men Go Back to Coast

Charles Skouras, president of Fox West Coast, tomorrow heads for the coast by air. Rick Ricketson, Denver; Elmer C. Rhoden, Kansas City, and Arch Bowles, San Francisco, also go west at the same time. The group has been here conferring on new product.

Jack J. Sullivan and his assistant, Edward Zabel, are staying on for another week for additional meetings with Spyros Skouras and E. L. Alperson.

Reliable to Raise Its New List to 24

HOLLYWOOD, June 12.—Harry S. Webb and Bernard Ray of Reliable Pictures have returned after a month in New York with the announcement that they will make 24 films during 1935-36. Last year Reliable made 16. Included on the schedule will be six westerns with Tom Tyler, four features with Richard Talmadge, six James Oliver Curwood stories and six other features.

Harry Rapf Flying In

Harry Rapf is due from the coast today by plane to attend the graduation Monday of his son, Maurice at Dartmouth. Mrs. Rapf arrived the other day by plane and both plan to leave for Hollywood Monday night.

Joe Rapf, head of the M-G-M wardrobe department, has arrived by boat from the coast for a week's vacation.

"Little Girl" $55,000

"Our Little Girl" ended a week's run at the Music Hall last night with a gross close to $55,000.

California Income Tax Passes House

SACRAMENTO, June 12.—The House has adopted the conference report fixing the proposed state income tax rate at 25 per cent of the Federal rate. It now goes to the Senate.

The rates are scaled from one per cent on $3,000 to 15 per cent for $250,000 and over. This compromise broke the long deadlock which began when studios threatened to quit California if any rate higher than one-third of the Federal rate were adopted.

Another bill passed by the House and sent to the Senate calls for payments of three per cent of payrolls of employes getting less than $2,500 per year into a state unemployment insurance fund. Each employe would contribute one per cent of his monthly pay to the fund and draw from $7 to $15 per week when unemployed.

Acts for Biennial Session

BOSTON, June 12.—In a tempestuous session today the Legislature in joint meeting passed a resolution calling for biennial sessions. The matter will go on the ballots at the next election.

Business generally, including exhibitors, favors the move.

Broadcasters Heard In Ascap Trust Suit

Radio broadcasters were given the first inning as witnesses in the trial of the government's anti-trust suit against the American Society of Composers, Authors & Publishers, which went into its second day yesterday before Federal Judge Henry W. Goddard in U. S. District Court here. There is no definite indication yet when film and theatre men who have been subpoenaed as witnesses by the government will be called to the stand.

Yesterday's testimony was largely of a technical nature, intended to show that radio broadcasting is an activity in interstate commerce. Dr. C. B. Jolliffe, chief engineer of the Federal Communications Commission, supported this viewpoint with his testimony. Raymond P. Robinson and William C. Siegfried, officials of the U. S. Copyright Bureau, testified that Ascap owned or controlled more than one-sixth of the musical copyrights registered since July 1, 1909. Thomas Belviso, manager of the Music Library Research Dept. of the music rights division of NBC, was on the stand when the trial was adjourned to this morning. He testified as to the amount of music used by the chain and the percentage of it that was controlled by Ascap. He will resume the stand today for further cross-examination by Nathan Burkan, Ascap counsel.

Burkan indicated yesterday by his cross-examination that he would endeavor to show that Ascap's fees are reasonable in view of the large audiences reached by radio.

Allied Meet on Today

Allied's board of directors will open the first of a two-day session at the Warwick today to take up unfinished business left over from the Atlanta convention. Among those attending will be Sidney Samuelson, president; Abram F. Myers, general counsel; Nathan Yamins, Fall River, Mass.; H. M. Richey, Detroit.



THE PICTURE OF THE WEEK

With Joe E. Brown at his hilarious best, Warner Bros.' **"ALIBI IKE"** takes its place as the week's most enjoyable screen play. In the role of Ring Lardner's immortal excuse-making ball player, Joe E. gets expert assistance from Olivia de Havilland, Ruth Donnelly, Roscoe Karns and Director Ray Enright. Released June 15th.

Lichtman to Be Made New Head of U. A.

(Continued from page 1)

that subsidiary, succeeding Schenck who occupied that post as well. No word on Silverstone's successor was available yesterday.

With decision to move Lichtman into the highest post at U.A., the company at once concluded other plans for the new season and announced it will hold its annual sales convention in Hollywood July 8-11. Deals current in Hollywood and in London are expected to fill in the gap created by switch of 20th Century to Fox and perhaps increase the 1935-36 output beyond the current season's level.

Apply for U. A. Stock Sale

WILMINGTON, June 12.—A petition was filed in Chancery Court here today by the trustees in dissolution of Art Cinema Corp. for permission to sell 1,000 shares of common stock in United Artists Corp., controlled by Douglas Fairbanks, Mary Pickford, Charles Chaplin, Joseph M. Schenck and Samuel Goldwyn.

The petition states that the trustees have received an offer of $650,000 for the stock on behalf of United Artists from Nathan Burkan for Miss Pickford, Chaplin and Goldwyn.

The court is asked to approve the proposed sale. It is provided, however, that the Elton Corp., controlled by Fairbanks, will have a right to purchase stock at the same price if it so desires, the obvious thought being maintenance of the balance of power.

The court directed that stockholders of Art Cinema be notified of the petition and directed to appear before the court June 26, at which time the petition will be heard.

It is believed here that the proposed sale, which represents one-sixth of United Artists' outstanding stock, was one of the reasons Fairbanks cut short his world cruise. There is a possibility that he may attend the hearing.

The petition states that the stock was appraised at $613,254 on Oct. 26 last and that on Dec. 24 a dividend amounting to $83,330 was paid on it. The trustees express the opinion that the sale would be to the best interest of Art Cinema stockholders. They add that they have been assured that Schenck will vote for the purchase of a unit of 1,000 shares by United Artists.

Art Cinema is a dissolved corporation. William Jasie, Dennis F. O'Brien, general counsel, and William Phillips, treasurer of United Artists, were appointed trustee in dissolution last October in Chancery Court.

Zanuck and Goetz Coming

HOLLYWOOD, June 12.—Darryl Zanuck and William Goetz leave for New York Thursday for conferences with Joseph M. Schenck.

Roach Offers Pitts Job

Hal Roach has offered Alabama Pitts a job as an assistant cameraman and the cooperation of studio workers in studying the production end of the business. He has also wired Judge Landis asking him to give Pitts a chance to play professional baseball.

Roach is in New York at present working on "Lucky Beginners."

Lichtman Man of Varied Talents; Popular Figure

Al Lichtman's election to the presidency of United Artists will mark another step in the career of a man regarded as one of the colorful figures of the industry—a rare blend of forceful executive, suave social figure, wit, after-dinner speaker.

His varied talents have made it possible for him to build up a reputation as a sales head who gets some of the highest rentals in the business while at the same time widening his circle of friends among exhibitors. He makes them pay and like it, but combines his persuasive salesmanship with a reputation for fairness.

Lichtman was born in Hungary in 1888 and reached this country while a small boy. Later he joined the army.

His start in the amusement business was as an usher at Tony Pastor's 14th St. theatre. In the course of time he became manager for C. C. Pyle when that famous promoter ran a poster company in Chicago; an actor in vaudeville; a manager of an act; a film salesman.

Eventually he became general manager of distribution for Monopol Film Co., owned by P. A. Powers and C. C. Craft. He handled "Dante's Inferno," "Homer's Odyssey" and "The Life of Buffalo Bill."

When Famous Players Co. was organized he was its first sales manager. Also, he was the first general manager of distribution for Artcraft, selling pictures for Mary Pickford, Douglas Fairbanks, George M. Cohan, Elsie Ferguson, William S. Hart and others.

After the mergers which resulted in the formation of Famous Players-Lasky Corp. he was general manager of distribution for the combined companies. He held the same post for Universal later.

His first connection with United Artists was as special field representative, the appointment coming from Hiram Abrams in May, 1926. The following November he was made distribution head by Joseph M. Schenck and later became vice-president and a member of the executive committee.

Horwitz Bank Night Injunction Denied

CLEVELAND, June 12.—Application of Meyer Fischer of the Fountain for a temporary injunction to prevent M. B. Horwitz from conducting a bank night at the Haltnorth was denied today by Judge Frederick Walther in Common Pleas Court. The petition had been based on the charge that bank night is a lottery and unfair competition.

Basing his ruling on a Supreme Court NRA decision that unfair competition involves deceiving the public, Judge Walther held that bank night does not victimize the public. No question of a lottery was involved in his decision.

The court held that if a criminal act (meaning a lottery) was involved the matter was one for criminal procedure.

Theatre Loan Limit Raised to $50,000

(Continued from page 1)

for borrowing by theatre owners almost everything used in reconditioning is eligible for loans.

Heretofore loans could not be applied to movable equipment. Under the new arrangement sound equipment, air-cooling outfits, projectors, stage curtains, decorating and all forms of remodeling are held entitled to Federal aid. No decision has been reached on carpets.

Promissory notes will be accepted and financial institutions will not be allowed to charge fees equivalent to more than $5 per $100 of original face amount of a one-year note to be paid in monthly installments.

Steinbeck Out on Bail

FRANKLIN, O., June 12.—William E. Steinbeck, operating the Ohio, who has been held by authorities here on charge of shooting with intent to kill, has been released on $3,500 bond. Upon recommendation of the prosecution, the hearing has been postponed for a week.

Steinbeck is said to have shot a Negro patron in a scuffle.

Pa. Sunday Hearing Stirs Lively Debate

HARRISBURG, Pa., June 12.—The Sunday local option bill was bitterly debated at a hearing last night before a Senate committee.

Jeanette Wilinsky of Pittsburgh, representing independent theatre owners, who oppose the measure, charged big theatre circuits had sent paid boosters here to stage a demonstration for the bill at last night's and earlier hearings. She declared "paid" employes of circuits had been forced to come to Harrisburg to try to put the bill across.

Others who spoke against the measure were Rev. Dr. W. B. Forney of the Lord's Day Alliance and Rev. Dr. W. L. Mudge, secretary of the Pennsylvania Council of Churches.

John A. Phillips, head of the Pennsylvania Federation of Labor, and Walter Vincent of the Wilmer & Vincent circuit, were among those who urged enactment of the bill.

The measure, which has passed the lower house, will go before the Senate on a second reading if it is reported back to that body by the Committee on State Government, before which last night's hearing was held.

J. J. Franklin Expands

SAN FRANCISCO, June 12.—J. J. Franklin, former division manager of the RKO interests here, is conducting an expansion program in Hawaii, according to William Citron, Franklin's representative here.

Franklin is adding a $50,000 theatre to the two he already has in Honolulu. The new theatre will be in the center of the downtown district and he has obtained a 14-year lease on the premises. The lease calls for an aggregate rental of $123,600.

Libson in for Meeting

Ike Libson, Cincinnati partner of RKO, arrived in town yesterday to attend a board of directors' meeting of the RKO Midwest Corp. today. Routine business matters will be discussed at the monthly session.

Report on RKO Claims Coming Within a Week

(Continued from page 1)

ment of an RKO reorganization plan. While the claims covered in the report will be subject to further contest by either the RKO trustee or by the claimants before finally being allowed or disallowed, the report, nevertheless, is expected to serve importantly in determining the approximate amounts for which provision would have to be made in any plan of reorganization. Thacher's report, therefore, is considered to be a vital factor in clearing the way for further progress toward a reorganization of RKO.

The $25,800,000 of claims were contested by the RKO trustee, Irving Trust Co., at hearings held before Thacher last year, but no decisions have been rendered on any of them to date. The total claims filed against RKO amounted to $35,766,000, exclusive of four additional claims aggregating about $10,000,000 for RKO's contingent liability on obligations of subsidiaries which are not now in default. If no default occurs, there will, of course, be no liability on the part of RKO in respect to these claims.

Of the approximately $10,000,000 of claims not heard by Thacher, more than $2,500,000 have either been withdrawn or dismissed by the court and more than $2,000,000 additionally have negotiations for their withdrawal pending. RKO has outstanding approximately $16,200,000 of gold notes and debentures for which no proof of claims have been required by the court.

Receiver Is Asked For Pathe Exchange

(Continued from page 1)

Casey, head of Vaudeville Managers' Protective Ass'n., and studio labor representative for major producers. Casey is described in the application as the owner of 40 shares of Pathe stock. The application will be contested by Pathe through Coudert Bros., former counsel to the company.

Reports that E. B. Derr, former Pathe production head, was identified with the filing of the action were freely circulated yesterday. Derr came here from the coast about two weeks ago, preceded by reports that he was interested in purchasing Pathe. Reached at his hotel yesterday, Derr declined to comment on the reports linking him with the receivership application. At the time of Derr's reported interest in acquiring Pathe, officials of the company admitted that an offer had been received from him but was not being considered.

CCC Film Showings To Be Scrutinized

Distributors' complaints that "Jack Rabbit" circuit operators have been holding unauthorized showings of films in many CCC camps have resulted in a War Department order that in the future these exhibitors must produce specific authorizations for showings in specific camps.

Heretofore their licenses have read "camps" or "CCC camps" in many instances, and nearby exhibitors have been suffering from unfair competition, it is claimed.



AS WE PREDICTED!

Socko! Wow! Smash!

HELD OVER

2nd Big Week, CAPITOL, N.Y.

BUSINESS TERRIFIC FROM COAST TO COAST

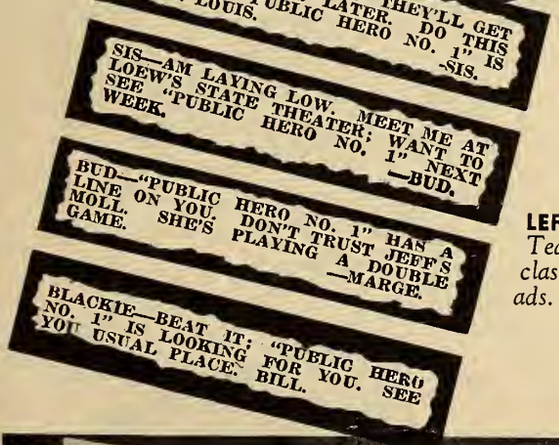
A PICTURE TO EXPLOIT!

Here are TRIED and PROVEN IDEAS!

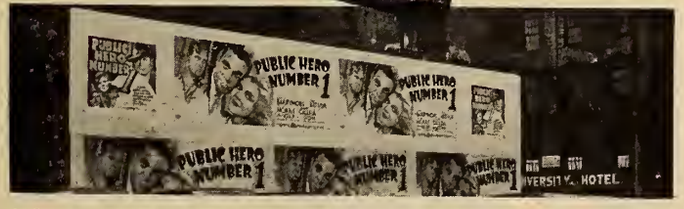
From St. Louis, Bridgeport and other cities.



RIGHT: *Title in big electric sign over marquee!*



LEFT: *Teasers in classified ads.*



Plaster the town as you've never done before!

POSTING—All around the town, special block paper, 3-sheets, 1-sheets, 6-sheets, vivid pictorial M-G-M 24-sheets.

ADVANCE LOBBY DISPLAY—Two weeks ahead of opening, theatre displayed huge enlargements of Hollywood critical previews (obtainable at M-G-M exchanges) also pictorial material, enlarged ads, etc.

HERALDS—Fifty thousand heralds used as inserts in all packages as a city-wide tie-up in A. & P. Grocery Stores—10,000 heralds attached to Liberty Magazines and distributed in a house-to-house canvass by Liberty Magazine boys.

RADIO—Starting ten days in advance a fifteen-minute broadcast daily over Station WIL at 11 o'clock A. M. Personal talks about experiences at the studio during the filming of this picture.

WIRE COMPANIES—Tie-ups made both with Western Union and Postal Telegraph for the placing of special worded stickers on the backs of the telegraph envelopes or on the body of the messages themselves. Jumbo blanks posted in their windows with a special message from Chester Morris to St. Louis theatre patrons.

DICK TRACY STRIP—Arrangements made to tie-in the Dick Tracy Detective Strip with "Public Hero Number 1". 200 lines of free space for Tuesday and 200 lines on Wednesday, prior to opening.

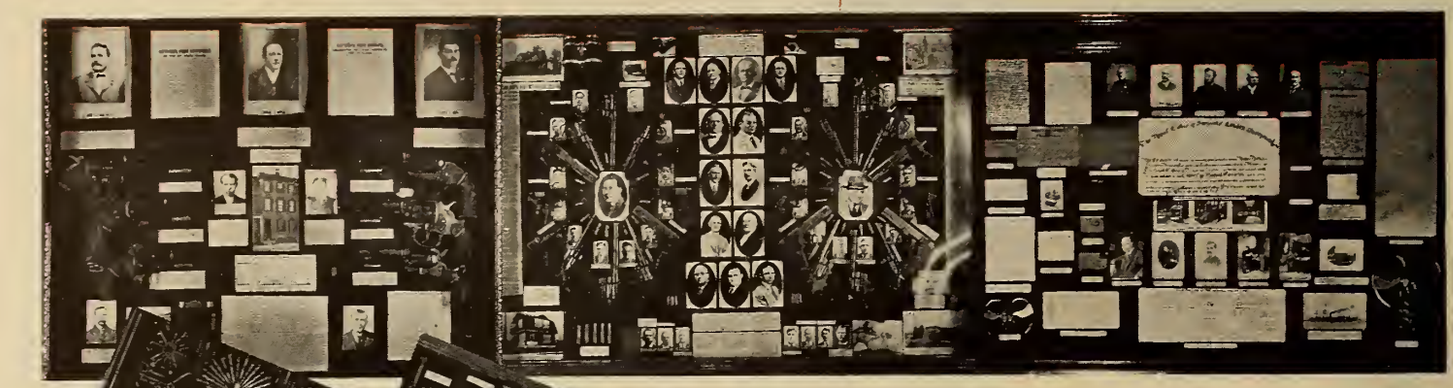
WALGREEN DRUG—A city-wide tie-up with the Walgreen Drug Co., (36 drug stores). Special two-sheet block cards displayed on bar, tying in with fountain special advertising their "Public Hero Number 1 Fountain Special". This tie-up, one week prior to opening and current, gave two weeks tie-up with these drug stores.

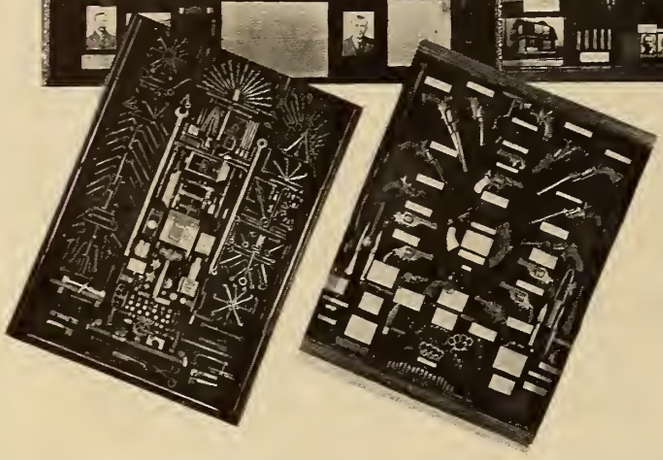
CINEMA WAY TIE-UP—Special Wednesday display at Famous-Barr, St. Louis, using large blow-ups of Chester Morris and Jean Arthur with appropriate selling copy. Paid advertising featuring this tie-up.

DEPARTMENT STORES—Gowns worn by Miss Arthur in the making of "Public Hero Number 1" displayed in the Sonnenfeld Department Store Wednesday in the heart of the downtown district. A large blow-up of Miss Arthur and other art displays of the various stars from the production. Also special art card with appropriate selling copy.

ST. LOUIS NEWS COMPANY—Cooperative tie-up with St. Louis News Company on the detective story magazines with a half-sheet card used on all magazine and news stands located throughout St. Louis. Also special stickers attached to all photoplay magazines distributed week prior to the opening.

EXPLOITATION GETS RESULTS!

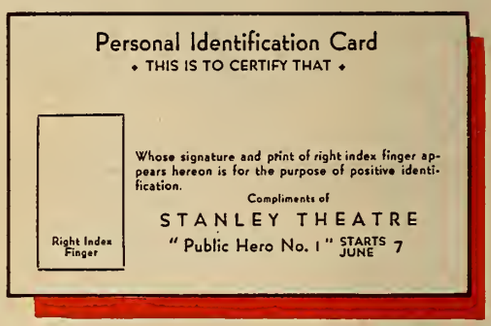




Lobby display by local police!

Most amazing lobby ever flashed to public. Material gathered by St. Louis police during 45 years. Show cases brought thousands in.

RIGHT:
Inexpensive card give-away. New indentification gag.



THEATRE FRONT—On each end of the marquee large four-foot electric letters spelling out the title. Also a large pictorial cutout of the two male leads and the girl from 24-sheet. A silk transparent valance used under the canopy with overhead hanging double-faced sign—a large 12x20-foot flag hung from the top of the vertical sign hanging out almost over the street. Flood lights mounted on the marquee of Grimm & Gorly Flower Shop located directly across the street from the theatre to highlight the front of the theatre.

TRAILERS — Two weeks in advance, special advance teaser trailers used selling the magnitude of the production, followed one week in advance by the regular M-G-M trailer on this attraction.

SPECIAL SCREENING — Special screenings arranged for heads of women's clubs, wives of the leading police officers, etc., to get the women's cooperation on this picture.

ROYAL WINDOW TIE-UPS — Window displays obtained through the efforts of the Royal Typewriter Agency in St. Louis.

SMALL FLAGS—Small flags made up as a lapel decoration with the title "Public Hero Number 1" inserted, distributed to school children.

RADIO REVIEW—The day following the opening a special review presented over Station KMOX on the Evans Coffee Hour. Prominent lady handles this broadcast and has considerable following.

INSURANCE TIE-UP — National Life Insurance Co., of Nashville, Tennessee, issued an accident policy to each patron entering the theatre to insure them for the duration of the performance only. Paid newspaper space to advertise. Newspaper stories outlining the details of this stunt planted with all St. Louis newspapers.

DILLINGER MODEL — Special Dillinger Mask made to fit dummy — laid on marble slab on display—live man alternates with dummy on slab. Signs—"Crime Doesn't Pay"— see "Public Hero No. 1," etc.

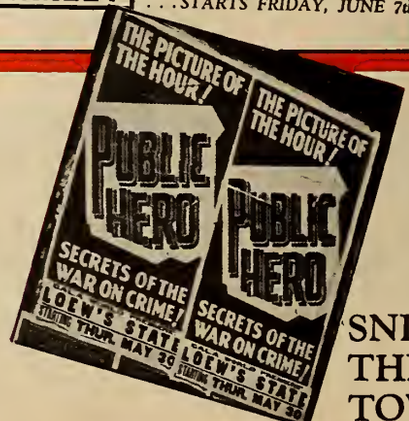
STREET CORNERS — 50 prominent street corner stands in Bridgeport. 200 cards 18″x29½″ (four sides each corner) located on all prominent corners of city.

MAX FACTOR — Max Factor display — Howlands Dept. Store in Bridgeport on main floor.

GANGSTER CAR—Auto from Ford dealer—open car with gangsters and guards on running board—banners on both sides of car.

OFFICIAL LETTERS — Letters Mailed — copies of Police Commissioner Otto H. Loven and Warren J. Nichols of Board of Education. Endorsement of Superintendent of Bridgeport Police, Chas. W. Wheeler, retired president of International Police Chiefs of America, and is also a personal friend of J. Edgar Hoover, Department of Justice.

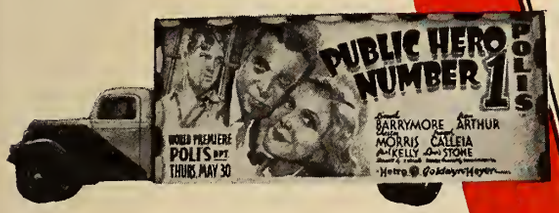




SNIPE THE TOWN!

TIMELY!

No advertising idea in years has won so widespread attention as the showmanshipidea(*right*) used from coast to coast by M-G-M.



TRUCK COVERS TOWN!
M-G-M's 24-sheet spreads the message around town. Announcer broadcasts. 6-sheet in rear.



GUARD HOUSE ON MAIN STREET
Specially constructed set resembling prison. Illuminated at night. Prison guard with rifle.



TELEPHONE GIRLS IN WINDOW
Great flash with pretty girls phoning residents from store windows.

$500 REWARD!

TO THE FIRST PERSON BRINGING TO THE CAPITOL THEATRE (During the engagement of Public Hero No. 1) ONE OF THE RANSOM BILLS PAID TO THE WEYERHAEUSER KIDNAPERS! LIST OF RANSOM BILL SERIAL NUMBERS POSTED IN FRONT OF THE CAPITOL THEATRE! HELP CAPTURE THE WEYERHAEUSER KIDNAPERS AND BECOME

PUBLIC HERO NO. 2

NEVER WAS A PICTURE SO TIMELY!
NEVER HAS A PICTURE SO COMPLETELY CAUGHT THE HEART THROB OF THE DAY!

PUBLIC HERO No 1

is Today's

NO. 1 ENTERTAINMENT SENSATION!

with Lionel Barrymore — Jean Arthur — Chester Morris
Joseph Calleia — Paul Kelly — Lewis Stone

A Metro-Goldwyn-Mayer Picture

SEE the Government's grim "men behind the guns" track down and unmask the "rats of civilization". PUBLIC HERO NO. 1 reveals how the Federal forces work. We predict that when the Weyerhaeuser kidnapers are caught, the "inside" workings of the Department of Justice men on the case will be similar to what you see in PUBLIC HERO NO. 1— a prophetic picture—a terrific picture—a picture every mother, every woman, every man must see!

NOTE: "Manhattan Melodrama" was the picture that helped catch John Dillinger. Loew's Sheridan Theatre, N. Y. C. discovered one of the Lindbergh ransom notes that helped convict Hauptmann. Now PUBLIC HERO NO. 1 may help solve the Weyerhaeuser case!

STARTS FRIDAY

CAPITOL

B'way & 51st
Major
Edward
Bowes,
Mng. Dir.

"PUBLIC HERO No. 1" *tops them* ALL!

It's different! It's got more *inside* stuff! It's got more comedy! It's got a grand love story! It's got a Bigger Cast!

A PICTURE TO EXPLOIT!

Para. to Hold Lineup to 65 For 1935-36

(*Continued from page* 1)

not officially included in the convention agenda as it stood yesterday are Ernst Lubitsch, managing director of production, and Henry Herzbrun, business administrator, both of whom are here discussing studio management and operation with President-elect John E. Otterson. The latter does not assume his new post until June 17 and the probabilities are definite, therefore, that he will not participate in the company's sales parleys.

Neil F. Agnew, general sales manager, will preside over the sessions, flanked on either side by his two divisional managers, Joseph J. Unger and Charles M. Reagan.

Today the highlight will be a detailed story of the company's reorganization to be told by Schaefer and bringing to the assembled men for what will probably be the first time a detailed account of the organization's dramatic efforts to emerge from bankruptcy.

Contest Awards Today

The recent sales contest prizes and the 100% Club awards will also take place this morning. In the afternoon John W. Hicks, vice-president of Paramount International, will review activity in the foreign field, and Lou Diamond, head of the short subjects department, will discuss shorts and the newsreel.

Today product for the 1935-36 season will be announced by Schaefer and sales policies reviewed. Friday afternoon, advertising and ad sales plans will be discussed by Robert M. Gillham, director of advertising and publicity; Bill Pine, in charge of advertising and publicity at the studio, and Don Velde, ad sales manager.

On Saturday, Schaefer, Agnew, Unger and Reagan will confer with district managers and specific sales policy matters will be discussed with the district, branch and sales managers. Louis Phillips of the legal department will give a talk at the morning session. In the afternoon, Cecil B. DeMille will address the meeting, and Loretta Young, Joe Penner and Sylvia Sidney will take a bow. DeMille will screen a print of "The Crusades" which he brings with him from Hollywood today.

Individual Meetings Sunday

On Sunday, individual district and branch managers' meetings will be held with the division managers.

The complete program of the convention is as follows:

Today

9:30 A.M.—Roll call by G. B. J. Frawley.
10:00 Welcome and opening by Neil F. Agnew.
10:15 Contest prize awards by J. J. Unger.
10:30 100% Club awards by Charles M. Reagan.
11:00 Reorganization story by George J. Schaefer.
12:30 P.M.—Lunch.
2:00 Foreign department activities by John W. Hicks and foreign sales managers.
3:00 Shorts and newsreels by Lou Diamond, Max Fleischer and A. J. Richards.
4:00 Screening of convention trailer and shorts.
5:30 Adjournment.
7:00 P.M.—Formal dinner at Hollywood Restaurant.

Friday

9:30 A.M.—Review of studio organizations and "S-7" product by George J. Schaefer.
12:30 P.M.—Lunch.
2:00 Advertising plans and ad sales by Robert M. Gillham, Bill Pine and Don Velde.
3:00 General discussion of sales policy by Schaefer.
5:30 Adjournment.
8:30 Formal theatre party, "Anything Goes."

Saturday

9:30 A.M.—District, branch and sales managers' individual meetings conducted by Neil F. Agnew, J. J. Unger and Charles M. Reagan.
11:00 Code and legal questions by Louis Phillips.
Noon Meeting with district managers conducted by Schaefer, Agnew, Unger and Reagan.
1:00 Lunch.
2:00 Loretta Young, Sylvia Sidney and Joe Penner will meet delegates. Address by Cecil B. DeMille.
3:00 Screening of "The Crusades."
5:30 Busses to Winged Foot Golf Club.
7:00 Informal dinner at Winged Foot.

Sunday

10:00 Individual district and branch managers' meetings with division managers.

Head Paramount Convention



Adolph Zukor
Board Chairman



George J. Schaefer
Vice-President



Neil F. Agnew
Gen'l Sales M'g'r



J. J. Unger
Division M'g'r



Charles M. Reagan
Division M'g'r



John W. Hicks
Foreign Sales M'g'r



Lou Diamond
S. S. Chief



Cecil B. De Mille
Producer



Robert M. Gillham
Ad., Pub. Head

The attendance, in full, follows:

Home Office Distribution Department—George J. Schaefer, Neil F. Agnew, J. J. Unger, C. M. Reagan, G. B. J. Frawley, R. M. Gillham, Al Wilkie, H. J. Lorber, A. J. Dunne, F. A. LeRoy, J. Roper, M. Goodman, G. Knox Haddow, Larry Flynn, William Schneider, Rodney Bush, Vincent Trotta, Louis Nathan and Alec Moss.

Home Office Ad Sales Department—Don A. Velde, Jay Haas, Weldon Waters and Arthur Craig.

Shorts and Newsreel Department—Lou Diamond, Max Fleischer, A. J. Richard, W. C. Park and Grantland Rice.

Foreign Department—John Hicks, Eugene J. Zukor, George Weltner, Albert Deane, Morais Audley, D. Greenwald, A. Pinos and Charles Gartner.

From the foreign field are J. E. Kennebeck, managing director, Australia; J. Rapoport, manager, Cuba; Samuel E. Pierpoint, branch manager, Canal Zone; John B. Nathan, manager, Argentine, Uruguay and Paraguay.

Russell C. Holman and Henry S. Salsbury will attend from the home office production department. Louis Phillips, I. Cohen, H. Luber and A. Israel will be present from the legal staff. Bill Pine, recently appointed studio publicity and advertising head, is in from Hollywood.

From the field:

Albany—C. G. Eastman, manager.
Atlanta—O. A. Morgan, district manager; Dave Prince, manager; E. Price, salesman.
Boston—W. H. Erbb, district manager; J. H. Stevens, manager; J. Moore, sales manager; J. Harris, salesman.
Buffalo—K. G. Robinson, manager; E. Walter, sales manager.
Charlotte—J. Kirby, manager.
Chicago—J. E. Fontaine, district manager; Allan Usher, manager; E. J. Barnard, sales manager; H. Hamburg, salesman.
Cincinnati—J. Oulahan, manager.
Cleveland—H. H. Goldstein, district manager; John Himmelein, manager; H. Roth, booker.
Columbus—M.R. ("Duke") Clark, manager.
Dallas—J. B. Duggar, district manager; H. E. Pickett, manager; F. A. Tomos, salesman.
Denver—H. W. Braly, district manager; W. P. Weins, manager; C. J. Duer, salesman.
Des Moines—R. M. Copeland, manager.
Detroit—W. O. Bolle, manager; C. J. Bell, sales manager.
Indianapolis—T. J. Howard, manager.
Jacksonville—S. E. Chosnutt, manager.
New Jersey—E. H. Bell, manager; J. C. Perley, booker; A. Gebhart, salesman; H. A. Kaufman, salesman.
Kansas City—R. C. LiBeau, district manager; J. T. Manfre, manager; A. H. Cole, special representative.
Los Angeles—M. H. Lewis, district manager; Carroll N. Peacock, manager; I. G. White, sales manager.
Maine—E. Ruff, manager.
Memphis—W. F. Bugie, manager.
Milwaukee—J. O. Kent, manager; J. Lonahan, booker.
Minneapolis—Ben Blotcky, district manager; J. J. Donahue, manager; W. D. Woods sales manager.
New Haven—A. M. Kane, manager.
New Orleans—Harold F. Wilkes, manager.
New York—Milt S. Kusell, district manager; Myron Sattler, manager; H. Randel, Brooklyn, manager; M. Gluck, sales manager; I. A. Lesser, salesman; B. Brooks, salesman; M. R. Volck, Jr., salesman; H. F. Loun, Brooklyn, salesman; Miss K. Flynn, booker; Miss L. Bergson, Brooklyn, booker.
Oklahoma City—S. R. Simpson, manager.
Omaha—A. Mendenhall, manager; G. Hinton, salesman.
Philadelphia—P. A. Bloch, district manager; Earl W. Sweigert, manager; U. Smith, sales manager; T. Abet, salesman.
Pittsburgh—D. Kimelman, manager; G. Elmo, salesman.
Portland—F. C. Clark, manager.
Salt Lake City—R. D. Thomson, manager.
San Antonio—C. E. House, manager.
San Francisco—George A. Smith, manager; J. Bettencourt, sales manager; A. Taylor, salesman.
Seattle—H. N. East, manager.
Sioux Falls—A. R. Anderson, manager; G. Sessler, salesman.
St. Louis—M. Schweitzer, manager.
Washington—H. Hunter, manager.
Canada—M. A. Milligan, general manager; W. J. O'Neill, treasurer; J. Hunter, manager; H. Phaff, sales manager, all Toronto; H. Q. Burns, ad sales manager for Canadian exchanges; M. Brown, manager; T. Dowbiggan, sales manager, Montreal; P. J. Hogan, St. Johns; W. Hanshor, district manager, Vancouver; W. O. Kelly, manager, Calgary; D. Brickman, manager, Winnipeg; L. D. Hatfield, salesman, Toronto.

W. C. Fields to Rest

HOLLYWOOD, June 12.—W. C. Fields says that when he finishes "Everything Happens at Once" at Paramount, he will take a four-month vacation. He plans to leave Hollywood, and establish headquarters in Lower California.

Tomlin for "Smart Girl"

HOLLYWOOD, June 12.—"Pinky" Tomlin will make his debut as an actor in Paramount's "Smart Girl," which Walter Wanger will produce. Aubrey Scotto will direct. In the cast are Ida Lupino, Kent Taylor, Gail Patrick, Sidney Blackmer and Joseph Cawthorn.

Para. Has 80 Players with 19 Directors

HOLLYWOOD, June 12.—Paramount has 80 stars and players and 19 directors to draw upon for its 1935-36 program of 65 features.

The contract list, as drawn up by the studio, follows:

Players—74

Benny Baker, George Barbier, Wendy Barrie, Douglas Blackley, Mary Boland, Grace Bradley, Carl Brisson, Kathleen Burke, George Burns and Gracie Allen, Kitty Carlisle, Dolores Casey, Claudette Colbert, Gary Cooper, John Cox, Larry Crabbe, Bing Crosby, Katherine DeMille, Marlene Dietrich, Johnny Downs, Frances Drake, Mary Ellis, W. C. Fields, William Frawley, Trixie Friganza, Cary Grant, Julie Haydon, Samuel S. Hinds, Betty Holt, David Holt, Dean Jagger, Helen Jepson, Roscoe Karns, Rosalind Keith, Walter C. Kelly, Lois Kent, Jan Kiepura, Elissa Landi, Billy Lee, Baby LeRoy, Carole Lombard, Pauline Lord, Ida Lupino, Fred MacMurray, Marian Mansfield, Herbert Marshall, Gertrude Michael, Ray Milland, Joe Morrison, Grete Natzler, Jack Oakie, Lynn Overman, Gail Patrick, Elizabeth Patterson, Joe Penner, George Raft, Maxine Reiner, Lyda Roberti, Charlie Ruggles, Marina Schubert, Randolph Scott, Sylvia Sidney, Alison Skipworth, Sir Guy Standing, Fred Stone, Mildred Stone, Gladys Swarthout, Akim Tamiroff, Colin Tapley, Kent Taylor, Lee Tracy, Virginia Weidler, Mae West, Henry Wilcoxon.

Directors—19

Charles Barton, Clyde Bruckman, Cecil B. DeMille, Marion Gering, Alexander Hall, Henry Hathaway, Arthur Jacobson, Mitchell Leisen, Leo McCarey, Norman McLeod, Lewis Milestone, Ralph Murphy, Elliott Nugent, Wesley Ruggles, Alfred Santell, Norman Taurog, Frank Tuttle, King Vidor, Alfred Werker.

Writers—80

The studio declares its writing staff totals 80, including:

Frank R. Adams, Charles Brackett, Frank Craven, Oscar Hammerstein, Samuel Hoffenstein, Cyril Hume, Grover Jones, Norman Krasna, Harold Lamb, Vincent Lawrence, Edwin Justus Mayer, Wm. Slavens McNutt, John P. Medbury, Dorothy Parker, Laurence Stallings, Tiffany Thayer, Crane Wilbur, Waldemar Young.

Songwriters—6

Sam Coslow, Mack Gordon, Ralph Rainger, Harry Revel, Leo Robin, Richard Whiting.

The executive staff numbers 27, includes nine associate producers and five supervisors.

Wanger Signs Alan Baxter

HOLLYWOOD, June 12.—Alan Baxter, New York stage player currently engaged in "The Black Pit," has been signed by Walter Wanger to make two pictures a year for the next four years. He will arrive following completion of his stage part.

Para. Gets Six Youngsters

HOLLYWOOD, June 12.—Paramount has signed six young players to test option contracts. They are Jose Carraballo, who appeared with Ramon Novarro in a Spanish film; George Eldridge, Robinson Neeman, Brian Don Levy, Marcia Hunt and Jack Rhodes.

"Easy Living" for Colbert

HOLLYWOOD, June 12.—Charles R. Rogers will produce "Easy Living," starring Claudette Colbert, as his next for Paramount.

Open Shreveport Office

NEW ORLEANS, June 12.—The Southern Theatre Service & Supply Co., under the direction of L. R. Beatty, has opened for business in Shreveport.

Approval Is Given Allied Owner Plan

(*Continued from page* 1)

Goldwater & Flynn, attorneys for the trustees, Stephen Callahan, Percival E. Jackson and William M. Greve. It was seconded by Paul McQuillin, of Sullivan, Cromwell & McQuillin, attorneys for the First Mortgage Bondholders' Committee, who said that any further delay would jeopardize the interests of the bondholders. Richard Hunt, attorney for the Second Mortgage Bondholders' Committee, seconed this.

Kraushaar objected and said he hoped the committees would withdraw approval as they "were under fire before the Sabath committee."

This caused a stir and some wordy protests.

Hecht and MacArthur Talk New Para. Deal

Ben Hecht and Charles MacArthur are negotiating a new deal with Paramount. While details are not set, the number to be made under the new arrangement will not exceed six.

The two producers recently wound up a three-picture pact with the company when Paramount could not agree on conditions of a fourth picture, which was provided for under an option. The trio made by Hecht and MacArthur were "Crime Without Passion," "Once in a Blue Moon" and "The Scoundrel." The second picture, which was held up for some time, is now in general circulation.

In the event the new deal is consummated, the former producing headquarters, Eastern Service Studios at Astoria, will be used again.

Hecht and MacArthur several weeks ago had a deal on the fire with M-G-M, but nothing came of it.

New Setup Puts Hub Met in Para. Control

(*Continued from page* 1)

subsidiary of New England Theatres, Inc., under a reorganization plan which was given final approval here today.

The house will be operated by Martin Mullin and Sam Pinanski on a 10-year lease which calls for a graduated rental of 12½ per cent of the first $1,100,000 of gross receipts less admission tax; 15 per cent of the next $400,000, and 17½ per cent of all receipts over $1,500,000. A fixed minimum annual rental of $156,000 for the first five years is specified.

RKO and Paramount Deadlocked on Deal

RKO and Paramount are deadlocked on the terms of a new product deal for the circuit. The distributor's terms for the 1935-36 output are said to be far above those hoped for by RKO. All negotiations have been called off for the time being.

Geddes at Seattle

SEATTLE, June 12.—Don Geddes of Portland has taken over management of John Hamrick's Orpheum. He succeeds George T. Hood, who resigned last week. William Hamrick remains at the house as assistant.

Geddes is a former Seattle showman, who has been associated with Hamrick in Portland for the last two seasons.

Wall Street

Trading Irregular on Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	63½	62½	62½	—1
Consolidated	3⅝	3⅝	3⅝	+ ⅛
Cons., pfd (1¼v)	15⅛	15	15⅛	+ ⅛
Eastman	146½	144¾	146	+1
Eastman, pfd	155½	155½	155½	.....
Fox "A"	15¼	14⅞	14⅞	— ⅛
Loew's, Inc.	42¼	41⅝	41⅞	.....
Loew's, Inc., pfd.	106¼	106¼	106¼	— ¾
Paramount	3¾	3⅝	3⅝	.....
Pathe	¾	¾	¾	+ ⅛
Pathe "A"	10½	9½	10	+ ⅝
RKO	2⅛	2	2	.....
Warner	4⅜	4¼	4¼	— ¼
Warner, pfd	26½	25½	26	— ¼

Technicolor Off on Curb

	High	Low	Close	Net Change
Technicolor	25¼	24¼	24½	— ¾
Trans-Lux (.10K)	2⅜	2⅜	2⅜	.....

General Theatre Bonds Up ¼

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11¼	11⅛	11¼	+ ¼
Keith B. F. 6s '46	81¾	81	81¼	— ¾
Loew's 6s '41 ww deb rights	104	104	104	— ¼
Paramount F. L. 6s '47	90	90	90	— ⅛
Paramount Publix 5½s '50	92	91½	92	.....
Warner Bros. 6s '39 wd	66¼	65½	65¾	— ¼

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 12)

Production Code to Have Office in N. Y.

(*Continued from page* 1)

that this be done in order to expedite the consideration by the Production Code Administration of stories and scripts submitted by British producers, and the reviewing by the Administration of British pictures, all this with a view toward facilitating the American distribution of foreign films," said an announcement of the action issued following the meeting.

"The service thus provided," the statement concluded, "will be available for the use of any other producers, foreign or domestic, who find it more accessible to their needs than the West Coast office."

It is anticipated that producers using eastern studio facilities during the new season will make use of the new production code agency here.

Consideration of the effects on the industry of the NRA nullification also occupied the M. P. P. D. A. directors' meeting and further study will be given the subject by that group, it was said.

Delaware Charters Three

DOVER, Del., June 12.—Imperio Azteca Studios, Inc., with a capital of $1,100,000 has been incorporated here to deal in pictures. The incorporators are Roberto Farfan, Sr., Baja Cal, Mexico; John C. Donlevy, San Diego, and Clarence M. Eubanks of New York.

Pennsylvania Ave. Corp. has been chartered to operate theatres by C. S. Peabbles, L. H. Herman and Walter Lenz.

Surrey Sports Enterprises, Inc., and Mayfair Sports Enterprises, Inc., have been incorporated to produce sports pictures of all kinds. The incorporators for both companies are Julian T. Abeles, Leopold Bleich and William Lieber of New York.

Republic to Take Mascot In New Setup

(*Continued from page* 1)

pany, which was founded on Johnston's Monogram organization. The addition of Mascot to the Republic forces may increase the latter's new season production schedule by an as yet undetermined number of pictures. Republic has already announced a lineup of 46 pictures, eight of which will come from M. H. Hoffman, formerly of Liberty.

While Mascot, previously, had announced 24 pictures for next season, it is known that this schedule will be completely revised. It will probably produce in the neighborhood of 16, thus carrying the Republic lineup to approximately 60. Trem Carr, Republic producer, would be in charge of the remaining 20 to 24 pictures. Levine's production units will continue to use their former studio space, while the Carr and Hoffman units will produce at the Republic lot.

The Mascot and Liberty names will be dropped and Republic will divide its production among Levine, Carr and Hoffman. Levine, who recently leased the Mack Sennett studio, will continue to produce there. The production of Republic product will be spread over the Mascot and Pathe studios.

Earlier Republic consolidations brought Herman Gluckman and Emmanuel Goldstein of Majestic and Budd Rogers of Liberty into the Republic executive fold. No announcement was made by Johnston or Levine yesterday as to any officials of Mascot, other than Levine, being transferred to Republic.

Seattle Meeting Saturday

SEATTLE, June 12.—The first of Republic Pictures' two Pacific coast regional sales meetings opens here Saturday with branch managers and salesmen from Washington, Oregon, Utah, Montana and Colorado attending. The second meeting will open at the Hotel Roosevelt, Los Angeles, June 20, with branch managers and salesmen from San Francisco and Los Angeles attending. E. A. Golden, Republic general sales manager, will preside at both meetings.

Friends Honor E. L. Reed

PROVIDENCE, June 12.—Two hundred friends of Edward L. Reed, veteran showman, celebrated his 20th year as manager of the Strand at a dinner in the Biltmore Hotel. Edward M. Fay was chairman of the committee. Among the guest list, which included political and civic leaders as well as showmen, were Joseph McConville of Columbia's New York office, Maurice Wolf of Boston and A. A. Spitz, dean of Rhode Island showmen. Martin R. Toohey of the Leroy in Pawtucket was toastmaster. Reed was presented a silver service set.

Rule Utah Tax Valid

SALT LAKE CITY, June 12.—The two-month-old sales tax has weathered a court attack on its constitutionality. Judge Charles F. Koelsch has decided not only that it is constitutional but also that it is not subject to referendum.

Warners Name 45 of 60 on Season's List

(*Continued from page* 1)

Dream," which cost well over $1,000,000 to produce. The understanding is that the picture will be handled as a roadshow.

Cosmopolitan will furnish six, two of them to star Marion Davies, whose first, already finished, is "Page Miss Glory." No information was given on the second, but two of Cosmopolitan's six will be "The Green Light," starring Leslie Howard and "Thin Air," for which only James Melton has thus far been cast.

Warner stated Max Reinhardt, who directed "A Midsummer Night's Dream," has been engaged for another picture. He did not list it, but, if reports are to be credited, the vehicle will be "The Green Pastures" which Warners will handle as a special next season.

The company is drawing upon 10 Broadway stage plays and 23 published stories for its program of 60. Warner also stressed his intention of keeping plans sufficiently flexible to "take immediate advantage of new plays and stories of a timely nature that may come along during the year."

An analysis of the plans, so far as divulged, shows that the co-starring team of Joan Blondell and Glenda Farrell will be continued in at least two pictures, "Blondes Prefer Gentlemen" and "Miss Pacific Fleet,." Joe E. Brown, Bette Davis, Dolores Del Rio, Kay Francis, Paul Muni, Dick Powell and Rudy Vallee are listed for solo starring pictures, although several in this group are to be co-starred in others as well. Edward G. Robinson returns to the program in "Stiletto," while Warren William will be starred in at least two.

Some Names Missing

Absent from the announced roster are Hugh Herbert, Josephine Hutchinson, Guy Kibbee, Al Jolson, Jean Muir and Lyle Talbot, although it does not necessarily follow they will not appear in any of next year's product. They may be cast later.

Definitely slated for the new program are these:

"The Green Pastures," the Pulitzer Prize play by Marc Connolly. This will be made into a special.

"Page Miss Glory," already completed as Marion Davies' first picture under the recent Warner-Cosmopolitan affiliation. Pat O'Brien, Dick Powell, Frank McHugh. Mary Astor, Allen Jenkins and Patsy Kelly are in the support.

"Three Men on a Horse," play by Cecil Holm and George Abbott.

"The Petrified Forest," by Robert Sherwood, now playing on Broadway, will be produced with Leslie Howard in the same role he is playing on the stage.

"Anthony Adverse," by Hervey Allen.

"Captain Blood," by Rafael Sabatini.

"The Green Light," by Lloyd C. Douglas, which will star Leslie Howard and be a Cosmopolitan release.

"Dr. Socrates," by W. R. Burnett. It will star Paul Muni.

"The Charge of the 600" based upon the poem by Tennyson.

James Cagney will star in "The Frisco Kid."

"San Quentin," by John Bright and Robert Tasker. It will be made with an all-star cast.

"Special Agent," based upon the activities of the Intelligence Unit of the Department of Internal Revenue.

Rudy Vallee will follow up "Sweet Music" with "Let's Pretend."

"Lafitte, the Pirate" will be made with an all-star cast.

"Ceiling Zero," by Frank Wead. James Cagney and Pat O'Brien will be teamed.

"Legionnaire," a story of the French Foreign Legion.

"Invitation to a Murder," mystery play of the current Broadway season by Rufus King, will have an all-star cast.

"Slim," based on the novel by William Wister Haines, will star James Cagney.

"Dress Parade" is now in production at Annapolis, with Dick Powell and Ruby Keeler teamed.

Powell and Miss Keeler will also be teamed in "Colleen."

Paul Muni will follow "Dr. Socrates" with "The Death Fighter," an original by Pierre Collings and Sheridan Gibney.

"Lucky Me" will have Dick Powell heading an all-star cast in a story of three entertainers, a boy and two girls.

Kay Francis in "I Found Stella Parrish," based upon a story by John Monk Saunders. Sybil Jason, the five-and-one-half-year old actress, will play an important part.

"You've Got to Learn Sometime," comedy-drama by Richard Wormser, soon to be published in a national magazine.

"Frenchy," by Henry Meilhac and Ludwig Halevy, will be used as a starring vehicle for either Claudette Colbert or a star of similar importance.

Edward G. Robinson will be starred in "Stiletto," based on the life and exploits of a man-hunter of the New York detective force.

"Thin Air," a Cosmopolitan Magazine story by Mildred Cram, will have Franchot Tone, James Melton and at least one feminine radio personality heading the cast.

"The Goose and the Gander," which stars Kay Francis and George Brent, has been completed.

"Radio Jamboree of 1935" will have the "greatest aggregation of big radio and screen stars ever gathered together in the same picture."

"Snowed Under," adapted from the Liberty Magazine serial story by Lawrence Saunders.

Joan Blondell and Glenda Farrell will be teamed in "Blondes Prefer Gentlemen."

Joe E. Brown will be starred in "Cops and Robbers."

"The Little Big Shot," now in production, will have Sybil Jason, with Robert Armstrong, Glenda Farrell and Edward Everett Horton.

"The Skipper of the Ispahan." It is promised with at least six starring roles.

Bette Davis will follow up "Of Human Bondage," "Bordertown," "The Girl From 10th Ave." and "Front Page Woman" with "Hard Luck Dame," by Laird Doyle.

"Backfire," a story based upon the building of Boulder Dam, will team Margaret Lindsay and William Gargan.

Warren William will again play Perry Mason in two other Erle Stanley Gardner yarns—"The Case of the Lucky Legs" and "The Case of the Velvet Claws."

An all-star cast in "The Patient in Room 18," mystery by Mignon G. Eberhart.

"Romance in a Glass House," story of a radio star married to a stage star, will bring together Dolores Del Rio and Everett Marshall.

"The Real McCoy" will have Ricardo Cortez, Claire Dodd and Patricia Ellis in a story of a sports writer.

"Marry the Girl," by Edward Hope, a comedy-drama.

"Money Man," by Dashiell Hammett will have an all-star cast.

Joan Blondell and Glenda Farrell will be teamed in "Miss Pacific Fleet."

"The Trial of Dr. Beamish," based upon the Liberty Magazine story by Walton Green, is a story about a college professor who conducts his own case when tried for murder.

The morning session Thursday will be given over entirely to the studio executives, including Jack L. Warner, Hal Wallis, William Koenig and the following associate producers and supervisors: Henry Blanke, Earl Baldwin, Robert Lord, Sam Bischoff, Bryan Foy, Harry Joe Brown, Lou Edelman. In the afternoon the delegates will attend a showing of "A Midsummer Night's Dream" at the Wilturn.

The convention will end with a banquet Thursday night at which all of the Warner stars will be present. The toastmaster will be Jack L. Warner. Prizes will be awarded to the winners of the company's "California or Bust" contest at the banquet.

What They're Down For

Los Angeles, June 12.—Stars and featured players who will appear in the Warner lineup of 60 for next season, as far as a breakdown of the company's product announcement, released today, goes:

Robert Armstrong—"Little Big Shot."
Mary Astor—"Page Miss Glory."
Joan Blondell — Co-starred with Glenda Farrell in "Blondes Prefer Gentlemen" and "Miss Pacific Fleet."
George Brent—Co-starred with Kay Francis in "Goose and Gander."
Joe E. Brown—Star in "Cops and Robbers."
James Cagney—Star in "The Frisco Kid" and "Slim"; co-starred with Pat O'Brien in "Ceiling Zero."
Ricardo Cortez—"Real McCoy."
Marion Davies — Star in "Page Miss Glory."
Bette Davis—Star in "Hard Luck Dame."
Dolores Del Rio—Star in "Romance in a Glass House."
Claire Dodd—"Real McCoy."
James Dunn—"Real McCoy."
Patricia Ellis—"Real McCoy."
Glenda Farrell — Co-starred with Joan Blondell in "Blondes Prefer Gentlemen" and "Miss Pacific Fleet." Also in "Real McCoy."
Kay Francis—Star in "I Found Stella Parrish"; co-starred with George Brent in "Goose and Gander."
William Gargan—"Backfire."
Edward Everett Horton — "Little Big Shot."
Leslie Howard—Star in "The Petrified Forest" and "The Green Light."
Sybil Jason—"I Found Stella Parrish" and "Little Big Shot."
Allan Jenkins—"Page Miss Glory."
Ruby Keeler—Co-starred with Dick Powell in "Dress Parade" and "Colleen."
Patsy Kelly—"Page Miss Glory."
Margaret Lindsay—"Backfire."
Frank McHugh—"Page Miss Glory."
Everett Marshall—"Romance in a Glass House."
James Melton—"Thin Air."
Paul Muni—Star in "Dr. Socrates" and "Death Fighter."
Pat O'Brien—Co-starred with James Cagney in "Ceiling Zero"; also in "Page Miss Glory."
Dick Powell—Star in "Lucky Me"; co-starred with Ruby Keeler in "Dress Parade" and "Colleen." Also in "Page Miss Glory."
Edward G. Robinson—Star in "Stiletto."
Franchot Tone—"Thin Air."
Rudy Vallee—Star in "Let's Pretend."
Warren William—Star in "The Case of the Lucky Legs" and "The Case of the Velvet Claws."

Farrar to Assist

Hollywood, June 12.—John Farrar of Farrar and Rinehart, publishers of "Anthony Adverse," has been engaged by Warners to collaborate on treatment of the novel. He is due here soon and will return to New York with Jake Wilk, Warner story editor.

Renew Anita Carey Ticket

Hollywood, June 12.—Anita Carey has had her option taken up by Warners, following her work in "We're in the Money" with Joan Blondell, Glenda Farrell and Hugh Herbert. Ray Enright directed under supervision of Harry Joe Brown.

Karloff Signed by Warners

Hollywood, June 12.—Boris Karloff has been signed to make a film for Warners. A story is now being picked for him.

Schine to Get Warner List

Warners have signed the entire Schine circuit, operating approximately 60 houses in New York and Ohio, for the 1935-36 feature and shorts lineups. The deal was set before Warner officials left for the coast convention. Meyer Schine signed for the circuit.

Schine, in town yesterday on a two-day trip from Gloversville, stated this is the only product arrangement he has closed so far. He is negotiating for about 15 theatres in his territories, he said.

The distributor has also closed several other important circuit deals which are expected to be announced following return of the sales forces from Los Angeles.

4,000 W. B. Pacts Reported Signed

(*Continued from page* 1)

in its history. He told the salesmen to urge exhibitors to spend more money on advertising. Einfeld also told the delegates Warners always sought to deliver product with merchandising and selling angles.

Asserting Warners' affiliation with Cosmopolitan was the biggest thing in the company's history from an advertising standpoint, Einfeld revealed that Marion Davies' newest picture, "Page Miss Glory," would have the greatest pre-release publicity campaign ever given a picture by his company.

It was said by Einfeld that the company would continue to back and produce stage plays to overcome story shortage.

Club Leader Claims Huge Aid to Films

That a new audience numbering at least 25,000,000 persons has been created for approved pictures was one of the striking statements made to the General Federation of Women's Clubs by Mrs. Richard M. McClure, national chairman of the committee on motion pictures, at the recent Detroit convention, according to *Motion Picture Herald's* current issue.

This new market, she said, had been created by the production of films with an appeal both to the masses and the "discriminating and cultured."

Through its affiliated groups the Federation has worked in 13 states by stimulating interest in selected pictures. The campaign has been conducted in daily papers, magazines, radio, speakers' bureaus, tieups with libraries, "Family Nights" and "Juvenile Matinees." The aid of 225 Better Films Councils has been enlisted. In some instances ticket-selling campaigns were conducted.

Flash Previews

Ladies Crave Excitement—The picture as an action melodrama should please in all spots where this type of film is popular.

Honeymoon Limited—An unusually sprightly, gay comedy romance but was turned out on a small budget, but it is nonetheless a good bet on a double bill.

These films will be reviewed in full in a later issue of Motion Picture Daily.

To Rebuild Carrolton

New Orleans, June 12.—The Carrolton, recently destroyed by fire, will be rebuilt by United Theatres, Inc., owners at a cost of approximately $50,000.

Those Busy Warnerites

Los Angeles, June 12.—Six busses and a string of private cars were required to carry the 300 delegates to the Warner convention from their Ambassador headquarters to the studio at the conclusion of a three-hour business session Monday, which saw the annual convention open with a bang.

✤

Duplicating the delegation's Sunday arrival, the busses were met with a brass band (very brassy) at the studio gates. The group piled out en masse and within 10 minutes were comfortably seated at lengthy tables in one of the sound stages. Everything went like clock-work. An orchestra tuned up with popular melodies, flashlight bulbs popped, cameras clicked and the guests started in on their Avocados, bathed in a glare from a thousand and one giant arc lights.

✤

Following several interesting moments, during which time knives, forks and whatnot offered a clattering accompaniment to the other noises, the contented delegates leaned back in their chairs and watched the world go by.

✤

Vocal numbers were then contributed by Phil Regan, Dorothy Dare, Maxine Doyle, Wini Shaw, Harry Seymour and Everett Marshall, all contract players.

✤

Jack Warner finished up on a chicken leg in record time and stood up at the speaker's table to extend a formal welcome to the conventioneers, followed by introductions of stars, producers, and directors.

✤

Bill Koenig took a beating from Warner on the introductions. He got blamed for everything including the introduction list which seemed to be all balled up for some reason.

✤

Irving Rothenberg, from the New York exchange, was a class mate of Director Archie Mayo in public school. They met for the first time since graduation at the convention and held a happy reunion, with Archie inviting Irving out to the house for dinner.

✤

The luncheon wound up after the introductions and the delegates filed out to watch "Man Mountain Dean" and Chief Pontiac scramble a few ears, during which they wrestled in and out of the ring and spent several minutes out of each fall in the lap of Sam Morris.

✤

After the regular shot of the wrestling match in "We're in the Money," had been taken, "Man Mountain" Dean and "Little Chief" put on a gag bout for the conventioneers. The back of "Man Mountain's" sweat shirt bore the sign "Production," while the Indian was labeled "Distribution." Dean threw the Indian out of the ring, landing "Distribution" right in the lap of Morris. Sam, however, tossed it right back to Joe E. Brown, who acted as referee. When the match seemed a draw, Brown removed his sweater, revealing that he was "Exhibitor" and finally

(Continued on column 4)

The Camera Goes Candid



Los Angeles.—The Warners—all three of them. Left to right: Albert W., Harry M. and Jack L. They are here for their company's annual sales convention, now in its fourth day.



Meet the three new vice-presidents of Vitagraph, Warner distributing company; A. W. Smith, Jr., S. Charles Einfeld and Gradwell L. Sears. They got their promotions Monday.



Not "Man Mountain Dean" in the center but Archie Mayo, Warner director. On the left, Arthur Sachson of the home office. On the right, Al Cohn, Collector of the Port of Los Angeles.



Robert Schless, Continental chief; Max Milder, Warner boss in England; D. E. Griffiths, First National generalissimo out of London. Jake Wilk in the background.

Those Busy Warnerites

(Continued from column 1)

threw Dean, proving perhaps that the man who sells the tickets is the key to the situation.

✤

Nat Furst, New Haven, celebrated his birthday on the opening day. Mrs. Furst and the kids sent a wire from home wishing him many more happy returns.

✤

Ray S. Smith, Albany, is trying to figure a way to get down to the San Diego Fair before he goes back east. Ray thinks it would be a shame to get so close and not attend.

✤

The afternoon session on the opening day gave the boys the answer to the question, "For what?" which exhibitors ask when told that a negative cost $300,000. Many of them saw the workings of a studio for the first time. They were taken on the sets of "We're in the Money," "The Irish in Us," and "Little Big Shot."

On the "Irish" set, they saw an exact replica of a New York precinct police station. They saw that it sometimes takes an hour to film sequences which appear as flashes in a picture. When they saw "Little Big Shot," they saw how a child actress is trained to play her scenes. They watched Director Michael Curtiz patiently instruct baby Sybil Jason in a song and dance routine, then sat entranced as the child did her number and later gave imitations of Jimmy Durante and Mae West.

When they finished watching them make pictures, they were taken on busses around the lot, and realized for the first time that their studio covers more than 75 acres. Later, over cocktails in the Cosmopolitan bungalow, the boys thought these things over, and wondered if the production department does not understate the cost of making a picture.

✤

At the studio luncheon, Jack Warner recalled the picture "Convention City" which the company made. He said he hoped that no delegate would turn out like Hugh Herbert in that film, who attended the wrong convention.

✤

The entrance to Stage 2 where the luncheon was held was guarded by a cannon on which there was a sign, "Sell our pictures or else!"

✤

Herb Crooker of the New York press department was all over the place. When Director Ray Enright called for boos from the crowd during the filming of the wrestling match scene, Herb gave it to him in the best Madison Square Garden manner.

✤

Credit and lots of it, should go to Eddie Selzer of the studio publicity department and his staff. The publicity boys thought of nearly everything, and the delegates had no complaints about the way all arrangements have been handled.

✤

Grad Sears, one of three new vice-presidents of Vitagraph, the Warner distributing company, says the market opened strong on V.P.'s but hopes it doesn't sell off later.

The Moaners

Purchase, N. Y., June 12.

One hundred and eighty teed off in the morning. It was a record playing contingent and this was the 23rd tourney which *The Film Daily* has sponsored.

That was a very deliberate drive MONROE GREENTHAL made at the 18th hole. He shot an 89 and won $40. Six holes were made at par.

HARRY BRANDT was the professor of the ivories. He showed the boys how Tuesday night.

ED LEVY, whose native terrain is New Haven, journeyed in from that point all for the game's sweet sake. Not only that he was on time at the first hole.

The overnight contingent tallied 25, another record for a pre-tournament turnout.

LOU NIZER crept up the stairs at 6:30 bending low over something or other. It developed it was tennis that bowed his shoulders.

C. C. RYAN, after a strenuous struggle with CLINT WEYER, was fully convinced that the weather was great . . . and who cared about golf and a score.

GREGORY DICKSON swears that the golf clubs ARNOLD VAN LEER got for him had nothing to do with that nice 120. BRUCE GALLUP, his partner in crime in that foursome, will attest to that.

CHARLIE PETTIJOHN showed up the night before the big show and demonstrated a special sport coat that was the envy of many eyes.

AL SELIG and LEE OCHS copped the honors of being the first to register at the club. The official timer clocked 'em at 7:59 A.M.

Old Colonel ALICOATE had about 30 golf mugs present for that special breakfast he threw in their honor.

ARTHUR W. KELLY got a hand for one of the nifty putts he pulled in the putting contest. But ARTHUR just didn't come up to snuff at the finish.

There was quite a howl on the fourth green, but it proved no merger, just a happy threesome with RUGOFF, RINZLER and CHARLIE MOSES.

HARRY SHIFFMAN didn't care much for that morning round. The score was the reason.

PAUL BENJAMIN and BILLY FERGUSON were highly elated over the fact that both have improved their golf to the extent where they both chopped three strikes off their score.

DON HANCOCK finally showed up but did not go for the golf.

"That's for the youg fellows," said he.

ED FINNEY decided to warm up for the afternoon golf by a snappy set-to of tennis. WALTER EBERHARDT knows if that improved his score any. From what was seen on the 18th, ED could easily go back to the courts.

HERB YATES almost lost his temper on the 17th when his caddy lost the ball at the crucial moment. That uphill trudge finally wore HERB down.

T.H.Boland Coming East

HOLLYWOOD, June 12.—Thomas H. Boland, who has leased his theatres in Oklahoma City to Warners, leaves by motor today for Oklahoma City and New York. He expects to be gone three weeks.

Golfing Quality Varied, But This Was a Tourney De Luxe

PURCHASE, N. Y., June 12.—It topped all previous events, did the *The Film Daily* Tournament today. And there have been 22 ahead of this one.

Some there were who protested it was violating all the precepts of the ancient and honorable game to turn loose the celluloid contingent on the beautifully maintained greens and fairways of the Progress Country Club, but there they were, nevertheless, 180 strong pounding and hacking at the elusive pill.

The boys were willing. Technique, in many instances, was something notable by its absence, but certainly plenty of do and dare was apparent.

The weather man was kind. The day was lovely and warmish, with whisps of clouds chasing their way across the heavens by way of reminding those who recalled their poetry that all was right in the world, if not on the links.

Dinner Under Stars

The morning round was followed by the putting contest with lunch sandwiched in somewhere along the line, although not for Don Mersereau, Marvin Kirsch, Charlie Alicoate and others of *The Film Daily* staff who kept the machinery smoothly functioning on the inside so that everything would be O.K. on the outside.

The players straggled in late. This delayed dinner until about 8 o'clock. It was held on the terrace, gayly festooned with colored lights and banners. Jack Alicoate, the old golfing maestro, occupied the head place at the dais, as usual, and with him, among others, were John Maxwell, Arthur Dent, Louis Nizer, and members of the winning AMPA Team. Mersereau was chief handicapper, a job that kept him so busy there was no time for lunch although enough for him to emerge in the evening in a natty golf attire of flannel sportcoat, an *Esquire* type shirt and trousers and shoes in harmonious ensemble.

Film Men See Films

There was music. That helped. There was an outdoor bar. That helped even more. There were talkers shown, the equipment having been set up by National Theatre Supply. "Radio Rascals," an Al Christie comedy for Educational, was one. Another was the first showing anywhere of "Who Killed Cock Robin?" a Silly Symphony about which more is said elsewhere in this edition.

Dent was called upon to take a bow. Also Nizer. Also Maxwell who was described by Alicoate as the "No. 1 man in the English film industry."

There was lots more, all combining successfully to make it a swell day and a sweller night. Among those present were:

Charles A. Alicoate, Jack Alicoate, Morris Altchuler, Milton H. Altmark, Winfield Andrus, Norman S. Arenwald, Ralph B. Austrian, Herbert S. Berg, Paul Benjamin, Joseph Bernet, Milton Berson, George A. Blair, Jay D. Blaufox, Jack Bowen, Richard Brady, Harry Brandt, Leo Brecher, Arthur Brilant, Geo. Brown, Henry Brown, Charles L. Casanave, Milton H. Chamberlain, Harry Charnas, David Chatkin, Irving Chidnoff, James Clark, Julius Cohen, Max A. Cohen, Paul H. Cohen, Jack Cohn, James Cron, Tom Cumiskey, James P. Cunningham.

Arthur Davis, Harvey B. Day, Leo DeKorn, George Dembow, Sam Dembow, Jr., Arthur Dent, Gregory Dickson, Herbert R. Ebenstein, Walter Eberhardt, Arthur W. Eddy, Rowland Ergenstedt, Simon H. Fabian, Herb Fecke, Milton Feld, William Ferguson, Edward Finney, M. L. Fleischman, Dan Frankel, William V. Frankel, Sanford Fried, Louis Frisch, Ray Gallagher, Bruce Gallup, Edward S. Gaylor, William German, Milton Gettinger, Paul Gettinger, Don Carle Gillette, Herman Glucksman, Jack Glucksman, Irving W. Goodfield, Paul Greenhalgh, Milton Greenebaum, Jack Guttfreund.

Bob Hadley, Hap Hadley, Ted Hadley, Arthur Hammer, George Harding, Jack Harrower, E. M. Hartley, J. Artbur Hirsch, Nathan Hirsh, Hal Hodes, J. H. Hoffberg, George Hoffman, Joe Hornstein, Edward L. Hyman, Donald E. Hyndman, Herbert M. Kahn, Red Kann, Lou J. Kaufman, Morris Kinzler, Marvin Kirsch, Leo Klebanow, Bernard Kleid, Mitchell Klupt, Morris Kutisker.

Neal E. Lang, Jr., Harry Lanzner, Jack G. Leo, Harold Lerman, Lee Leventhal, Al J. Levy, Edward G. Levy, Jules Levy, Olly Lynch, George L. McCarthy, E. L. McEvoy, Willard McKay, Donald McRae, M. Daniel Maggin, Joe Rice Malcolm, William Massce, John Maxwell, Mitchell May, Jr., Bertram A. Mayers, Don M. Mersereau, Capt. Harry W. Miller, Louis G. Miller, Mike Milton, E. H. Morris, Charles H. Moses, B. S. Moss, Louis Nizer, S. J. O'Brien, Lee Ochs, Elmer Pearson, Arthur H. Pelterson, C. C. Pettijohn, C. C. Pettijohn, Jr., Frank N. Phelps, John F. Plunkett.

Phil Reisman, Irving Regesburg, Joseph Ridder, Samuel Rinzler, Charles A. Rogers, William Rowland, Sam Rubenstein, Edward N. Rugoff, C. C. Ryan, Lou Rydell, William Saal, Sidney Satenstein, A. Schneider, Edward Schnitzer, Murray Schoen, John S. Schoenfeld, E. Schwartz, Fred J. Schwartz, Clarence H. Secor, J. H. Seidelman, Arthur Seidman, Al Selig, Jack Shapiro, Dave Shea, Harry Shiffman, Bernard Sboltz, Louis K. Sidney.

Artbur J. Siegel, George P. Skouras, Hal Sloane, Cresson E. Smith, Howard Steiner, Edward Strauss, Cbarles Stuart, Max Stuart, Theodore J. Sullivan, Walter Titus, Jr., Arnold Van Leer, Andy Vervueren, A-Mike Vogel, Bernard Walsh, Ernest J. Warner, Lou Weinberg, Milton C. Weisman, Clint Weyer, Tom Wiley, Robert Wolf, H. J. Yates and H. J. Yates, Jr.

Swellelegant

"Who Killed Cock Robin?" latest contribution to the gayety of nations and box-offices, was shown for the first time at *The Film Daily* Golf Tournament at Progress last night.

Conceived astutely and cleverly by Walt Disney, this Silly Symphony is a delightful take-off on justice, American style, Mae West and Bing Crosby. In jingle and song, it rates a spot on any theatre's marquee which is the same way of suggesting on any exhibitor's screen. It's simply swell.

KANN

Northwest's Merger Expected in August

SEATTLE, June 12.—Indications are that the Evergreen-John Hamrick pooling of theatres in Seattle and Portland, announced last week, will become effective some time in August.

Both Hamrick and Frank L. Newman, head of the Evergreen circuit, have been spending much time away from their local offices. Booking arrangements in New York and Los Angeles and other details of the merger are being arranged at these out-of-town conferences.

Definite information on the theatre policies will not be announced until the merger is more closely planned, it was stated here this week.

The Winners

Purchase, N. Y., June 12.

Prizes, prizes everywhere and one for every man.

The spacious clubhouse at Progress was cluttered with 'em today and tonight.

Here is the list of principal winners and what they won them for, if not, why.

The winners and prizes follow:

Team winners (Albee memorial cup and *Film Daily* medals)—Ampa, with Tom Gerety of M-G-M, captain, and Monroe Greenthal of U. A., Herbert Fecke of *Motion Picture Herald*, and James Cron of MOTION PICTURE DAILY as members.

Low net (*Film Daily* cup and RKO Radio trophy)—Monroe Greenthal.

Low net runner-up (Stebbins, Leterman & Gates trophy)—Edward S. Gaylor.

Low net, Motion Picture Club member (Al Lichtman plaque)—Joe Hornstein.

Low gross (Quigley Publications trophy)—Irving Regensburg.

Low gross runner-up (Columbia trophy)—John Flinn.

Low net, morning round (DuPont Film Mfg. Co. trophy)—Ed L. Hyman.

Low gross, morning round (G.B. trophy)—Mitchell May, Jr.

Low net, exhibitor (United Artists trophy)—Boris Morros.

Low gross, exhibitor (Erpi trophy)—Max A. Cohen.

Putting contest winner (Consolidated Film Industries trophy)—Milt Gettinger.

Putting contest first runner-up (RCA Radio)—Neal Lang.

Putting contest second runner-up (Eastman Kodak)—Harry Brandt.

Driving contest winner (William Massce trophy)—Tom Gerety.

Driving contest runner-up (National Theatre Supply Co. trophy)—C. C. Pettijohn, Jr.

Birdies (Grosset & Dunlap books)—Irving Regensburg.

Best-dressed golfer (Nat Lewis robe)—Lee Leventhal.

Biggest liar ("21" Club trophy)—Morris Kutisker.

Most strokes on one hole (*Variety* mug)—Clarence Secor.

Duffer's prize—Norman Arenwald.

Foursome prize winners (J. E. Brulatour traveling kits)—Milton Altman, Paul Benjamin, H. Brown, Harry Charnas, James Clark, Si Fabian, William Frankel, Louis Frisch, Bruce Gallup, Jack Glucksman, Paul Greenhalgh, Irving Goodfield, Arthur Hammer, Bob Hadley, Joe Hornstein, Edward L. Hyman, Herbert Kahn, Martin Kornbluth, Morris Kutinsky, H. A. Lanzner, Edward Levy, A. Lynch, Ed McEvoy, Donald McRae, William Massce, Lou Miller, Mike Milton, Joe Moss, Elmer Pearson, Frank Phelps, Sam Rubenstein, Edward Rugoff, S. Satenstein, Abe Schneider, Hal Sloane, Nathan Yamins.

Foursome prize runners-up (Ross Federal Service comb and brush sets)—George Brown, Milton Chamberlain, Nat Cohen, Dr. Cohen, Harvey Day, Ed Finney, A. Fried, Edward S. Gaylor, Jack Guttfreund, J. Arthur Hirsh, Melvin Hirsch, Donald Hyndman, Harry Kalchein, "Chick" Lewis, George McCarthy, M. Daniel Maggin, S. J. O'Brien, David Palfreyman, Jack Plunkett, Moses Polakoff, M. Rinzler, Charles A. Rogers.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 139 NEW YORK, FRIDAY, JUNE 14, 1935 TEN CENTS

Para. Titles, Casts Listed For 46 of 65

Shorts, Newsreel Total Up to 211 Subjects

Titles and, in many instances, casts of 46 of its 65 features for next season were divulged to his sales force by George J. Schaefer at the opening of Paramount's four-day session at the Waldorf yesterday.

In the short subject division, the company will release 106 one-reelers, one two-reeler and 104 issues of Paramount News to a grand total of 211, an increase of seven over the current season.

Accompanying the announcement were definite release dates of the 19 features which Paramount will release in its first quarter ending Oct.

(*Continued on page* 6)

Para. Clear Monday, Schaefer Predicts

"Paramount will emerge from bankruptcy on Monday, provided everything goes along as it has been," George J. Schaefer, vice-president of the company, yesterday told the company's conventioneers as the first of a three-day international sales meet opened at the Waldorf. He did not elaborate on the statement, but indicated that the company would be turned over to the new administration by the trustees on that date.

The morning session was opened by Neil Agnew, general sales manager,

(*Continued on page* 7)

Allied-Paramount Pact Is Approved

A motion for the approval of the settlement of Allied Owners Corp.'s claim against Paramount Publix was granted yesterday by Federal Judge Robert Inch in U. S. District Court at Brooklyn following a hearing at which no objections to the settlement were made.

Allied originally filed a claim against Paramount in the latter's bankruptcy proceedings for $23,000,-

(*Continued on page* 7)

RKO Claims Reduced Nearly $12,500,000

Claims against RKO in its reorganization proceedings are reduced by approximately $12,500,000 under a report by Special Master Thomas D.

(*Continued on page* 10)

Zukor Staying at Paramount; In Post He Wants, Son Says

Scotching reports, persistent recently, that his father had plans other than to remain at Paramount, Eugene J. Zukor, executive of the company's foreign department, told the sales convention at the Waldorf yesterday that Adolph Zukor now occupied a post in the company "that he wanted and where he felt he could be most useful to Paramount."

The younger Zukor declared he might be speaking out of turn, but that he wanted to pass on to the selling force the situation as his father viewed it. He added Adolph Zukor regarded in the presidency of John E. Otterson an addition to the company of an executive of pronounced capabilities who would bring to the management many attributes which will serve it in good stead.

Cheers for both Zukor and Otterson greeted the conclusion of the remarks.

Lichtman to Hold 2 Jobs Temporarily

HOLLYWOOD, June 13.—Following his election as president of United Artists, Al Lichtman will function both as president and general sales manager for a time, with a strong possibility that someone from the ranks will be named head of the sales forces later.

Lichtman will receive salary and percentages as usual, it is understood here.

A new chairman of the board will

(*Continued on page* 2)

Depinet Heads RKO Hegira to Chicago

Ned E. Depinet, president of RKO Radio Pictures, will head the advance guard of home office executives leaving this afternoon on the 20th Cen-

(*Continued on page* 10)

Receiver Suit Against Campi To Be Dropped

Campi was notified yesterday by the Lexington Theatre in Chicago that the receivership petition filed by its attorneys, Shaine & Weinrib in the N. Y. County Supreme Court will be withdrawn. The exhibitor said he has advised his counsel accordingly, but M. Seligman of the legal firm for the petitioners would not comment on the matter.

According to Code Authority, the suit is a mystery. The theatre has

(*Continued on page* 12)

New Skeleton NRA Given Senate Vote

WASHINGTON, June 13.—A skeleton NRA, authorized only to accept voluntary agreements, was provided early today by the Senate after sitting

(*Continued on page* 12)

'Time' Buyer of RKO Notes, Casey Pathe Suit Reveals

Time magazine purchased from Pathe Exchange the latter's $1,696,000 of RKO notes for approximately $340,000 in two recent transactions, it was disclosed yesterday at a hearing before Justice Edward A. Dore in state supreme court here on the application of Pat Casey for the appointment of a receiver for Pathe.

The notes were acquired during April and, according to Pathe's affidavit, the purchase, presumably, was due to *Time's* interest in attaining a closer affiliation with RKO preliminary to consummation of the recent deal by which RKO took over distribution of the "March of Time" reel.

Replying to Casey's allegation that

(*Continued on page* 11)

Allied Heads Talk to Hays On Problems

Circuit Buying Is One Of Topics Discussed

Carrying out a resolution adopted at its recent national convention at Atlanta, Allied States' leaders yesterday met with Will H. Hays, M.P.P. D. A. head, to seek the latter's aid in obtaining relief for independent exhibitors from alleged aggressions by affiliated circuits.

The Allied delegation confined its appeal to Hays, according to one member of the party, to the invoking of restrictions on overbuying against powerful circuit organizations. The subject of a general exhibitor move to establish either a workable form of arbitration of exhibitor-distributor disputes or a code of trade practices

(*Continued on page* 12)

Mascot to Deliver Until Next Season

Mascot Pictures goes into the Republic setup with the advent of the 1935-36 season, but will deliver its picture commitments for the current season, Nat Levine declared yesterday. The company will cease to function under its own name with the start of the new year.

The Mascot production organization will be kept intact to produce its quota of new season pictures for Republic release, but present indications are that Mascot's home office and sales staffs will be dispensed with at the end of the current season, it was said.

Form Booking Group For Wisconsin Men

GREEN BAY, Wis., June 13.—United Theatres, Inc., has been organized to buy and book films for independent houses in Wisconsin and Upper Michigan. The new organization is headed by W. R. Vincent, De Pere exhibitor.

Independents aim to pool buying power to eliminate percentage deals, forcing of 100 per cent contracts, unfair clearance and other practices they oppose.

No Majestic Shift, Gluckman Declares

Majestic will not enter into a merger with Republic or any other producing or distributing company, Her-

(*Continued on page* 2)

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No Majestic Shift, Gluckman Declares

(*Continued from page* 1)

man Gluckman, head of Majestic Prod., stated yesterday.

"All statements linking the company with others are entirely erroneous," he said. "Majestic will continue to maintain its own identity and is in no manner affected by other consolidations or mergers in the independent field," he declared.

Thomas A. Brennan of Atlanta, head of Allied Producers, Inc., of Atlanta, Charlotte and New Orleans, who is a stockholder, director and franchise holder of Majestic, reached town yesterday and denied that Majestic had been or would be absorbed by Republic.

"The first I heard of it was this morning," he declared. "Such a story, without foundation, affects my standing with my customers."

Huston Luncheon Guest

Prior to sailing on the *Majestic* last night, Walter Huston was guest at a farewell luncheon aboard ship. Among the guests were: Lawrence C. Hull, Rhodes scholar; W. Hugh Peel, director of the Ass'n. of American Rhodes Scholars; Malcolm Fooshee, former committee member of the Rhodes Scholarship Trust; Robert R. Appleby, president of *British World;* Arthur A. Lee, vice-president and general manager of G.B., and George W. Weeks, general sales manager.

Huston is to make "Rhodes, the Empire Builder" for G.B.

Insiders' Outlook

By RED KANN

"BECKY SHARP" bowed in at the Music Hall yesterday. That's news on more than one score. In the first instance, or maybe it's the second, this picture, Pioneer-"Jock" Whitney-made for RKO distribution, is the initial feature in Technicolor's new three-way process. Much heralding has preceded it, largely on the basis of color, of course, and much of what has been claimed is there, caught on film by way of proof. . . .

▼

The attraction is a real one. Let's get that down in this space early. Why and how open up avenues of various approach, some of them following along now quickly. Kenneth Macgowan, the producer, and Rouben Mamoulian, the director, demonstrated their sagacity in building "Becky Sharp" first in point of story and dramatic content. The film is at its outset and thereafter for its eighty-five minutes an interesting page torn out of the life and customs of an England worried over the return of Napoleon from Elba. In any medium, not necessarily color at all, this "Becky Sharp," therefore, would have been a first-rate show. In color, indubitably its value is enhanced. . . .

▼

Important for another reason, "Becky Sharp" takes Miriam Hopkins who has been loitering on the border line as a drawing card and very definitely sends her over that line onto that rare greensward reserved for the select few among the real stars of this industry. Miss Hopkins, always competent and always attractive, here got her chance and delivers with an emphasis that may defy ultimate analysis because the hullabaloo and fuss which will be tied with the exploitation of the picture and the new process by which it was made will be so difficult to divorce from any individual performances. . . .

▼

Yet to this commentator, "Becky Sharp" is what it is, which is plenty, far and away because of the brilliance of Miss Hopkins' rendition of the title role. She is photographed beautifully and with rare quality. She is accoutred with all of the nostalgia of the costuming of the period. But she is also a complete and charming knockout in a generally unsympathetic role which, by treatment, does its best to make her sweet and worthwhile when actually she is untrustworthy, a moral cheat and a liar. It's her picture from go to finish. . . .

▼

The Technicolor which makes its appearance here is a sharp improvement over anything which has been marketed to date. Launching itself in soft grays and light blues, the color design which is credited to Robert Edmond Jones, the stage director, creeps up gradually into the stronger variations and thereby adroitly avoids conflict with the unfoldment of the story. This reporter's reaction to the color equation of which he was naturally conscious slipt into low gear along about the third reel. He was aware of the beautiful lighting and photographic job which resulted in soft and restful pictorial gems. He realized that, clipped blindly at almost any point where a mythical shears might happen, the frame so cut away would make a lovely picture. But his primary interest was in Miss Hopkins and her deviltries. . . .

▼

Exactly how much, then, does this high-water mark in color photography aid "Becky Sharp"? And beyond that, exactly how much will any concentration on color to the slighting of other important elements in picture making mean when added production and print cost are calculated? It is difficult to tell because producers have a way of stampeding toward innovations with what is more often enthusiasm than good judgment. . . .

▼

This department's thought, as it always has been, is color is an added appendage; that the first requisite is entertainment which color cannot replace although it can make that entertainment optically and, therefore, esthetically, more acceptable. "Becky Sharp" strengthens this observation. It suggests that caution is always commendable and headlong flight usually disastrous. No one can foretell how much excitement this picture will create. We see in it no revolution, but the holding forth of a promise, extent unknown, which can blossom into sane and sensible benefit through the exercise of moderation and restraint. . . .

John Maxwell Returns

John Maxwell, chairman of the B.I.P. board, sailed yesterday for London on the *Majestic* after 10 days in New York. Arthur Dent, general manager, is remaining for about two more weeks to finish up on a number of deals he has pending on the company's distribution here.

Lichtman to Hold 2 Jobs Temporarily

(*Continued from page* 1)

also be named when the U. A. board meets in New York June 25. Indications now point to the choice of Samuel Goldwyn for the post made vacant by Joseph M. Schenck's resignation.

According to a reliable source, Walter Wanger will produce Mary Pickford's quota of two pictures for the current season, although no contracts have been signed as yet. Charlie Chaplin will produce one other film this season in addition to Production No. 5. He will not appear in the second film, but it is understood that Paulette Goddard will have the lead.

The U. A. convention will be held in Los Angeles July 8-10, with Lichtman presiding. Lichtman and Hal Horne will fly to New York on Saturday. Horne has been working on the convention details.

An explanation of the Wilmington, Del., Chancery Court move seeking permission for the U. A. franchise holders to buy the 1,000 shares of U. A. stock owned by the Art Cinema Corp. now in process of dissolution has been made here. It is designed to keep control among the four present owner-producers—Pickford, Chaplin, Goldwyn and Douglas Fairbanks. Fairbanks is now on his way to this country from the Far East.

Rosenblatt Insists No Plans Are Made

WASHINGTON, June 13.—Denying that he will join the T.O.C.C., the I.A.T.S.E. or any other of the organizations with which his name has been linked since announcement of his resignation from NRA, Compliance Director Sol A. Rosenblatt today made it known that on and after June 17 his headquarters will be at the Waldorf Astoria.

Rosenblatt declares himself unable to discuss his future plans, other than that his first step would be to look around for an office. He repeated that he has made no arrangements for his activities when he returns to private practice.

Mrs. Roosevelt Resigns

Mrs. James Roosevelt, mother of the President, has resigned from the honorary vice-presidency of the M.P. Research Council. She said that she had had no part in the council's work because of her health and other business and did not wish to be merely a "name."

Denies Lugosi Deal

Michael E. Balcon, production chief of G.B., has cabled Arthur A. Lee, vice-president, that the company has not signed Bela Lugosi and has no plans for starring him in a picture called "Marie Celeste."

Lewin Made Producer

HOLLYWOOD, June 13.—Albert Lewin has been made an associate producer under Irving Thalberg. Lewin has been executive aide to Thalberg for several years.

With the whole world discussing big ships
FOX gives you **"THE BEST 'SHIP' STORY YET TO REACH THE SCREEN!"**
—Showmen's Trade Review



EDMUND LOWE
—lone-wolf ship gambler who wisecracks his way out of peril.

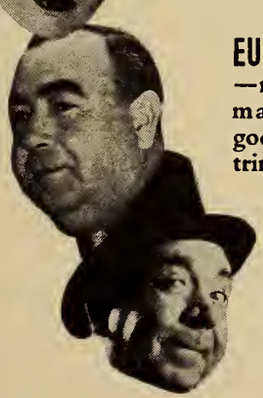
CLAIRE TREVOR
—actress who plays her most dangerous role to save a desperate youth.



TOM BROWN
—misguided playboy in the power of a scheming woman.



ADRIENNE AMES
—beautiful adventuress smuggling in a stolen rope of pearls.



EUGENE PALLETTE
—millionaire oil man out for a good time and a trimming.

HERBERT MUNDIN
—a tippler who spends seven days at sea looking for himself.

The bounding main resounds with laughs ... excitement grips the passenger list ... as six travelers with shady pasts entangle in intrigue on the most luxurious liner ever launched. Flashing fun ... tingling action ... to delight the crowds of any theatre.

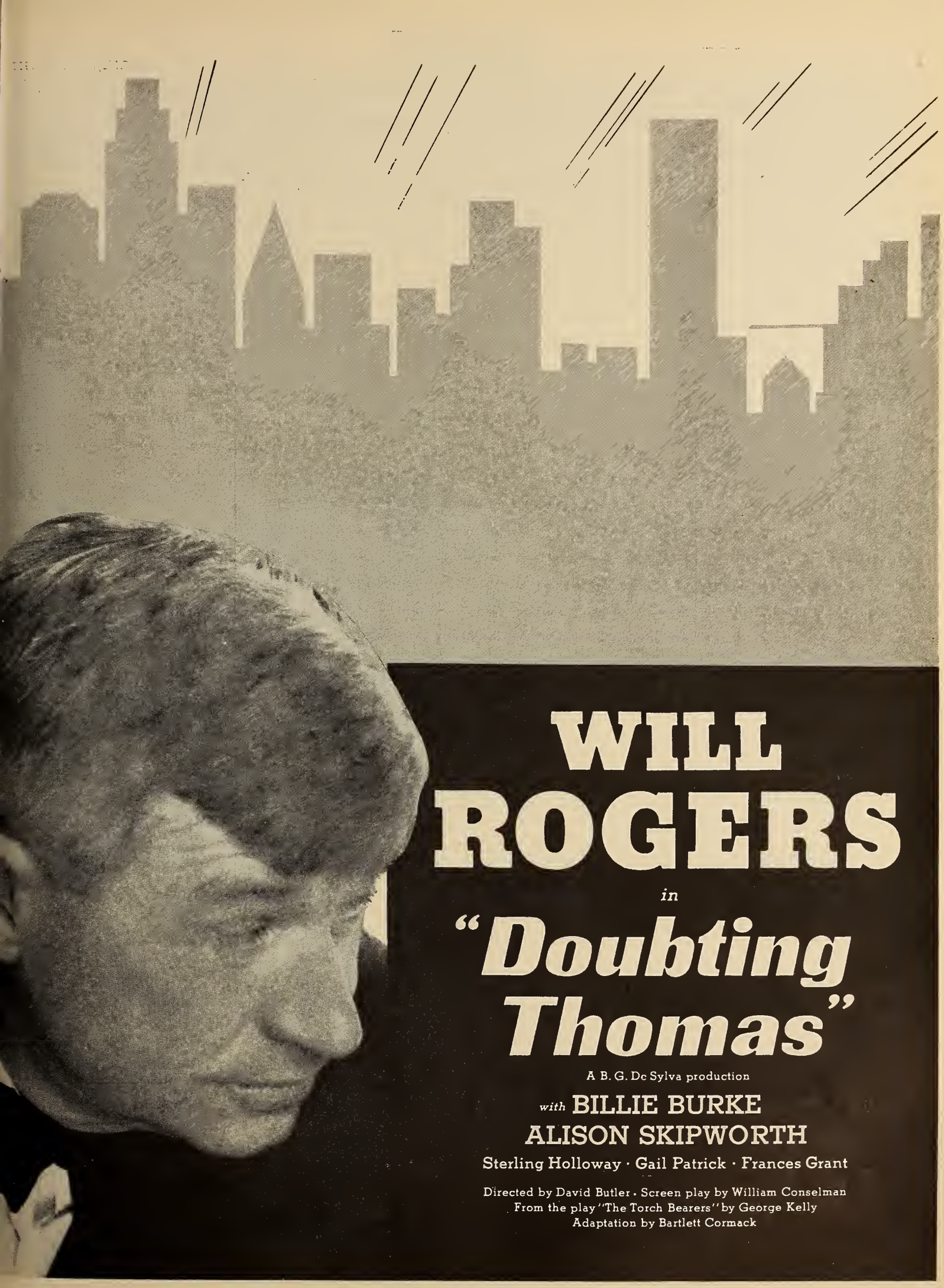
BLACK SHEEP

Produced by Sol M. Wurtzel
Directed by Allan Dwan
Screen Play by Allen Rivkin
Story by Allan Dwan



YOU HAVEN'T A SHOW WITHOUT FOX


Again the nation's showmen are saying:
He's the best friend a box-office ever had!
You haven't a show without FOX



WILL ROGERS

in

"Doubting Thomas"

A B. G. De Sylva production

with **BILLIE BURKE**

ALISON SKIPWORTH

Sterling Holloway · Gail Patrick · Frances Grant

Directed by David Butler · Screen play by William Conselman
From the play "The Torch Bearers" by George Kelly
Adaptation by Bartlett Cormack

Para. Titles, Casts Listed For 46 of 65

(*Continued from page* 1)

25 with "The Milky Way," starring Harold Lloyd. Schaefer declared the group is either completed or in final stages of production.

Notable by his absence is W. C. Fields whose name does not appear in the product breakdown. Carl Brisson and Mary Ellis, who were featured this season, likewise do not appear.

Claudette Colbert will star in two, as will Mae West and Bing Crosby. Gary Cooper, Marlene Dietrich, Jan Kiepura, Harold Lloyd, Carole Lombard, Joe Penner and Margaret Sullavan are each slated for solo starring vehicles although some of this group are to be co-starred with others or each other in additional pictures. Sylvia Sidney and Fred MacMurray, a new team, will be featured in two. George Raft and Alice Faye are to be co-starred in "Every Night at Eight." Ann Harding will make at least one for the company. This is to be "Peter Ibbetson" with Cooper as a co-star. The latter is also slated to co-star with Miss Dietrich in "The Pearl Necklace." Down for their debuts are Jessica Dragonette, radio performer, and Gladys Swarthout, Metropolitan Opera star.

The First Quarter

"The Crusades," Cecil B. DeMille production, will lead off the season. Paramount says the cast has "nearly 100 featured players," including Loretta Young, Henry Wilcoxon, Ian Keith, Katherine DeMille, C. Aubrey Smith, Joseph Schildkraut, Alan Hale, C. Henry Gordon, George Barbier. The picture is finished and will be released Aug. 2.

"Soup to Nuts," featuring Burns and Allen with Jack Powell in the cast. Norman McLeod directed from a story by John P. Medbury and Walton Farrar. Release date Aug. 2.

"Annapolis Farewell," with Sir Guy Standing, Richard Cromwell, Tom Brown and Rosalind Keith. Release date Aug. 9.

"Peter Ibbetson," co-starring Gary Cooper and Ann Harding with Ida Lupino and John Halliday in the cast. Henry Hathaway directed. Release date Aug. 16.

"Without Regret," featuring Elissa Landi, Kent Taylor and Frances Drake. Release date Aug. 16.

"Wanderer of the Wasteland," by Zane Grey. Otto Lovering will direct. Release date Aug. 23.

"The Last Outpost," with Cary Grant, Claude Rains, Gertrude Michael and Colin Tapley. Charles Barton is director. Release date. Aug. 30.

"The Big Broadcast of 1935," with Bing Crosby, Amos 'n' Andy, Ethel Merman, Jack Oakie, Burns and Allen, Lyda Roberti, Mary Boland, Charles Ruggles, Ray Noble and his orchestra, Jessica Dragonette (in her screen debut), Sir Guy Standing, Gail Patrick, Wendy Barrie and Bill Robinson. Norman Taurog director. Release date Sept. 6.

Bing Crosby and Joan Bennett starred in "Two for Tonight," with Mary Boland, Frances Drake, Lynne Overman and Benny Baker. Music by Gordon and Revel. Direction by Frank Tuttle. Release date Sept. 13.

"Every Night at Eight," co-stars George Raft and Alice Faye and to be produced by Walter Wanger with Raoul Walsh directing. Release date Sept. 20.

"The Virginia Judge," with Walter C. Kelly, Johnny Downs, and Rosalind Keith. Written by Kelly, the original "Virginia Judge," in collaboration with Octavus Roy Cohen. Ralph Murphy director. Release date Sept. 20.

"So Red the Rose," by Stark Young. King Vidor's first for the company under a new directorial contract. Margaret Sullavan will star. Pauline Lord, Randolph Scott and Harry Ellerbe in the cast. Laurence Stallings, Maxwell Anderson and William Slavens McNutt did the script. Release date Sept 27.

"Hopalong Cassidy," based on Clarence Mulford's novels of the west of which Paramount claims have sold more than 3,000,000 copies. James Gleason will have the title role with Paula Stone, Kenneth Thompson and Robert Warwick in the support. Release date Sept. 27.

Carole Lombard in "Hands Across the Table," by Vina Delmar. Mitchell Leisen to direct. Release date Oct. 4.

"Phantom Bus," with Kent Taylor, Kathleen Burke, Lynne Overman, Roscoe Karns, Benny Baker, Larry Crabbe and George Barbier. Max Marcin, director. Release date Oct. 4.

"Rose of the Rancho," from the stage play produced by David Belasco with John Boles and Gladys Swarthout, the latter Metropolitan Opera star here making her debut in films. Ralph Rainger and Leo Robin are doing a special musical score. Herb Williams and Willie Howard will be in the support and Marion Gering is directing. Release date Oct. 11.

"Coronado," with Johnny Downs, Lynne Overman, George Barbier, Alison Skipworth and Gail Patrick. Gordon and Revel will supply the music and Norman McLeod the direction. Release date Oct. 18.

"The Imperfect Husband," with Mary Boland, Edward Everett Horton and Lynne Overman in a new comedy combination. Release date Oct. 18.

Harold Lloyd in "The Milky Way," based on last season's Broadway stage play of the same title. Adolphe Menjou and William Frawley will be in the support. Leo McCarey is directing. Released on Oct. 25, this will mark the end of the first product quarter.

The Second Quarter

Claudette Colbert in "The Bride Comes Home," witb Fred MacMurray in the support. Wesley Ruggles will direct.

Joe Penner in "Collegiate," with Jack Oakie, Wendy Barrie and Lynne Overman. Music by Gordon and Revel.

Mae West in "Klondike Lou."

Marlene Dietrich and Gary Cooper co-starred in "The Pearl Necklace" which Frank Borzage will direct.

Bing Crosby in "Anything Goes," Broadway stage hit.

Carole Lombard and Herbert Marshall starred in "Honors Are Even."

"Queen of the Jungle," described as a successor to "King of the Jungle."

"Thirteen Hours by Air."

A Zane Grey western so far untitled. All of the above are designed for the second quarter.

Promised Later

Marlene Dietrich in "Invitation to Happiness" to be directed by Lewis Milestone.

Jan Kiepura in "Song of the Nile" which Frank Tuttle will direct.

Claudette Colbert in "One Woman," based on a novel by Tiffany Thayer.

Gary Cooper in "The Light That Failed" by Rudyard Kipling. Sidney Howard will do the script.

Bing Crosby in "His Master's Voice," with Mary Boland.

Mae West in "Gentleman's Choice."

"The Case Against Mrs. Ames," Arthur Somers Roche story which was published in *Collier's*.

"Waikiki Wedding," a musical.

"National Velvet," current best-selling novel, with Sylvia Sidney and Fred MacMurray.

"Let's Get Married," with Sylvia Sidney and Fred MacMurray.

"The Man from Bar-20" by Clarence Mulford. A western.

"Hopalong Cassidy's Protege," by the same author.

"Mesquite Jenkins."

"Bar-20 Rides Again."

"The Eagle's Brood." These are all by Mulford and will be westerns making a total series of six.

"Samson and Delilah."

"Carmen," Victor Herbert operetta.

"Garibaldi."

The Shorts Lineup

Paramount will release 107 shorts and 104 issues of Paramount News next season, Lou Diamond, head of the short subject department, told the convention at the Waldorf yesterday. This marks an increase of seven over the season now closing.

Only one two-reeler is scheduled, this to be a special cartoon titled "Sinbad, the Sailor" which Max Fleischer is making in three colors and in his own three-dimensional effect process used in several of the Betty Boop cartoons currently.

This is the breakdown:

6 Popular Sciences.
12 Popeye the Sailor cartoons.
6 Fleischer Color Classics.
12 Betty Boops. Fleischer will make the last three series.
13 Grantland Rice Sportlights.
20 Paramount "Varieties."
18 Paramount "Headliners."
13 Paramount Pictorials.
6 Screen Song cartoons.
104 issues Paramount News.

The Popular Science series is new. Each will be in color, the subject matter being drawn from wonders of the modern scientific world.

What They're Down For

Stars, featured players and cast assignments on Paramount's 1935-36 *program of* 65 *features are revealed in a breakdown of the product announcement divulged yesterday:*

AMOS 'N' ANDY—"The Big Broadcast of 1935."
BENNY BAKER—"Two for Tonight" and "Phantom Bus."
GEORGE BARBIER—Featured in "The Crusades." Also in "Coronado" and "Phantom Bus."
WENDY BARRIE—"The Big Broadcast of 1935" and "Collegiate."
JOAN BENNETT—Co-starred witb Bing Crosby in "Two for Tonight."
MARY BOLAND—"The Big Broadcast of 1935," "Two for Tonight," "His Master's Voice" and "The Imperfect Husband."
JOHN BOLES—Co-featured with Gladys Swarthout in "Rose of the Rancho."
TOM BROWN—"Annapolis Farewell."
KATHLEEN BURKE—"Phantom Bus."
BURNS & ALLEN—Featured in "Soup to Nuts." Also in "The Big Broadcast of 1935."
CLAUDETTE COLBERT—Star in "One Woman," and "A Bride Comes Home."
GARY COOPER—Star in "The Light That Failed." Also co-starred with Ann Harding in "Peter Ibbetson" and with Marlene Dietrich in "The Pearl Necklace."
LARRY CRABBE—"Phantom Bus."
RICHARD CROMWELL—"Annapolis Farewell."
BING CROSBY—Star in "Anytbing Goes" and "His Master's Voice"; co-starred witb Joan Bennett in "Two for Tonigbt." Also in "The Big Broadcast of 1935."
KATHERINE DEMILLE—Featured in "The Crusades."
MARLENE DIETRICH—Star in "Invitation to Happiness"; co-starred with Gary Cooper in "Tbe Pearl Necklace."
JOHNNY DOWNS—"The Virginia Judge" and "Coronado."
JESSICA DRAGONETTE—"The Big Broadcast of 1935."
FRANCES DRAKE—Featured in "Without Regret." Also in "Two for Tonight."
HARRY ELLERBE—Featured in "So Red the Rose."
ALICE FAYE—Co-starred with George Raft in "Every Night at Eight."
WILLIAM FRAWLEY—"The Milky Way."
JAMES GLEASON—Title role in "Hopalong Cassidy."
CARY GRANT—"The Last Outpost."
C. HENRY GORDON—Featured in "The Crusades."
ALAN HALE—Featured in "The Crusades."
JOHN HALLIDAY—"Peter Ibbetson."
ANN HARDING—Co-starred with Gary Cooper in "Peter Ibbetson."
EDWARD EVERETT HORTON—"Tbe Imperfect Husband."
WILLIE HOWARD—"Rose of the Rancho."
ROSCOE KARNS—"Phantom Bus."
IAN KEITH—Featured in "Tbe Crusades."
WALTER C. KELLY—"The Virginia Judge."
JAN KIEPURA—Star in "Song of the Nile."
ELISSA LANDI—Featured in "Without Regret."
HAROLD LLOYD—Star in "The Milky Way."
CAROLE LOMBARD—Star in "Hands Across the Table" and "Phantom Bus"; co-starred with Herbert Marshall in "Honors Are Even."
PAULINE LORD—Featured in "So Red the Rose."
IDA LUPINO—"Peter Ibbetson."
FRED MACMURRAY—Co-featured with Sylvia Sidney in "National Velvet" and "Let's Get Married." Also in "A Bride Comes Home."
HERBERT MARSHALL—Co-starred with Carole Lombard in "Honors Are Even."
ADOLPHE MENJOU—"The Milky Way."
ETHEL MERMAN—"The Big Broadcast of 1935."
GERTRUDE MICHAEL—"The Last Outpost."
RAY NOBLE AND HIS ORCHESTRA—"The Big Broadcast of 1935."
JACK OAKIE—"The Big Broadcast of 1935" and "Collegiate."
LYNNE OVERMAN—"Collegiate," "Coronado," "The Imperfect Husband," "Phantom Bus" and "Two for Tonight."
GAIL PATRICK—"The Big Broadcast of 1935" and "Coronado."
JOE PENNER—Star in "Collegiate."
JACK POWELL—"Soup to Nuts."
GEORGE RAFT—Co-starred with Alice Faye in "Every Night at Eight."
CLAUDE RAINS—"The Last Outpost."
LYDA ROBERTI—"Tbe Big Broadcast of 1935."
BILL ROBINSON—"The Big Broadcast of 1935."
CHARLIE RUGGLES—"Tbe Big Broadcast of 1935."
JOSEPH SCHILDKRAUT—Featured in "The Crusades."
RANDOLPH SCOTT—Featured in "So Red the Rose."
ALISON SKIPWORTH—"Coronado."
SYLVIA SIDNEY—Co-featured with Fred MacMurray in "National Velvet" and "Let's Get Married."
C. AUBREY SMITH—Featured in "The Crusades."
SIR GUY STANDING—"Annapolis Farewell" and "The Big Broadcast of 1935."
PAULA STONE—"Hopalong Cassidy."
MARGARET SULLAVAN—Star in "So Red the Rose."
GLADYS SWARTHOUT—Co-featured with John Boles in "Rose of the Rancho."
COLIN TAPLEY—"The Last Outpost."
KENT TAYLOR—Featured in "Without Regret." Also in "Phantom Bus."
KENNETH THOMPSON—"Hopalong Cassidy."
ROBERT WARWICK—"Hopalong Cassidy."
MAE WEST—Star in "Gentleman's Choice" and "Klondike Lou."
HENRY WILCOXON—Featured in "The Crusades."
HERB WILLIAMS—"Rose of the Rancho."
LORETTA YOUNG—Featured in "The Crusades."

In the Can



Those boxes contain the first print of "The Crusades," the opener on Paramount's 1935-36 *program. Bill Pine, studio publicity and advertising chief, guards it on the left, and Cecil B. DeMille, its producer, on the right. This photograph shows them on their arrival at Newark Airport from Hollywood yesterday.*

Annapolis Unit Returning

HOLLYWOOD, June 13.—Paramount's "Annapolis Farewell" company is on its way back to the studio by train.

Neufeld Joins Variety

PHILADELPHIA, June 13.—Oscar Neufeld, manager of the I. E. P. A., has resigned to become manager of the new clubhouse recently opened by the Variety Club.

Para. Clear Monday, Schaefer Predicts

(Continued from page 1)

who welcomed the 140 men from all over the country and Europe. He was followed by J. J. Unger, eastern and southern divisional head, who distributed checks to the winners of the 3-1-1 sales contest held recently in honor of Schaefer.

Charles Reagan, western division head, then announced the 15 new members elected to the 100 Per Cent Club. He gave each of the men present a $3,000 life insurance paid up for one year. Schaefer then pinned buttons on the winners. They are:

T. Abner, Philadelphia; G. Elmo, Pittsburgh; J. A. Harris, Boston; Irwin Lesser, New York; E. B. Price, Atlanta; F. A. Tomes, Dallas; H. Roth, Cleveland; E. Walter, Buffalo; C. J. Duer, Denver; H. R. Hamburg, Chicago; G. Hinton, Omaha; G. E. Sessler, Sioux Falls; A. Taylor, San Francisco; J. E. Lenahan, Milwaukee; L. D. Hatfield, Toronto.

Roth and Lenahan are bookers, while Walter is ad sales manager of his exchange. The other 12 are salesmen.

Unlike the last convention, which was held on the coast, theatre operating partners did not attend, the session being limited to distribution forces.

John W. Hicks, vice-president of Paramount International, took the floor in the afternoon session and introduced about five foreign managers. He stated that many of his offices have already closed deals on the new lineup, announcement of which will be made at today's meeting. Cecil Graham of the London office and Jack Rappaport of the Havana branch also spoke briefly. George Weltner, assistant to Hicks, related how the foreign fields develop manpower.

Says Zukor Will Stay Active

Eugene J. Zukor, son of the chairman of the new board of directors, told the men that his father would continue to be active in the company's affairs. He did not go into details, but it was an assuring statement to the conventioneers. Zukor then reviewed his many years with the company.

Lou Diamond, in charge of shorts, gave an analysis of the one-reelers. A. J. Richard, head of the newsreel, talked on the 104 issues to be released for the new season. Grantland Rice, who is producing a series of sports reels, announced that Ted Husing had been signed as commentator for the subjects. Rice's talk was brief. He had to rush away to interview Max Baer before the big fight last night.

After the speeches, a screening was held. Tests of Gladys Swarthout and Helen Jepson, radio and opera stars, were shown. The two personalities will figure prominently in future Paramount releases.

The first Grantland Rice reel in which Husing narrates the action was exhibited. Also "Better Than Worster," a Popeye cartoon, and a new Variety short, "Broadway Highlights."

An enlarged photo taken at the Paris International sales convention on May 12 was unveiled at the convention hall by Hicks prior to the foreign session.

Blank Reflects Optimism

Theatre business in the west has greatly improved over last year, A. H. Blank, Paramount theatre partner in Iowa, stated yesterday. He says there has been a lot of rain which has helped the general morale of the farmer because of the prospects of fine crops.

Business is on the mend and everything points to a better season. He has been here with Ralph G. Branton, general manager of Tri-States, and finished up conferences with Y. Frank Freeman yesterday. He decided to stay over to see the Baer-Braddock fight last night and will leave with Branton for Des Moines this afternoon.

Fields Ill, Vacationing

W. C. Fields, who is missing from the Paramount announcement, has been granted a three-months vacation to recuperate from an illness. No vehicle has been selected for him when he returns, but studio forces are now surveying the material market for a story.

Para. Buys Amateurs' Song

Victor Mizzy and Irving Taylor, N. Y. U. students who took first place on one of the Fred Allen amateur broadcasts and played the Roxy for two weeks, have sold their original composition, "When Your Heart Rhymes With Mine," to Paramount.

Paramount Personalities

PERCY BLOCK, district manager for Philadelphia and Washington, brought with him from the Quaker City where he makes his headquarters. EARLE SWEIGERT, branch manager; THEODORE ABNER, salesman, just elected to the 100% Club, and ULRIK SMITH, sales manager.

✤

MORRIS GLUCK, ad sales manager for the New York exchange, proudly exhibiting the $150 check received as second prize in the recent contest. ED WALTERS, who took fourth and received a $75 bonus, also displaying considerable gratification. These two were the only ad sales winners present.

✤

MYKE LEWIS, coast district manager, was all smiles after being awarded a $1,000 check as winner of the recent 3-1-1 drive.

✤

A. H. BLANK, who is in town on theatre business, didn't put in an appearance at the convention and GEORGE SCHAEFER gave him rats for being in the hotel and not dropping in. He is here with RALPH G. BRANTON, general manager of Tri-States. Both leave this afternoon for Des Moines.

✤

JACK HIMMELEIN of Cleveland and EDDIE RUFF of Maine are inseparable. They promenade up and down the Waldorf lobby, taking in all the window displays.

✤

MYRON SATTLER, New York branch manager, a symphony in blue, hunted up a couple of the boys who lend their ears to a coupe of quips he had saved for the occasion.

✤

HENRY RANDEL, Brooklyn and Long Island exchange manager, bought himself a new hat for the conferences. EARLE SWEIGERT, the conservative one, is repeating on his $10 Stetson of last year.

✤

IRWIN LESSER, New York salesman, was too modest to take a bow for winning the 100% Club award for the second consecutive time.

✤

MAX FLEISCHER was ill and could not attend.

✤

JOHNNY MOORE, sales manager at Boston, and AL KANE, New Haven branch manager, arrived at 11 P.M. Wednesday night and immediately went on a liquid diet.

COL. BILL ERBB, district manager for New England, reported his blue ribbon saddle horse Trojan has gone lame, which has prevented him from taking his early morning exercises.

✤

J. J. UNGER, without reservation, declared that the convention is minus horseplay and positively all business. He also stated there were no changes in personnel.

✤

CLAYTON EASTMAN, who captains the Albany branch, was an interested listener in one of the small groups which cluttered up the Waldorf lobby after the afternoon session.

✤

Most of the sales force took in the BRADDOCK-BAER fight after dining at the Hollywood restaurant. The tickets were on the company.

✤

EDDIE FONTAINE, Chicago district boss, arrived early, well equipped for his usual ribbing of HARRY GOLDSTEIN, from Pittsburgh. EDDIE reports having taken over ALLEN USHER, Windy City branch manager, on the golf links Sunday, which is an accomplishment.

✤

PERCY BLOCK nursed a bad headache all afternoon.

✤

AL WILKIE was busy commuting between the convention hall and the Newark airport where he met CECIL B. DEMILLE and BILL PINE arriving from the coast.

✤

LEON NETTER and LOUIS NOTARIUS were the only representatives of the home office theatre department attending.

✤

DAVE CHATKIN held an informal chat with NEIL AGNEW in the lobby after the second session.

✤

CHARLES REAGAN and JOHNNY HOWARD, branch manager of the Indianapolis exchange, talked about old times.

✤

CHET BELL, sales manager of the Detroit exchange, motored by way of Toronto into New England and messed up a couple of golf courses while visiting the Boston, New Haven and Maine exchanges. He took the trip as a vacation jaunt and made the 3,000 miles in a week.

Allied-Paramount Pact Is Approved

(Continued from page 1)

000, based on obligations accruing from the construction of theatres for Paramount. The claim was later reduced to $12,000,000. The settlement provides for the issuance to Allied of $5,000,000 of new Paramount notes and stock, the payment of $150,000 in cash for back rent on the Brooklyn Paramount, the purchase of the Paramount at Birmingham, Ala., and the leasing of the Paramount theatres in Brooklyn, Glens Falls, N. Y., and Fremont, O. A condition involved in the settlement also provided for the recent election of Stephen Callaghan, a trustee of Allied, to the new Paramount board.

The Allied settlement was approved insofar as Paramount's participation was concerned by Federal Judge Alfred C. Coxe in U. S. District Court here last week. Judge Inch's approval of Allied's participation yesterday concludes the proceedings. The claim was the largest individual one filed against Paramount.

Rawles INS Coast Head

HOLLYWOOD, June 13.—Wallace X. Rawles is the new director of the Pacific Division of International News Service. He succeeds E. H. Martin, who is retiring because of ill health. Martin has seen 20 years of service with INS. As division manager, Rawles controls a staff of about 200 men from Denver to the Philippines and from California to Alaska. He will continue handling Hollywood picture news. He sends a thousand words daily over the Hearst wires and about 4,000 words weekly over INS fast news service.

Vaudeville for De Luxe

The De Luxe on 125th St., operated by Dave Herman and Joe Weber, will feature stage presentations in addition to the regular film program, to be changed weekly. The new policy will start in September.

Meyer Gets New Post

HOLLYWOOD, June 13.—Fred Meyer was named yesterday to represent Universal on the board of directors of the Producers' Ass'n. He fills a vacancy left by a number of studio executive changes.

Rowland Picks New Title

"Sweet Surrender" has been selected as the final title for William Rowland's picture now in production at Eastern Service Studios. The former title was "Romance Unlimited."

Delay Ascher Bros. Suit

CHICAGO, June 13.—Ascher Brothers' suit involving control of the Sheridan was postponed to today when it came up yesterday before Judge Lindsay.

Robinson for "Barbary"

HOLLYWOOD, June 13.—Samuel Goldwyn has signed Edward G. Robinson to appear in "Barbary Coast."



They're always a box-office joy together ★
JOAN CRAWFORD, BOB MONTGOMERY ★
In M-G-M's gay "NO MORE LADIES" ★
Just what your show-shop needs right now ★
Some Cast! Charlie Ruggles, Franchot Tone ★
And Edna May Oliver—E. H. Griffith, director ★



★ Because it doesn't take life seriously...

★ Because it ripples with June romance...

★ Because it's brimful of the joy of living...

★ Because it's wise, witty, human, true...

★ Because it brings two bright stars together again...

★ That's why it's the sweetheart of the film year!

Depinet Heads RKO Hegira to Chicago

(*Continued from page 1*)

tury for the Chicago sales convention. The gathering will open at the Drake on Monday and continue through Wednesday.

Accompanying Depinet were: Jules Levy, vice-president and general manager of RKO Distributing; Cresson W. Smith, western and southern sales manager; Al Mertz, short subject sales manager; A. A. Schubart, head of the contract department; John Dowd, publicity and exploitation head of RKO theatres; Rutgers Neilson of Radio Pictures publicity department; Harry Gittleson, editor of the house organ, *Flash;* Mike Poller; Michael Hoffay, foreign publicity head, and James Finney, assistant to Jules Levy.

S. Barrett McCormick, director of advertising and publicity, and the rest of the home office delegation leave Saturday. The coast delegation, headed by J. R. McDonough, president of RKO Radio Pictures, will reach Chicago Sunday on the Chief. Others from all parts of the country will arrive during the day.

The European delegates, headed by E. D. Leishman, chairman of the board of Radio Pictures, Ltd., and director of Radio Pictures International, Ltd., arrived Thursday in New York on the *Manhattan.* Phil Reisman, vice-president and general sales manager for RKO Export Corp., met the delegation at Quarantine.

Others in this group were: Ralph Hanbury, general manager of Radio Pictures, Ltd., London; Harry W. Leasin, general sales manager of Radio Pictures International, Ltd., London; Carl Gerhard Walman, sales representative in Scandinavia; Pierre Charles Lelong, general manager of Compagnie Radio Cinema, Paris; Nicholas Cazaris, managing director of Arta Film, Bucharest; Joseph Nicholas Ermolieff, RKO distributor for Northern Africa; Max Bosman of Les Films Bosman and Bourland, Antwerp, and Joost Smit, managing director of Remaco's Filmbedrijf, N. V., Amsterdam.

RKO Claims Reduced Nearly $12,500,000

(*Continued from page 1*)

Thacher, forwarded to the RKO trustee yesterday.

The report covers hearings held last year on $25,800,000 of the $45,000,000 total claims filed against RKO. Of the reductions recommended by Thacher the largest was that dealing with the Rockefeller Center claims of $18,500,000, which were reduced to $9,600,000. These claims were based on RKO's liability for part of the construction costs of the two Radio City theatres and for office space in the RKO Bldg. The portions of the claims based on "future rents" were disallowed by the special master.

Another large claim which was materially reduced was that of Walter Reade for $2,700,000, based on a lease on the Mayfair, which was cut to $337,500. Numerous additional smaller claims were either reduced appreciably or disallowed in their entirety. It is assumed that the RKO trustee will contest further the Rockefeller Center claim, and other individual claimants in all probability will appeal the special master's rulings in respect to their claims.

Wall Street

Eastman Leads Gain on Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	64	63¼	63¼	+1¼
Cons., pfd (1¼v)	15⅛	15	15	— ⅛
Eastman	148	146	148	+2
Fox "A"	15½	15	15	+ ⅛
Loew's	41⅞	41⅛	41⅛	— ¼
Paramount	3¾	3⅝	3¾	+ ⅛
Pathe	¾	⅝	¾	.....
Pathe "A"	10¼	10	10¼	+ ½
RKO	2¼	2⅛	2¼	+ ¼
Warner	4⅜	4⅛	4¼	.....
Warner, pfd	25½	25	25	—1

Technicolor Up on Curb

	High	Low	Close	Net Change
Technicolor	25¾	24⅜	25¼	+ ¾
Trans-Lux (.10K)	2⅜	2¼	2¼	— ¼

Para. B'way Bonds Up 1

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11½	11½	11½	+ ¼
Loew's 6s '41 ww deb rights	104⅛	104⅛	104⅛	+ ⅛
Paramount B'way 5½s '51	57¾	57	57¾	+1
Paramount Publix 5½s '50	91⅝	91⅜	91⅝	— ⅜
RKO 6s '41 pp	40	40	40	.....
Warner Bros. 6s '39 wd	66	65½	65½	— ¼

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 13)

Those Busy Warnerites

LOS ANGELES, June 13.—Colonel HOWARD WAUGH of Memphis found himself locked out of his room at the Ambassador on the first night of the Warner convention by people he always had regarded as pals and friends. To add insult to injury, they took his comb and brush when they finally were dislodged. Up to press time he had not located the missing articles.

✤

MORT BLUMENSTOCK left Hollywood three years ago as a director. His last picture was "Morals of the Moment" for Tiffany. Even though he is busy greeting friends from every studio here, he leaves Friday night by plane and will stop over for several hours in Detroit on business.

✤

A. L. SCHWALBERG, in charge of entertainment arrangements, complimenting studio men on their cooperation, and getting compliments in return. He has been here since Saturday and busy every minute.

✤

THORNTON SARGENT of the local Fox West Coast office, and JOHN N. DILLON of the local Fox exchange turned up the second Warner day at the Ambassador, lunched early in lonely splendor before the morning session broke up and were waiting at the entrance to the Cocoanut Grove to greet friends from the east. The rally around them took on the proportions of a convention of their own before they left.

✤

More Kentucky colonels are at the convention than are to be found in all of Kentucky, to all appearances. For instance, M. A. SILVER, zone theatre manager from Albany; FRED M. JACK of Dallas, MORT BLUMENSTOCK of New York, NAT WOLF of Cleveland and HARRY KALMINE of Pittsburgh.

Warner Calls Films A Service to Public

LOS ANGELES, June 13.—Warner pictures are performing a public service and "G-Men" is significant among the films that might be put in this classification, declared Jack L. Warner, vice-president in charge of production, at the convention session in the Hotel Ambassador today.

"Films are an important factor in world betterment," Warner declared. "We are no longer merely in the entertainment business, but are helping standards, morals and living conditions."

Warner told the convention gathering that "A Midsummer Night's Dream" represents "a triumph for the entire industry." He described it as "one of the greatest forward steps from the beaten path."

Ed Hatrick, vice-president of Cosmopolitan Prod., expressed his pleasure over the affiliation of his company with Warners. Hal Wallis, studio production executive, said he hoped that more conventions would be held where films are made.

S. Charles Einfeld, introduced by Gradwell L. Sears, said that during the coming year the advertising budget would be the largest in the history of the company.

After praising the production and sales executives H. M. Warner surprised the delegates by telling them that he did not own stock in any company other than Warners.

Mervyn LeRoy also spoke.

The convention ended tonight with a banquet at which prizes were presented the winners of the company's "California or Bust" contest. Jack L. Warner was toastmaster.

Further studio conferences are to be held Friday between studio executives and theatre and production heads.

Warners to Film "G-Women"

HOLLYWOOD, June 13.—A picture based on the work of women operatives in the government fight on crime is planned by Warners under the title "G-Women."

LeRoys to Tour Europe

HOLLYWOOD, June 13.—Mervyn LeRoy is planning a vacation of six to eight weeks, starting early in September. Accompanied by Mrs. LeRoy, he will tour the principal capitals of Europe.

"Special Agent" Set to Start

HOLLYWOOD, June 13.—"Special Agent," with a cast headed by Bette Davis, George Brent and Ricardo Cortez, goes into production in a day or two at Warners.

Visit Warner Home Office

Jack Holden, Warner studio art director; Dr. Dickey, Studio physician, and Leslie Clark, his assistant, who came east for the Shriners' Convention in Washington, were home office visitors yesterday.

Jolson Off to Coast Sunday

Al Jolson leaves town for the Warner studios Sunday.

Mass. Dog Races Start

BOSTON, June 13.—Massachusetts had its first taste of pari-mutuel dog racing when the $500,000 Wonderland track opened last night a few miles outside of Boston.

Music Details Up In Ascap Hearing

Further testimony of a technical nature relating to the use of copyrighted music by radio broadcasters was given by Thomas Belviso, manager of NBC's music library research department, during cross examination by Nathan Burkan yesterday in the government's anti-trust suit against Ascap.

Belviso was on the stand all day. His testimony concerned music that has come into the public domain through the lapse of copyrights or the lack of them that is freely available for public performance. The government contends that Ascap's alleged monopoly on copyrighted music makes it impossible to give a succession of varied, public performances of music without being licensed by the organization. Most of the music in the public domain, Belviso contended, is the classical compositions of long-dead composers.

Belviso admitted under questioning by Burkan, counsel for Ascap, that NBC had a music library of its own of 250,000 titles, many of them different arrangements of the same song. Burkan also brought out that Belviso himself composed music for NBC programs and endeavored to show that, similarly, other radio programs are prepared without benefit of Ascap.

The trial will continue before Federal Judge Henry W. Goddard in U.S. District Court here today. Indications are that all radio broadcasting witnesses will testify prior to the calling of theatre and film men to the stand as witnesses for the government. This may require another week.

Penn. Sunday Bill Undergoes Changes

HARRISBURG, June 13.—After accepting an amendment today to make the proposed Sunday local option bill more acceptable to some of the Senate members whose votes were in doubt, the Pennsylvania Senate passed the measure on second reading. The bill will come up on a vote for final passage next week.

The bill originally made it mandatory for each municipal sub-division of the state to vote next November on whether to permit Sunday shows after 2 P. M. The amendment provides that a referendum may be held only if such a proposal is petitioned for by at least five per cent of the voters of the party that polled the highest vote in the preceding municipal election.

While for many weeks the bill proposing a 10 per cent tax on gross receipts has lain dormant in committee, interest was revived today in an amusement tax proposal, though on a lower percentage basis. The new suggestion is for a four per cent tax on admissions to all places of amusement.

If the Sunday bill goes through, it is said theatre interests will be less hostile to the proposed receipts tax at the lower figure.

The bill proposing a tax on billboards was favorably reported.

Jersey Sales Tax Signed

TRENTON, June 13.—Governor Hoffman has signed New Jersey's new sales tax law. It provides for a two per cent levy on all retail sales, but does not affect theatre admissions.

Purely Personal

BILL FITELSON, attorney for independent film companies, is recovering from a breakdown from overwork at LeRoy Sanitarium, but expects to be able to transfer to his Jersey country home in a few days.

•

WALTER GOULD has resigned from Columbia to rejoin United Artists as division manager for Central and South America. He was with the company from 1926 to 1935.

•

RALPH B. AUSTRIAN has been appointed special representative for RCA Photophone by EDWIN M. HARTLEY, manager, and he will make his headquarters here.

•

HARRY MARTELL, who was picked as the best amateur competing on FRED ALLEN'S hour, begins a week's engagement at the Roxy today.

•

LILY PONS came in on the *Bremen* yesterday. She will leave shortly for the coast to start work in a Radio picture tentatively titled "Love Song."

•

JOHN MASEFIELD has been assigned by M-G-M to "Romeo and Juliet." He will come to this country soon.

•

SOPHIE TUCKER will play hostess to members of her "Life Begins At 40" club at the Capitol next Monday.

•

KENNETH MACGOWAN, Radio producer, has flown in for the opening of "Becky Sharp."

•

J. VON HERBERG is in town from the Pacific Northwest. At the Savoy Plaza.

•

EDDIE DOWLING will be guest star on AL JOLSON'S radio hour, Saturday.

•

. . . Baltimore

HERBERT ZIMMERMAN, proprietor of the Echo and DeLuxe, is recovering from an operation at Sinai Hospital.

MOE KOHN, operator of the Leader and Dainty, is in the same institution with an infected throat.

PAUL CAPLAN has closed the New Elektra for the summer.

J. LOUIS ROME has started work on the new Stadium.

SAM CLARKE, publicist attached to the "Anchors Aweigh" unit working at Annapolis, has been a busy man about town.

Remove Pat Drew's Leg

HOLLYWOOD, June 13.—Pat Drew, Paramount plane crash victim, underwent amputation of one leg below the knee in an effort to save his life today. Infection set in and he weakened in spite of several blood transfusions. The operation was performed by Dr. H. J. Strathearn, Paramount surgeon.

Drew refused to submit to the operation at Macon, Mo., following the plane crash.

Marcus Made Producer

HOLLYWOOD, June 13.—Lee Marcus, formerly head of shorts at Radio, has been promoted to associate producer. His first assignment is "The Rainmakers," featuring Wheeler and Woolsey.

'Time' Buyer of RKO Notes, Casey Pathe Suit Reveals

(*Continued from page* 1)

the sale of the RKO notes at 20 cents on the dollar constituted a wastage of Pathe's assets, and that the value of the notes was greatly in excess of the sales price, the defendant directors and officers of Pathe countered that the sale of the RKO notes was "of great benefit to Pathe" and "an exercise of sound business judgment."

"The RKO notes," the reply states, "were offered to various security houses and investment trusts who might reasonably have been expected to make a bid tor the same, including the Atlas Securities Corp., who were working on a plan of reorganization for RKO and were thoroughly familiar with that company's situation. The best bid that Atlas would make was 17. A bid of 20 was finally made by the magazine *Time,* to whom they were sold."

The reply further points out that no interest has been paid Pathe on any of the RKO notes since July 1, 1932, and that $774,000 principal amount of the RKO notes were past due and unpaid last Sept. 29. The reply further points out that while reorganization plans for RKO have been discussed for almost the entire two years since the company's receivership, no plan has yet been announced. The notes were sold, the reply adds, "in order to reduce to cash what otherwise would have remained an asset of dubious value, and which represented obligations of a defunct company."

Says RKO Notes Unsecured

It also states that the RKO notes are unsecured and in a junior position to $13,000,000 of additional first and second RKO liens, believed to be secured by "substantially all of the important assets of RKO," and that these latter notes have sold in the market for as low as 26½ since the first of the year. The notes held by Pathe, the reply states, rank with approximately $45,000,000 of claims filed by RKO creditors.

"It would seem apparent," the reply concludes, "that a sale of these notes at a price of 20 was fair and reasonable, if indeed not more than their reasonable market value and actual worth."

Casey's application for a receiver declares that Pathe's rise attracted the attention of Wall Street speculators, who eventually brought about the company's sale to RKO, the sale price being paid in large part by the latter company's unsecured notes. Thereafter, the application says, Pathe's dominating group of directors who brought about the sale left the company "helplessly floundering." In spite of this, it states, Pathe staged a recovery through some of its assets which were "troublesome to pry loose," at the time of the sale and again attracted Wall St. attention and became the "prey of market manipulators."

The complaint alleges that loans and advances of $200,000 made to First Division by Pathe will result in a total loss, and declares that the advances were made for production financing to a company which had neither "producing experience nor world wide distributing facilities." It also charges that loans totaling $150,000 were made to "one Rowland" to finance the production of "The Girl Friend" and that as a result of Columbia's rejection of the picture for distribution "the loans will be a total loss."

The complaint also alleges that Robert R. Young, of the investment firm of Young & Kolbe, dominates Pathe presently and that Frank F. Kolbe, Pathe president, and Robert Atkins, executive vice-president, are "dummies" of Young. It charges that Young bought up Pathe debentures in the market at advantageous prices after the company itself had been obliged, "because of improvident loans and advances," to halt such buying. It further charges that Stuart Webb's replacement as Pathe president was made to appear to stockholders as a reform move, whereas in reality the new management plans to continue the same policies of "dissipation of Pathe's assets."

The complaint charges that the pledging of Pathe's 49 per cent stock interest in Du Pont Film Mfg. Co. for a $2,000,000 loan which requires the payment of interest and principal on certain due dates places the stock in a position where, in the event of defaults, it might have to be dumped on the market, causing the loss of Pathe's most valuable asset. It states further that the Du Pont stock has a book value of $4,000,000 and that its actual value is believed to be much more. It adds that its value will probably be greatly enhanced by current "valuable" experiments being conducted by Du Pont which are expected to "greatly lessen the cost of manufacturing raw stock."

See Derr Behind Action

Reflecting the reports which identified E. B. Derr, former Pathe production head, as the figure behind Casey's action, the reply of the defendants advances the belief that Derr is using Casey's name to bring the action, and that he, Derr, "is hostile to Pathe" because of "facts which took place" at the time that he was an employe of the company and who "has anything but the best interests of the company at heart." The answer further states that Derr recently "had the audacity to ask that the management of Pathe be turned over to him."

The defendants state that the production loan for "The Girl Friend" would amount to less than $50,000, rather than the $150,000 alleged and that it has been learned from "officers of Columbia" that it will be repaid "at least in part" and may "net a profit."

In a separate reply filed by Young denial is made that he dominates the company or rules its officers and sets forth that he owns 2,000 shares of Pathe's 8 per cent preferred, or 25 per cent of that issue, and more than 25,000 shares of the Class A stock, or about 10 per cent of that issue. In this connection Young points out that if, as alleged, his intentions were to encourage the mismanagement of Pathe "and ruthlessly destroy the rights of stockholders, it is apparent that, as the largest stockholder, I would be injuring myself most of all." He adds that the only dealings his firm had in Pathe securities occurred in 1933, involved a few hundred shares and resulted in a loss of $586.75.

Young also denies that his purchase of Pathe debentures was for speculative purposes or to hold for redemption by the company at par, and points out that the debentures were selling at above or slightly below par for six months before they were called for retirement.

The answers defend the $2,000,000 loan from Bankers Trust and the pledging of the Du Pont stock as security for it in pointing out that the loan which made possible the calling in of Pathe's debentures carries interest of only four per cent, whereas the retired debentures were at seven per cent interest. In addition, the answer says, the entire debenture issue matured May 1, 1937, whereas only $500,000 of the new loan now matures on that date, another $500,000 one year later and the remaining $1,000,000 on May 1, 1939. "By making this loan," the answer concludes, "Pathe has both materially reduced its fixed interest charges and has extended the maturities of its fixed obligations."

Replying to the charge that the pledging of the Du Pont stock in any way jeopardized it as a Pathe asset, the defendants' answer points out that dividends on the stock in the past have been sufficient to meet the obligations set by the loan.

The answer charges that all of the allegations in Casey's application are unsupported by fact and are inconsistent. "The appointment of a receiver under these circumstances," it concludes, "would be a terrible calamity to the corporate defendant, would undoubtedly reduce the market value of the preferred stock to a fraction of its present price, destroy the credit of the company, place all of its assets in jeopardy and work irretrievable injury."

Justice Dore gave Casey's attorney until tomorrow to file an answer to the reply, following which he will rule on the application for the receiver.

Loew's and RKO Plan No Summer Closings

Loew's and RKO will not close any theatres for the summer, it was learned yesterday. The former circuit operates on a 40-week rental basis and has already paid rents for the 10-week warm period.

While RKO previously followed the same procedure as Loew's in charging off rents for the summer months, this practice has been discontinued.

Loew's recently closed the Lyric, Bridgeport, Conn., and unless circuit officials change their minds later, the theatre will remain dark after Sept. 1.

Mrs. Julia Baker Dead

KANSAS CITY, June 13.—Mrs. Julia Baker, 76 years old, mother of A. F. Baker of the Electric, Kansas City, Kan., and grandmother of George F. Baker, manager of the Newman, died the afternoon of June 12 at the Baker home in Kansas City, Kan. Mrs. Baker had lived there 51 years.

Roxy Beats Brooklyn

The Roxy nine yesterday beat the Brooklyn Paramount team by a score of 10-3.

Receiver Suit Against Campi To Be Dropped

(*Continued from page* 1)

paid only $18 for the second half of the 1934 assessment and counsel for Campi is trying to find out what is behind it.

Felix A. Jenkins, alternating for S. R. Kent, and Nathan Yamins, chairman of the finance committee, met yesterday to discuss with John C. Flinn the progress made so far in winding up Campi's affairs. Price, Waterhouse & Co. has started an audit on the financial structure of the boards. Balances from each code secretary who had $50 on hand for expenses are coming in and it will be another week before the report is completed.

Bids are being taken for furniture at Code Authority and at local boards where the equipment was not leased.

Exhibitors paid about $4,000 for the first half of 1935, while producers and distributors contributed $32,000. Disposition of the balance after Campi has quit will be made by the finance committee. Producers and distributors already have notified Campi that decision of the committee will meet with its approval. There is a possibility that the remaining money may be divided pro rata among members who paid assessments for the first half of this year.

After 15 telegrams have been received by Code Authority from exhibitors throughout the country recommending an industry tribunal and boards similar to the code be set up to continue the work of Campi. The wires, all virtually the same in text, were received on the same day. Letters were also received commending the various secretaries.

Tyree Dillard, Jr., plans to sail on a six-week cruise about July 1 when he winds up his legal activities at Campi. It will be his first real vacation in six years.

New Skeleton NRA Given Senate Vote

(*Continued from page* 1)

through the longest session in recent years.

Despite bitterness over the amendment of the resolution by the Senate, the House of Representatives is expected to approve it tomorrow.

The agreements provided for will be required to deal with collective bargaining, minimum wages, maximum hours and child labor, and may prohibit such trade practices as are forbidden by the Federal Trade, Clayton and other laws. No exemption from operation of the anti-trust statutes would be given such codes.

Administration officials, while accepting the situation philosophically, are not optimistic over the effects of the provision for voluntary agreements and do not anticipate a rush of industry to get under the cover of a type of agreement which, without restrictions as to labor conditions, has been available at any time during the past 10 years from the Federal Trade Commission.

Meanwhile, finally certain that the days of the robust NRA are drawing to a close, officials began making arrangements to cut the staff from over 5,000 to 1,500 or less. The end of the week will see a general exodus from Washington of officials who have been engaged in the negotiation and administration of codes.

Ohio NRA Act Ended

COLUMBUS, June 13.—Seven judges of the state Supreme Court have unanimously concurred in the opinion of a lower court declaring the Ohio NRA act unconstitutional as a delegation of legislative authority.

Ohio was the first state to enact a law modeled on the National Industrial Recovery Act. Governor Davey recently signed an act extending the Ohio law during the life of the NRA, but not longer than April 1 next year.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Honeymoon Limited"

(*Monogram*)

HOLLYWOOD, June 13.—An unusually sprightly, gay comedy romance that was turned out on a small budget, but it is nonetheless a good bet on a double bill.

Neil Hamilton wagers his choleric publisher, Henry Kolker, that he can walk across the country penniless, arriving in six months with a completed novel. The time is almost up and the novel still not started when Hamilton finds a deserted house and the publisher's three runaway granddaughters. Gangsters Russell Hicks and Lorin Raker, who are after hidden money in the fireplace, provide fights and laughs, masquerading as a honeymooning pair from the deep south.

The slight inconsistencies in the story are easily overlooked in clever characterizations, resourceful plot variations and excellent dialogue by Dorothy Reid and Betty Burbridge, who adapted from Vida Hurst's novel. Arthur Lubin's direction is smooth. Irene Hervey is a pleasing feminine lead. The cute twins, Joy and June Filmer, register heavily in a cast that includes Lloyd Hughes, George Hayes, Gertrude Astor, Virginia Brissac and Lee Moran.

Production Code Seal No. 915. Running time, 83 minutes. "G."

Looking 'Em Over

"Becky Sharp"

(*Pioneer-Radio*)

"Becky Sharp" is a splendid piece of entertainment highlighted with a finely etched, compelling performance by Miriam Hopkins. It would be an important picture in black and white. How much more important it is with color will be demonstrated at the box-office within the next few weeks and months.

Most certainly color doesn't detract from the dramatic values. After the first few moments of curiosity and conscious delight in the beauty of the effects achieved the observer becomes absorbed in the characterization being unfolded by Miss Hopkins. The impression deepens that she is at a new milestone in her career, that she is vitalizing a difficult role with swift, kaleidoscopic emotional flashes.

Becky Sharp, as presented here, is an ambitious orphan determined to go somewhere socially when she leaves a fashionable English boarding school of the period of 1812. Her purpose never wavers. She tries to trick Nigel Bruce into a proposal, she succeeds in marrying an impecunious officer of good family, she goes into debt and gambles. She tricks money from everyone, she enmeshes the Marquis of Steyne (Cedrick Hardwicke) with her fatal lure on the eve of the battle of Waterloo. Finally her husband leaves her in disgrace and she goes back to her first admirer, Bruce, but through it all she is delightful.

Closeups, gorgeous spectacles, swift action are shrewdly blended by Rouben Mamoulian in a production design conceived by Robert Edmond Jones to get the best results from the new three-tone Technicolor process, but he keeps his story in hand at all times and makes the tints an adjunct to the telling.

The cast is outstanding. Alan Mowbray, as the husband, is impressive; Frances Dee is charming. Alison Skipworth stands out in a brief sequence. Billie Burke appears to advantage in brief flashes. G. P. Huntley, Jr., as the husband of Becky's girlhood friend, is adequate.

Exhibitors have a ready-made exploitation angle—the first full length feature in the three-color process and the extensive campaign Radio has put on to build it up. It is bound to make money. It may take its place as a significant new industry turning point, but time will tell on that point.

Production Code Seal No. 735. Running time, 85 minutes. "G."

Allied Heads Talk to Hays On Problems

(*Continued from page* 1)

to supplant the regulations in force under the NRA industry code was not touched upon at the session.

The meeting was described "as a friendly and sympathetic exchange of views" in line with the specific resolution adopted at the Allied convention to petition Hays for aid in ending the practices complained of at the Atlanta meeting. These were, primarily, circuit theatre practices in Texas as recited by Col. H. A. Cole, Allied director, who declared that they were designed either to force independents out of business or to make them a part of a national booking combine. The complaints, relayed to Hays yesterday, will be further investigated by his office, it is understood. Pending developments from this study, it is regarded as unlikely that further meetings on the subject will be held during the current session of Allied's executive committee, but the possibility that other meetings may result later was advanced.

The Allied delegation, following the meeting with Hays, repaired to the Hotel Warwick, where the executive committee is convening. No official statement on the conference with Hays was issued, President Sidney Samuelson confining himself to the declaration that the meeting, which winds up today, is an administration confab to determine upon means of putting into effect the mandates of Allied's recent convention. Attending the session are Samuelson, Abram F. Myers, W. A. Steffes, H. M. Richey, Newman Waters, Fred Herrington, Nathan Yamins, Edward Ansin and Bennie Berger. Most of the delegates will leave for their homes tonight.

To Discuss Code Problems

KANSAS CITY, June 13.—How to get along without a code and what to put in its place will be the principal topics of discussion at the 17th annual convention of the K. M. T. A. scheduled to be held here June 26-27.

"Because of the elimination of the code, there is an acute need for a strong, closely knit organization," says R. R. Biechele, secretary.

"Exhibitors are today without a means of conciliation or arbitration between exhibitors, between exhibitors and distributors, and between exhibitors and producers."

There are other vital matters which demand consideration. For Kansas exhibitors there is the question of a special session of the Legislature, definitely set for this year, to consider taxation almost entirely. An effort will be made to pass a sales tax.

Missouri exhibitors are faced with the problem of collecting the sales tax. No definite plan has been outlined by state officials by which the tax can be collected.

Insurance also will be discussed.

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Move for New Code Fails to Cheer Chicago

Good for Employes, But Little Else, Is View

CHICAGO, June 14.—Voluntary code suggestions are met with little enthusiasm here. The prevailing opinion seems to be that if a code backed by governmental authority could not be enforced no other kind stands a chance.

If there is to be a code, some say, it should be limited to wages and working conditions for the protection of employes and should not attempt to regulate trade practices.

Speaking for B. & K., Barney Balaban says: "Based on experience here, the local B. & K. organization does

(*Continued on page 3*)

NRA Extension Is Approved by House

WASHINGTON, June 14.—Legislative moves to keep the NRA until next April were completed today when the House passed the resolution calling for its extension. The resolution was sent to the President, who signed it.

The resolution repeals those provisions of the NIRA granting the President power to approve or prescribe codes and providing for code enforcement, except where minimum wages, maximum hours, prohibition of child labor and unfair competitive practices in violation of existing laws are concerned.

Coast ITO Working On Clearance Plan

LOS ANGELES, June 14.—Daily conferences are being held by I. T. O. leaders in an effort to draft a clearance and zoning schedule applicable to small exhibitors.

The organization is definitely against a code, voluntary or otherwise, which takes in small houses with circuits. They insist the independent always gets the short end of it.

I. T. O. has recently taken in a number of former members of Associated Exhibitors.

MPTO in St. Louis Seeks Arbitration

ST. LOUIS, June 14.—In a special bulletin sent to the membership of the M.P.T.O. of St. Louis, Eastern Missouri and Southern Illinois, Fred

(*Continued on page 3*)

Allied Heads, Feist Discuss Chicago Today

Hopes Strong for Some Sort of Agreement

The dual subjects of the proposed theatre invasion of Chicago by Loew's and M-G-M's sales policies will be taken up with Felix F. Feist, M-G-M general sales manager, by an Allied States committee designated to meet with him today.

The Allied committee consists of Sidney Samuelson, president; Aaron Saperstein, head of the Illinois Allied unit, who arrived from Chicago last night, and N. H. Waters of Atlanta. The possibility of the committee's arriving at some sort of understanding with Feist which would pacify both

(*Continued on page 2*)

Supply Men Convene Chicago Meet Today

CHICAGO, June 14.—The fifth annual convention of the Independent Theatre Supply Dealers Ass'n gets under way tomorrow afternoon at the Edgewater Beach Hotel. It will last four days.

Standardization, prices and dealer discounts are among the principal

(*Continued on page 2*)

LUBITSCH TO STAY ON WITH HERZBRUN

Before and After

A. H. Blank says every time he makes a product deal he has to make two trips to New York.

The first trek is for setting the deal and the second is for readjustments.

Radio's Delegation Leaves for Chicago

RKO's home office crowd and the foreign delegates get away for the Chicago sales convention on the 20th Century and Lake Shore Limited this afternoon.

On the Century will be: Phil Reisman, vice-president and general sales manager of RKO Export; S. Barret McCormick, director of advertising and publicity; Jack Connolly, general

(*Continued on page 2*)

Warner Men Given Sale Drive Awards

LOS ANGELES, June 14.—Thirty-five prizes were awarded branch managers and salesmen for their work in the "California or Bust" contest at the

(*Continued on page 3*)

Para. Convention Told Studio Regime Will Remain Unchanged

Ernst Lubitsch will continue as managing director of Paramount production, and Henry Herzbrun as studio business administrator.

Following four days of negotiation with John E. Otterson, president-elect of the company, negotiations are understood to have been consummated Thursday evening. Paramount, however, will make no official announcement until Monday or thereafter when the deal will be verified and, it is understood, contracts signed.

Indicating that the current management in Hollywood will stay without change, was George J. Schaefer's statement to the sales convention at the Waldorf yesterday that "no change is contemplated in the management of the studio."

While he made no specific reference by name, a second statement that "there would be no restoration of former studio management" clearly inferred that Emanuel Cohen, persistently mentioned in connection with a return to Paramount, was now definitely and conclusively out of the running.

This verifies MOTION PICTURE DAILY's exclusive story of Wednesday that Lubitsch and Herzbrun will stay at the helm of production.

With the election of Adolph Zukor to the board chairmanship, he will concentrate considerable of his time collaborating on production, his son,

(*Continued on page 4*)

Spyros and Charles Skouras' Nat'l Theatre Pact Signed

By BILL ORNSTEIN



Spyros



Charles

Climaxing more than nine months of negotiations, Spyros and Charles Skouras yesterday signed contracts with National Theatres Corp., holding company for Fox West Coast and four other subsidiaries. Harry Coxe, treasurer, and Summins Gamby, vice-president, signed for National.

Under the terms of the 10-year pacts, National may cancel any time after five years upon six months' notice. The contracts are retroactive to Jan. 1, 1935. Spyros is executive vice-president of National with headquarters in New York while Charles is president of F.W.C., with home offices in Los Angeles.

Accompanied by Arch Bowles, district manager of the San Francisco territory; Spyros' daughter and son, Diana and Buddy, Charles left for the coast by air yesterday.

Bowles is being given a five-year contract as well as Rick Ricketson and Elmer C. Rhoden, the latter two to be president of Fox Intermountain and Fox Midwest respectively. Ricketson

(*Continued on page 3*)

"They're Wrong," Is Comment by Goldwyn

HOLLYWOOD, June 14.—Samuel Goldwyn's reply to rumors that he was dickering for release through Paramount was: "They must have that wrong. If anybody is dickering, it must be Paramount trying to produce for United Artists; not Goldwyn for Paramount."

It is reported here that the position of chairman of the U. A. board may be left open for the time being.

Appeal Bank Night Case in Cleveland

CLEVELAND, June 14.—Meyer Fischer is going to the mat in an effort to establish a test case that will prevent a spread of bank nights, screeno

(*Continued on page 2*)

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Marcus Loew's, Ltd., Paying on Preferred

Marcus Loew's Theatres, Ltd., Canadian unit, has declared an accumulation dividend of $1.75 per share on the seven per cent preferred stock. It is payable June 29. This will reduce arrears to $43.75.

Universal Chain Theatres is paying a third liquidating dividend of $2.50 a share on the eight per cent preferred stock. It became payable May 15 and is being made upon presentation of stock certificates at the corporation's office, 1335 Baltimore Trust Bldg., Baltimore.

Goldberg New Manager

International Road Shows, Inc., has named Jack Goldberg as sales manager and Charles Ferrara as technical director. A series of foreign films, the first of which is "Life Is Real," made by Universal in England, will be distributed.

Turley Heads Managers

ST. LOUIS, June 14.—Clarence M. Turley, rental manager of the Ambassador and St. Louis theatre buildings and an official of Best Amusement Co., has been elected president of the National Building & Managers Ass'n at the Cleveland convention.

Ascher Suit Is Delayed

CHICAGO, June 14.—Ascher Brothers' suit involving control of the Sheridan was continued to Tuesday when it came up for hearing today.

Purely Personal

GEORGE SKOURAS is boasting over that $90 he won on the BAER-BRADDOCK fight. The money was contributed by his brothers, RICK RICKETSON, ELMER C. RHODEN, WILLIAM POWERS, ARCH BOWLES, J. J. SULLIVAN and EDDIE ALPERSON.

•

FRANK WINTERSTEIN, German author who wrote "Three Men in a Boat," arrived from Berlin yesterday and today leaves for Hollywood, where he will join the staff of PAUL KOHNER, unit producer.

•

E. H. ALLEN, Educational production manager on the coast, left yesterday for the coast after production conferences here with E. W. HAMMONS.

•

JULES E. BRULATOUR and MRS. BRULATOUR (HOPE HAMPTON) will sail today on the *Rex* for Italy. VICTOR FLEMING, director, will be on the same ship.

•

MAUREEN DELANEY of the Abbey Players of Dublin will have a leading role opposite JAMES BARTON in a story now in preparation for Radio.

•

IGOR GORIN, European baritone, has been signed by M-G-M after a screen test. He will leave shortly for the coast.

•

RAMON NOVARRO opens at Shea's Toronto on June 28. The William Morris office secured the engagement.

•

MAY ROBSON, LILLIAN HARMER and JOHN BEAL will arrive from the coast Tuesday on the *Santa Elena*.

•

AL ZIMBALIST started east from St. Louis yesterday over the highways. He's breaking in a new V-8.

•

RUDY VALLEE has been elected to the executive council of the American Federation of Actors.

•

AL CHRISTIE and his Educational Pictures' eastern staff are taking a vacation until July 8.

•

IRVING BERLIN'S and MOSS HART'S "As Thousands Cheer" has been acquired by M-G-M.

•

JANE FROMAN, signed by Warners, will leave soon for the coast to work in pictures.

•

GEORGE TEMPLETON'S "Too Many Parents" has been acquired by Paramount.

•

HOWARD S. CULLMAN is slated to return from a European honeymoon around July 1.

•

SAM HAMMER is going to Maine on a two-week vacation. He starts today.

•

ALBERT HALPER'S "The Foundry" has been acquired by M-G-M.

•

LYLE TALBOT, on his vacation, leaves for the coast next week.

•

ROUBEN MAMOULIAN, director of "Becky Sharp," was interviewed over WMCA Thursday night by SAM TAYLOR. This was his second broadcast on the Technicolor feature.

Wall Street

Loew's Gain on Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	63¾	63¾	64¾	+1
Consolidated	3½	3½	3½	— ⅛
Cons., pfd (1¼v)..	15⅛	15	15⅛	+ ⅛
Eastman 149	9⅛	147½	148¾	+ ¾
Fox Film "A"....	15⅛	14½	14¾	— ¼
Loew's	42⅛	41	42⅛	+1
Loew's, pfd 107	3⅜	107	107⅜	+1⅛
Paramount	3⅝	3½	3⅝	— ⅛
RKO	2¼	2	2⅛	— ⅛
Warner	4¼	4⅛	4¼	.....

Technicolor Off 3¼ on Curb

	High	Low	Close	Net Change
Sentry	7/16	⅜	⅜	.....
Technicolor	25	21⅝	22	—3¼
Trans-Lux (.10K).	2¼	2¼	2¼	.....

Paramount F. L. Bonds Gain ¾

	High	Low	Close	Net Change
General Theatre Equip. 6s '40....	11½	11½	11½	— ¼
General Theatre Equip. 6s '40 ctf	11½	11½	11½	.....
Keith B. F. 6s '46	81½	80¾	81½	+ ¼
Loew's 6s '41 ww deb rights....104		104	104	— ⅛
Paramount F. L. 6s '47	90¾	90⅝	90¾	+ ¾
Paramount Publix 5½s '50	92	92	92	+ ⅜
Warner Bros. 6s '39 wd	64¼	64¾	65	— ½

(c) Plus stock extros. (K and v) Paid this year.

(Quotations as at close of June 14)

Radio's Delegation Leaves for Chicago

(*Continued from page* 1)

manager of Pathe News; Jack Pegler of Lord & Thomas; A. S. McCausland, William Clark, George Muchnic, R. H. Hawkinson and B. D. Lion of the home office, with the following from the foreign contingent: E. D. Leishman, chairman of the board of Radio Pictures, Ltd., and managing director of Radio Pictures International, Ltd.; Ralph Hanbury, H. W. Leasim, P. O. DeLong, N. Casazis, Max Bostman, Joost Smit, Douglas Lotherington, Luis Lezama, Fred S. Gulbransen, Jacobo Glucksman, J. N. Ermolieff and Carl-Gerhard Wallman.

On the Lake Shore will be: William Dahler, J. P. Skelly, Lou Miller, Sid Kramer, W. Marcus, Edwin J. Smith, Jr., and Thomas Quin. The advance guard left Friday.

The convention opens Monday at the Drake and continues through Wednesday.

Helen Mack in Town

Helen Mack arrived here yesterday on the 20th Century, accompanied by her husband, Charles Irwin. She has just finished work in Radio's "The Return of Peter Grimm," and will spend a brief vacation here.

Heather Angel Signed

HOLLYWOOD, June 14. — Heather Angel has been signed to a term contract by Radio. She will make her debut under the new agreement in "The Three Musketeers."

Radio Buys Springer Yarn

HOLLYWOOD, June 14.—Radio has bought Norman Springer's "The Strength of Daisy Martin." Thomas Atkins will direct.

Allied Heads, Feist Discuss Chicago Today

(*Continued from page* 1)

Chicago exhibitors and the distribution company was indicated by an Allied spokesman yesterday, who said that the committee would remain here "as long as there is anything for it to do."

The Allied executive committee wound up a two-day session here yesterday with further discussion of administrative subjects. Abram F. Myers and H. M. Richey were designated to perfect plans for National Allied Day, scheduled for Aug. 5, at which time member theatres are expected to contribute 25 per cent of their day's receipts to the national Allied treasury.

Supply Men Convene Chicago Meet Today

(*Continued from page* 1)

topics set for discussion. Financing and advertising also will be taken up.

Concerted action by members to protect theatre owners against fly-by-night manufacturers will be urged by President J. E. Robin, who plans to have association representatives investigate all product offered dealers and limit approval to quality merchandise made by responsible companies.

The first day's program follows: "The Service Projectionists and Dealers Render Each Other," J. J. Finn; reports of special committees and reception of new members; inspection of exhibits, an evening conference with manufacturers' representatives.

Appeal Bank Night Case in Cleveland

(*Continued from page* 1)

and other forms of giveaways. He has filed an appeal from Judge Frederick P. Walther's refusal to grant an injunction against M. B. Horwitz's use of bank night at the Haltnorth.

Spread of all these practices is feared unless court help is secured. A. F. Ptak has started bank night at the Lyceum and others are reported to be considering it.

Ascap Trial Progresses

C. W. Bennier, NBC aide, was the only witness to testify yesterday in the government's anti-trust suit against the American Society of Composers, Authors & Publishers, which is in progress before Federal Judge Henry W. Goddard in U. S. District Court here. Bennier's testimony related to the quantity of music used on NBC programs and licensed by Ascap and that used which required no licensing. The trial resumes again on Monday.

Weil's Book Sparkles

Joe Weil of Universal has turned out a striking pressbook for "Diamond Jim." The outside cover printed in purple on a gilt background is illuminated with a lot of sparklers that look like diamonds. Edward Arnold's studs, his boutonnier, his cane, cuff links, and the title letters all stand out brilliantly.

Move for New Code Fails to Cheer Chicago

(Continued from page 1)

not want a code, voluntary or otherwise, extending beyond hours and wages for the protection of employes. No arbitrary regulation of trade practices such as resulted in frequent injustices and in decisions lacking equity is desirable to us."

Edwin Silverman, speaking for Essaness houses, was equally emphatic.

"If they couldn't enforce the quasi-judicial code, why try a voluntary one?" he asked. "Naturally we and every reputable organization are abiding by the wage and hour standards, and will, because this is economically sound, but in Chicago the code was the cause of more trouble than the business had had in all of the 10 years preceding it. It gave the chiselers, who wouldn't abide by the board decisions, an unfair advantage."

Charles H. Ryan, assistant zone manager for Warners, concurred in the thought that codes should not go beyond hour and wage regulation.

Against Voluntary Code

"I am not in favor of adopting a voluntary code," he said. "I was satisfied with the operation of the code as it related to hours and wages, but when regulation went beyond that it went wrong. When the code attempted to tell exhibitors how to run their theatres, and whether or not he could use bank night, screeno and such things, it was detrimental rather than helpful. We believe in and practice fair competition, but are not in favor of adopting a voluntary code which works hardship on the exhibitor and interferes with his operation of his business."

Ludwig Sussman, well known independent operator, favors a code if one can be worked out for the benefit of all.

"I would like to see a code of a fair and proper kind," he declared, "if it could be enforced equitably and would operate fairly with respect to the little fellow as well as the big fellow. Of course, the assurance of fair and square treatment of employes is the best purpose that a code serves, although most men in business have come to consider this as merely the honest and human thing to do. It ought not to require enforcement.

"I have never used the code, personally; that is, I have never been brought before a board or had anyone else brought before one, but if a code were to be worked out after a sufficient discussion of the pros and cons by conscientious members of the industry it could serve a worthwhile purpose."

MPTO in St. Louis Seeks Arbitration

(Continued from page 1)

Wehrenberg, president, has sounded out the membership on the question of setting up a voluntary arbitration board to take the place of the grievance and the clearance and zoning boards.

His bulletin reads: "Now that the Supreme Court has declared the NRA unconstitutional, I think that the industry should organize self-regulation, where disputes and contractual violations could be heard by an unbiased arbitration board, selected by exhibitors to consist of three exhibitors and three exchange men and in the event of a tie both parties shall agree upon the seventh arbitrator. I rather think a setup of this kind should be welcomed by exhibitors. I do not mean the same setup as in the old Film Board of Trade days, but some kind of a tribune where industry disputes could be settled within the industry.

"Won't you please sign the enclosed postcard and mail at once to this office, stating whether or not you are in favor of such a setup?"

Early returns indicate exhibitors are in favor of the idea.

Aims for Bay State NRA

BOSTON, June 14.—A bill designed to preserve as many of the NRA features as possible in this state has been introduced by James C. Scanlon of Somerville. It calls for the appointment of a Massachusetts Commission on Interstate Cooperation.

Spyros and Charles Skouras' Nat'l Theatre Pact Signed

(Continued from page 1)

has 40 of 55 theatres in his group now operating while Rhoden has 92 of 120 open. Conferences with Spyros on the Ricketson and Rhoden pacts start Monday and are expected to be signed, sealed and delivered by the end of next week when the operating heads will return west.

Pooling of the John Hamrick units in Portland and Seattle has been completed and a new company is being formed. Hamrick will be in charge of the Seattle group, while Al Finkelstein will operate Portland.

J. J. Sullivan and his assistant Edward Zabel, are staying in New York for the summer. The only product deal closed is for Fox. Next week negotiations with other companies begin.

Doman to Los Angeles

LOS ANGELES, June 14.—Bob Doman has taken over Loew's State and Grauman's Chinese for F.W.C., replacing Phil Gersdorf, who resigned to handle publicity for Sol Lesser. Doman has been handling the United Artists in San Francisco, which has closed for the summer. Doman was at Loew's State some years ago.

Warner Men Given Sale Drive Awards

(Continued from page 1)

Warner convention banquet Thursday night.

The prizes and the winners were:

Jack Warner prize to M. A. Mooney, Cleveland branch manager; William Koenig prize to Harry Paynter, Canadian district manager; Bob Mochrie prize, F. H. Hathaway, Cleveland; Carl Leserman prize, Luke Conner, New Orleans branch manager; A. W. Schwalberg prize, R. H. McConnell, Kansas City; H. M. Doherty prize, P. Krumenacher, Pittsburgh.

Rudy Vallee prize, William Kahl, Chicago; Dick Powell prize, Cy Young, Seattle; James Cagney prize, Leo Jacob, New York; Paul Muni prize, John Pavone, New Haven; Joe E. Brown prize, P. L. Spindler, Los Angeles; Ruby Keeler prize, Leo Jacob, New York; Al Jolson prize, Art Bailey, Los Angeles; Dolores Del Rio prize, W. B. Collins, Detroit; Kay Francis prize, T. R. Gilliam, Chicago; Pat O'Brien prize, Jack Magann, Boston; Joan Blondell prize, Dean House, Charlotte; Warren William prize, Joseph Plottel, Vancouver.

Mervyn LeRoy prize, Newt Levi, San Francisco; Al Green prize, C. L. Theuerkauf, Seattle; Busby Berkeley prize, F. Beiersdorf, Washington; Frank Borzage, prize, T. M. Eckert, St. Louis; Bobby Connolly prize, R. H. Dunbar, Pittsburgh; Lloyd Bacon prize, J. R. Eifert, Cincinnati; Sam Sax prize, Oscar Kuschner, Indianapolis; E. M. Newman prize, C. C. Diamond, Kansas City, and Leon Mendelson, Omaha; Leon Schlesinger prize, Jack Groves, Dallas; George Bilson prize, P. L. Spindler and Homer Hisey, New Orleans; Michael Curtiz prize, R. R. Bryan, Atlanta; Harry Warner prize, Nat Furst, New Haven branch manager; Al Dubin prize, R. L. McCoy, Dallas; Sam Bischoff prize, Charles Rich, Pittsburgh branch manager; Max Factor prize, Mickey Isman, Montreal manager; Margaret Lindsay prize, Bill Warner, Kansas City, manager.

The awards were made personally by the donors and by Jack L. Warner. Earlier in the day the delegates attended a screening of "A Midsummer Night's Dream."

H. M. Warner will hold theatre conferences over the week-end. All next week he will preside at a series of production conferences.

LeRoy to Direct Cagney

HOLLYWOOD, June 14.—Mervyn Le Roy has been assigned to direct James Cagney's next, "The Frisco Kid," based on a screen play by Seton I. Miller, author of "G-Men," and Warren Duff.

Howard in "Green Light"

HOLLYWOOD, June 14.—Leslie Howard will play the lead in "The Green Light," a Cosmopolitan Prod., which is being planned as one of the most important productions on the company's schedule.

Darro in "Real McCoy"

HOLLYWOOD, June 14. — Frankie Darro has been cast in "The Real McCoy" at Warners. James Dunn, Claire Dodd and Patricia Ellis have leading roles under direction of Robert Florey.

Blondell, Farrell Again

HOLLYWOOD, June 14.—Joan Blondell and Glenda Farrell, who recently completed "We're In The Money," will be again co-starred in "Gilt Edge Blondes," an original by Hazel Dawn and Boyce Degaw.

Checker Is Ejected; House Manager Fined

John Mounds, manager of the Park, Valley Park, Mo., has been fined and assessed court costs on a charge of assault preferred by Charles Elbreder, Ross Federal checker, according to Claude Saunders of the home office.

Elbreder was ejected from the theatre by Mounds because, he charged, Mounds objected to being checked. The checker carried credentials from M-G-M for checking "Forsaking All Others."

Horne Coming by Train

HOLLYWOOD, June 14.—Hal Horne decided not to fly east with Al Lichtman yesterday and took the train instead. He is due in New York Tuesday.

Short Subjects

"Baer-Braddock Fight"

(Oliver)

Dull may sound like a strange criticism to make of the film record of a heavyweight championship fight. But a picture such as this is one bit of celluloid that can never be better than the cast. The producers have made a fine job of filming the Baer-Braddock bout. If the two gladiators had made as fine a job of trying to annihilate each other this would have been a swell film of its kind.

As revealed by the camera (and there is a no more candid camera than a motion picture camera at a ringside) the fight was devoid of any real excitement. Sometimes it was so downright bad that an audience at the Palace here broke out into guffaws. The picture leaves no question of Braddock's supremacy. Every blow is clearly captured by the camera. All that this picture suffers from is actor trouble. And that in a fight picture is a pretty serious fault. No production code seal. Running time, 30 mins. "G."

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Lubitsch to Stay On with Herzbrun

(*Continued from page* 1)

Eugene, said yesterday in the lobby of the hotel. "My father has been buried on details of the company for many years and his new post will give him a clear mind to lay out production plans," he said. Zukor will most likely make a trip to the coast shortly, but he plans to take it easy for the summer.

Schaefer also told the delegates a new deal had been signed with Ben Hecht and Charles MacArthur for two pictures on the new program, likewise confirming another of this publication's exclusives of Thursday. Their duet will be "down to earth and designed for the masses," Schaefer added.

The Paramount vice-president spent considerable time yesterday in delving into angles on next season's product. He stressed star names, asserted that where Paramount had scheduled stars for given numbers of pictures, the company will bend every effort to deliver on those promises. Paramount, he pointed out, regarded its stellar array as formidable as any in the industry.

He announced that, by a deal with Columbia, Frank Capra, that company's "ace" director, will make one picture for Paramount which, in turn, has "loaned" Bing Crosby to Columbia for one picture.

Pending, but not signed, is a new deal with Walter Wanger for a series of six. The producer is in New York in connection with the impending contract, which, by all indications, is set for signature.

During the afternoon session Schaefer discussed the sales policy generally in addition to the important 400 first runs throughout the country. He was called out of the meeting for conferences at the home office with Lubitsch and Herzbrun. He and Neil F. Agnew today will discuss individual territorial sales plans with district and branch men.

Robert M. Gillham, Bill Pine and Don Velde went over advertising, publicity and exploitation plans.

"Nat'l Velvet" Undetermined

Sylvia Sidney and Fred MacMurray will not be teamed in "National Velvet," as reported yesterday.

McFaul to Look In

Vincent McFaul, president and general manager of the Shea circuit upstate, arrives from Buffalo today to attend the Paramount sales meet.

Schine After Deal

BUFFALO, June 14.—Meyer Schine is seeking a deal with Paramount to take over the latter's Glens Falls house. If he can get the house he will close the Rialto, in that city.

Paramount is not anxious to dispose of any of its theatre holdings at present and there is no immediate outlook for a deal going through.

Rifkin to Host N. E. Men

NEW HAVEN, June 14.—Herman Rifkin will play host to New England exhibitors at a buffet luncheon to be held at the Republic offices here next Tuesday. The occasion is the formal opening of Republic Pictures of New England.

Paramount Camera Tour



Head men at the head table. Left to right: Neil F. Agnew, J. J. Unger, George J. Schaefer, John W. Hicks and Charles M. Reagan.



Leon Netter, Russell Holman, Oscar Morgan and Dave Prince settling something or other across the luncheon table.



The eyes are on Charles M. Reagan, hands in pockets. Guarding his sales manual is Ralph LiBeau. Next: William Erbb, then John Howard.

Paramount Personalities

ERNST LUBITSCH and BEN HECHT accompanied GEORGE SCHAEFER to the Baer-Braddock fight the other night. They were enthused plenty over the fisticuffs.

✤

JIMMY BINKOV, Union City exhibitor, tried to make a deal with EARLE SWEIGERT for the new product between sessions. It was no go because details of the sales policy were not announced until the afternoon.

✤

NEIL AGNEW, J. J. UNGER, CHARLES REAGAN and MILT KUSELL stepped out of the convention headquarters for their usual luncheon tidbits and chatter. They returned at two sharp, the appointed hour for resuming the session.

✤

ADOLPH ZUKOR and HENRY HERZBRUN held one of those luncheon confabs, but were nowhere near the Waldorf.

✤

HARRY HUNTER, branch manager of the Washington exchange, has just received his certificate of appointment as a Kentucky colonel.

✤

JOHN W. HICKS, EUGENE J. ZUKOR, GEORGE WELTNER and other foreign executives had an exclusive table for lunch.

✤

JOE MANFRE, Kansas City head, has achieved a life-long ambition—to ride in a New York subway. This is his first visit east of the Hudson.

✤

A-MIKE VOGEL, chairman of Showmen's Round Table of *Motion Picture Herald,* renewed acquaintance with a lot of the boys he knew from the old days. He even took advantage of the free buffet luncheon.

✤

PERCY BLOCK says he got over that headache without the aide of bromos.

✤

MILT KUSELL pulled a quick change of dress act yesterday afternoon. He left for the tailor in a dark blue suit and returned in 10 minutes in a double-breasted grey outfit.

✤

J. ARTHUR HIRSCH, head of Consolidated Theatres in Canada, was invited over by the Canadian contingent after the session to participate in a drinking bout.

✤

GEORGE AKERSON, former HERBERT HOOVER secretary and public relations counsel for Paramount, was seen chatting with some of the boys. It was noticed he had dropped poundage.

✤

Garbed in a white serge outfit, navy blue shirt and creamy white shoes, BILL PINE opened his talk with the admonition: "Don't let the get-up fool you!"

✤

EDDIE (BIG CASINO) RUFF, who guides the activities of the Portland, Me., exchange, showed up sporting the best tan of any conventioneer. When questioned how it was possible to acquire such a swell tan in New England while selling film, EDDIE's alibi was he had no awnings in his office.

✤

JOHNNY HIMMELEIN, pilot of the Cleveland office, is said to have made DUKE CLARKE of Columbus blush profusely by a smart Himmelein crack.

✤

KENNETH ROBINSON, Buffalo branch head, having shrunk considerable in avoirdupois, particularly about the belt line since last year, is being kidded aplenty about the missus being responsible for the new waistline.

✤

J. HAROLD STEVENS, Boston branch head, took the sartorial honors as the best dressed conventionite. No award given.

✤

SCOTT CHESNUTT, exchange head at Jacksonville, accounted for his being 30 pounds overweight by the fact that he had been confined to bed for a few weeks as a result of an accident while fishing recently in the West Indies.

Show "Regal Cavalcade"

Alliance Films, Ltd., gave a trade showing attended by several hundred persons last night in the Waldorf-Astoria ballroom. The film, "Regal Cavalcade," is a full length feature depicting the principal events of the past 25 years. It was produced for King George's Jubilee.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 141 NEW YORK, MONDAY, JUNE 17, 1935 TEN CENTS

Radio Holds New List to 48-50 Films

Chicago Meet with 275 There Starts Today

CHICAGO, June 16.—Radio will adhere to its current program of between 48 and 50 features for 1935-36 with approximately the same number of shorts.

With the largest attendance in its history, the company will open its fourth annual and first big international sales convention in the grand ballroom of the Drake Monday morning. Two hundred and seventy-five home office, sales and studio executives, foreign representatives, district, branch and office managers, head bookers and salesmen are headed by Ned E. Depinet, president of RKO Distribution, and Jules Levy, vice-president and general manager of that company. The latter will preside at the three day conclave.

Following the roll call by A. A. Schubart, manager of the contract department, Depinet will welcome the delegates, laying strong emphasis and significance on the large representation from foreign fields. Mayor Ed-

(*Continued on page 6*)

Selling Plans Told As Para. Meet Ends

Selling plans featured the final hours of the Paramount national sales convention, which terminated at the Waldorf-Astoria yesterday. Delegates from out-of-town points were well on their way home by this morning.

George J. Schaefer and Neil Agnew outlined the company's policy on

(*Continued on page 8*)

"Public Hero" Best Bet Along Broadway

"Public Hero No. 1" was the best bet on Broadway last week, garnering $42,000 at the Capitol in its first

(*Continued on page 11*)

Title Change

When "Hold 'Em Yale" played the RKO Apollo, which is located deep in the East Side, it became "Sam, the Goniff."

The idea was Lou Goldberg's. He's a division manager for the RKO circuit on that beat.

Otterson Begins Paramount Job; Court Control Near End

John E. Otterson, newly elected president of Paramount, officially takes over that position today, concurrently with the anticipated ending of court supervision of the administration of Paramount.

The law firm of Cook, Nathan & Lehman, counsel for Paramount in reorganization, has been working night and day for the past week to clear legal hurdles in order to make possible the submission of an order to Federal Judge Alfred C. Coxe today directing the Paramount trustees to return title to the company's assets to the new board and officers.

Court supervision has been in effect since January, 1933. With the lawyers working all day yesterday, indications are that the order will be ready for submission and signing by Judge Coxe today, although the actual transfer of assets may entail another two weeks.

Uncertainties Dampen Hopes For Code Rule

By BERTRAM F. LINZ

WASHINGTON, June 16.—Beset by grave uncertainties as to its future, the National Recovery Administration today started in on what will probably be the final phase of a tempestuous career.

Stripped of its powers to impose and enforce codes, without any definite plans for the future and with little likelihood of its hands being strengthened by new legislation, the NRA today is but a shell of the powerful weapon for industrial control which was visualized by Gen. Hugh S. Johnson, under whose administration nearly 600 codes were developed.

Under the new legislation, the Administration is continued for nine and a half months—until April 1, 1936—so that Congress, next session, may enact such legislation as then seems desirable if the effort is to be continued. But, faced with the definite limitations laid down by the Supreme

(*Continued on page 8*)

Code Problems Come Up at Virginia Meet

RICHMOND, June 16.—Problems developing out of the scrapping of the code will be one of the leading subjects to come before the annual convention of the M. P. T. O. of Virginia which started a two-day session here today.

Morton G. Thalhimer of Richmond is presiding. Edwin S. Reid and Mrs. Elizabeth C. Chalkley of the state censor board are to be among the speakers.

Loew Decides On Giveaways; RKO Shies Off

Loew's has definitely decided to go in for giveaways and chance games in the local area. The circuit will first experiment with chance games in one or two spots where its competitors have been employing the practices. The theatres have not been set.

Negotiations are on with several of the game and premium agents. As soon as one of the games is successful, it will be put on in a number of other houses.

RKO is shying clear of the practice for the time being. Circuit heads feel that until its theatres are hurt by competing exhibitors using the various stimulants it will not go for the schemes.

With 112 houses in the metropolitan area already signed up, Parco Co., distributor of Lucky, expects to have 250 theatres playing the game within the next three months. William Raynor, general manager of the company, is authority for the statement. Since

(*Continued on page 11*)

Production Falls; 37 Features Going

HOLLYWOOD, June 16.—Production went into a slump last week from the preceding week's high, although still holding a substantial gain over past months with the seven-day checkup showing 37 features and four shorts before the cameras as compared to 44 features and eight shorts for the week before.

M-G-M gained the lead with nine features in work, two in preparation

(*Continued on page 2*)

New Federal Film Probes Are Stirring

Justice Dept. Seeking Campi Texas Records

By CLARENCE LINZ

WASHINGTON, June 16.—Possibilities of widespread film prosecutions, rumored some months ago following the filing of the St. Louis anti-trust case, were revived when it was learned that the Department of Justice was seeking to secure the records of Campi.

It was indicated that the department at present is particularly interested in conditions in Texas, where the grievance board experienced considerable difficulty in dealing with controversies over the supply of product.

Whether the department will seek to secure all of the Campi records or only those dealing with the Texas situation could not be learned.

Following the filing of the St. Louis action it was rumored the department was planning to bring a number of prosecutions in the various exchange areas, although officials declared they did not contemplate any particular drive against the industry.

Saperstein Absent; Allied Defers Talk

Delay in the arrival of Aaron Saperstein, Illinois Allied head, from Chicago over the week-end resulted in the suspension of definite action by the Allied States' committee which was delegated to meet with Felix F. Feist, M-G-M general sales manager, on Saturday to discuss methods of set-

(*Continued on page 11*)

Ask Classification For Fox Met Claims

A petition asking for the classification of creditors of Fox Metropolitan Playhouses according to the nature of their claims, fixing the amount of debenture holders' claims and provisionally allowing all claims provided

(*Continued on page 11*)

Now It's the Dime

Kansas City, June 16.—On the panel below the box-office of the Royal, Jack Truitt and Breckenridge Fagin's 10-cent house, appears the following message: "Glorifying the American Dime."

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Wall Street

Most Off on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1) 65	64½	64½	— ¼	
Consolidated 3½	3½	3½	.....	
Eastman 148¾	148	148	— ¾	
Fox Film "A".... 14¾	14½	14¾	.....	
Loew's 42¼	42	42	— ⅛	
Paramount 3¾	3⅝	3⅝	.....	
Pathe 5⅝	5⅝	5⅝	— ⅛	
RKO 2¼	2⅛	2⅛	.....	
Warner Bros..... 4¼	4⅛	4⅛	— ⅛	
Warner Bros., pfd. 25	24⅝	24⅝	— ⅜	

Technicolor Drops on Curb

	High	Low	Close	Net Change
Sentry Safety Control	⅜	⅜	⅜	.....
Technicolor 22⅜	21½	21¾	— ¼	

Para. F. L. Bonds Rise ½

	High	Low	Close	Net Change
General Theatre Equip. 6s '40.... 11⅞	11⅞	11⅞	+ ⅜	
Loew's 6s '41 ww deb rights.....104	104	104	.....	
Paramount F. L. 6s '47..... 91¼	91¼	91¾	+ ½	
Warner Bros. 6s '39 wd..... 65⅛	65	65	.....	

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 15)

ALAN MOWBRAY
"BECKY SHARP"
WILLIAM MORRIS OFFICE

Insiders' Outlook

By RED KANN

PROMISE for the future. Sidney Kent, quotes and all, addressing the recent Fox convention:

"I tell you this is the most important deal (20th Century) made in this industry and in a short time you will appreciate the full significance of that statement."

Intriguing? However, there is more:

"Those in charge of our theatre affiliations have done a wonderful piece of work. Today we can announce with justifiable pride the fact that our every division of theatres is in black. Every single division of our theatre organization is showing a nice profit."

And then this on balance sheets:

"Your company is in a very good position. We have maintained our high position. We have no obligations to meet and had to make no loans. I am glad to tell you that in the first six months of this year we have earned more than we did during all of 1934."

That's how it is with Fox these days. . . .

▼

Typewriter keys going careless on a quiet Saturday and emerging with this:

That Dave Selznick might become United Artists' new Zanuck, particularly if he can shuffle the arrangement to allow the birth of Selznick Pictures. For Dave and Myron are proud of that name. Moreover, Dave does not regard his 4 G's a week from Metro sufficient reward. Especially when he looks over on his old lot, Radio, and sees "Pan" Berman doing almost twice as well on a percentage-of-profit basis. Of course, any contemplation of things that may be at U. A. must take into consideration Sam Goldwyn. That's plenty to consider in any man's company. . . .

▼

A roster of those who did not know about Joe Schenck's deal with Kent would fill an industry blue book. Schenck's visits to Kent's office were known, but the frequency with which they happened seemed logical enough in view of the Fox Met offer in which Kent has a decided interest because of playdates for Fox product. Then, too, there were equities in the bankrupt Fox Theatres estate. An amusing sidelight has to do with a ranking executive who found the story poured into his unsuspecting ear at the cocktail hour six days before the yarn broke. His informant was a Wall Street source. The executive concluded quickly the whisperer was merely drunk. . . .

▼

"Jock" Whitney wanted to take in the Braddock-Baer fight Thursday night. He did. He also wanted three hundred of his intimate friends to see "Becky Sharp" privately after the bout. Therefore, he had blocked off the necessary and best seats in the Music Hall loge. Some one cautiously suggested that even high society might feel too exclusive with almost six thousand vacant seats around it. Then there were problems to conjure with such as echoes and drafts. And perhaps one or two wild-eyed lost souls rambling for days through the limitless expanse of the structure in search of an exit might swoop down to the confusion of delicate sensibilities. Anyhow, a public performance was delicately suggested to make everything and everybody homey and comfy. That's how the Music Hall happened to hold a midnight show on Thursday. . . .

▼

Personal Preferences: Jean Arthur's pert, lively and thoroughly competent performance as the romantic lead in "Public Hero Number 1." It reminds she also did a swell job in "The Whole Town's Talking." Both suggest bright days for her if some producer gets smart. . . . Josephine Hutchinson's quiet but emotionally stirring work in "Oil for the Lamps of China," which compromises with some of the issues pushed forward by the novel, but which is expertly and smoothly directed by Mervyn LeRoy nonetheless. . . . Joseph Calleia, who debuts strongly as the menace in "Public Hero Number 1." . . .

▼

The "Truth Must Prevail" department cannot square with its conscience without drawing attention to Columbia's recent and ambitious press yarn, tall kind, about its Music Hall deal. Claiming 30 per cent of that theatre's playing time, which the lightning calculator computes at 15.60 weeks, the fact is Columbia product will play only 10 weeks. One picture or nine more than one, it makes no difference. The arrangement is for 70 days of playing time. Then it ends. . . .

▼

Campi, or what's left of it, has been getting wires lately. Interesting wires from exhibitors who say they are for a revival of Film Boards of Trade under voluntary code machinery. If you should ask Charlie Pettijohn what he knows about it, he'd incline toward a discussion of the tailoring points of his new sport jacket. That's understandable. It's a very impressive jacket. . . .

▼

Emanuel Cohen is selling for Metro out of Pittsburgh. Just another Cohen. . . .

Production Falls; 37 Features Going

(*Continued from page* 1)

and slated for work within two weeks and 14 in the cutting room. Fox had eight, zero and six; Paramount, five, three and four; Radio, five, one and three; Warners, four, one and eight; Columbia, four, one and five; Roach, one, zero and zero; Goldwyn, one, zero and zero; Universal, zero, two and three. The independent studios were dark on production, but had six preparing and six in the cutting room.

Short subject production also dropped off. M-G-M had two shorts shooting, one preparing and five editing. Radio had one, two and three; Roach, zero, zero and two; Universal, zero, one and one; Columbia, zero, zero and three, with the independents registering one, three and four.

Metzger Takes Cabrillo

SAN DIEGO, June 16.—Lou Metzger has leased the Cabrillo and has opened it as a grind house at 15 and 20 cents. A new front is now being installed.

E. C. Bush has given up the Superba, which he had occupied for 21 years. The house has been closed and dismantled.

Rites for Mrs. Dobson

HOLLYWOOD, June 16.—Funeral services will be held Tuesday for Mrs. Edith Woodthorpe Dobson, mother of James W. Horne, who died Friday. She suffered a stroke 10 days before her death. Mrs. Dobson was on the stage for 50 years.

Laemmle on Way West

CHICAGO, June 16.—Carl Laemmle passed through here tonight en route from New York to Hollywood via Washington. Jack Ross, his secretary, accompanied him.

1st Div. Product Up

Several product deals which are in negotiation will be discussed today by First Division's board of directors at the regular Monday meeting.

Tri-States Men Meet

JACKSON, Miss., June 16.—Tri-States M. P. T. O. started its annual convention here today at the Robert E. Lee Hotel. It will continue through tomorrow.

SERVICES AVAILABLE

EX-WASHINGTDN CDRRESPONDENT NOW DDING PUBLICITY FDR GDVERNMENT DEPARTMENT DESIRES CONNECTION IN MDTIDN PICTURE INDUSTRY—ANY BRANCH. EXCELLENT CONTACTS. THDROUGH KNDWLEDGE OF THE INDUSTRY. GD ANYWHERE. AVAILABLE IMMEDIATELY. WRITE DR WIRE BOX 500, MDTIDN PICTURE DAILY, 1790 BRDADWAY, NEW YORK.

"IT DOESN'T PAY TO BE GOOD TO A MAN!

—but I just couldn't refuse the boys at the New York Strand when they told me they had to have a really great picture to hold the pace set by 'Black Fury', 'G-Men' and 'Oil for the Lamps of China.' So I've given everything to make sure 'Stranded' keeps their record— and your record— of consecutive hits unbroken!"



KAY FRANCIS

faces a woman's greatest problem in

"STRANDED"

with

GEORGE BRENT

PATRICIA ELLIS
DONALD WOODS
ROBERT BARRAT
BARTON MACLANE
in All-Star Cast
A Frank Borzage Production for WARNER BROS.

PARAMOUNT PARA

PARAMOUNT IN DIRECTORS

"ROCKY MOUNTAIN MYSTERY"

CHARLES BARTON

"WAGON WHEELS"

HAROLD LLOYD in "MOVIE CRAZY"

CLYDE BRUCKMAN

"A FAREWELL TO ARMS"

"SEVENTH HEAVEN"

FRANK BORZAGE

(COURTESY OF WARNER BROS.)

"THE SIGN OF THE CROSS"

CECIL B. DeMILLE

"CLEOPATRA"

"LADIES OF THE BIG HOUSE"

MARION GERING

"GOOD DAME"

"LITTLE MISS MARKER"

ALEXANDER HALL

"GOIN' TO TOWN"

"NOW AND FOREVER"

HENRY HATHAWAY

"THE LIVES OF A BENGAL LANCER"

"THE SCOUNDREL"

BEN HECHT and CHAS. MacARTHUR

"CRIME WITHOUT PASSION"

"HOME ON THE RANGE"

ARTHUR JACOBSON

"DEATH TAKES A HOLIDAY"

"MURDER AT THE VANITIES"

MITCHELL LEISEN

"BELLE OF THE NINETIES"

"RUGGLES OF RED GAP"

LEO McCAREY

PARAMOUNT IN DIRE

MOUNT IN DIRECTORS

PARAMOUNT IN DIRECTORS

NORMAN McLEOD

"HORSE FEATHERS"

"MAMA LOVES PAPA"

LEWIS MILESTONE

"SCARFACE"

"FRONT PAGE"

RALPH MURPHY

"70,000 WITNESSES"

"SHE LOVES ME NOT"

ELLIOTT NUGENT

"THREE CORNERED MOON"

"COLLEGE HUMOR"

WESLEY RUGGLES

"I'M NO ANGEL"

"VIRGIE WINTERS"

ALFRED SANTELL

"REBECCA OF SUNNYBROOK"

"MRS. WIGGS"

"COLLEGE RHYTHM"

NORMAN TAUROG

"HERE IS MY HEART"

"BIG BROADCAST OF 1933"

FRANK TUTTLE

"THE BIG PARADE"

"STREET SCENE"

KING VIDOR

"COCK-EYED WORLD"

"THE BOWERY"

RAOUL WALSH

"HOUSE OF ROTHSCHILD"

ALFRED WERKER

TORS IN DIRECTORS

Radio Holds New List to 48-50 Films

(*Continued from page* 1)

ward J. Kelly of Chicago will present the official welcome to the Windy City.

Levy will bring the meeting to official business following the opening ceremonies and present a review of the current season's films. Depinet will conclude the morning session with a discussion of the season's specials.

The afternoon will be opened by Levy for a general sales discussion and he will be followed by S. Barret McCormick, director of advertising and publicity, who will outline exploitation plans for specials, including "She" and "The Last Days of Pompeii." Levy's aides, E. L. McEvoy, eastern and Canadian sales manager, and Cresson E. Smith, western and southern sales manager, will analyze the season's pictures. Other speakers will include Michael Poller, manager of the contract liquidation and playdate department; J. P. Skelly, manager of exchange operations; Thomas Quinn, legal department; Sid Kramer, manager of the print and negative department; William Clark, treasurer; George Muchnic, head of the legal department and Edward J. Smith, head of the audit control department, and Schubart. Courtland Smith, president, and Jack Connolly, general manager of Pathe News, are scheduled to discuss the newsreel.

Guests and onlookers here include: Herbert J. Yates, president, Consolidated Film Laboratories; W. G. Van Schmus, managing director, Radio City Music Hall; Herbert Bayard Swope, chairman of the board, Keith-Albee-Orpheum; M. H. Aylesworth, chairman of the board, RKO Radio Pictures; Courtland Smith, president, Pathe News; Jack Connolly, general manager, Pathe News; John Hay Whitney; Lowell V. Calvert and John F. Wharton, Pioneer Pictures; Don Hancock and Martin H. Barrett, A. J. Van Beuren Corp; Roy E. Larsen, Charles L. Stillman, C. D. Jackson, John S. Martin, Ralph Rolan, Otis P. Williams, Fred J. McConnell, Richard E. Beck of the "March of Time."

The official roster includes:

Home Office Delegation—Ned E. Depinet, president RKO Dist. Corp; Jules Levy, vice-president and general sales manager, RKO Dist. Corp.; A. A. Schuhart, manager contract department; M. G. Poller, contract liquidation department; Harry Gittleson, editor *RKO Flash;* Lou Gaudreau, purchasing agent; William Mallard, chief counsel; G. E. Youngman, legal department; A. H. McCausland, representative, Irving Trust Co.; Cresson E. Smith, western and southern sales manager; E. L. McEvoy, eastern and Canadian sales manager; A. J. Mertz, short subject sales manager; L. J. Bamberger, sales promotion manager; G. Muchnic, assistant secretary, RKO Radio Pictures; William H. Clark, treasurer RKO Dist. Corp.; James E. Finney, assistant to Jules Levy; L. E. Thompson, president, RKO Theatres, Inc.; N. J. Blumberg, general manager, RKO Theatres, Inc.; S. Barret McCormick, director of advertising and publicity, Radio Pictures; Rutgers Neilson, publicity department, Radio Pictures; John Dowd, director of advertising and publicity RKO Theatres; William E. Dahler, in charge of contract approval, eastern division; J. P. Skelly, manager, exchange operations; Lou Miller, in charge of contract approval, western and southern division; T. A. Quinn, legal department; Sid Kramer, head of print and negative department; Walter Marcus, special representative, accessory sales; J. J. O'Connor, film booker; E. J. Smith, Jr., audit control department.

Export Department and Delegates from Abroad—Phil Reisman, vice-president, RKO Export Corp.; R. K. Hawkinson, Latin-American division; B. D. Lion, European division; Frank A. Kennedy, special representative; M. Hoffay, foreign publicity; E. D. Leishman, United Kingdom and Continental Europe; H. W. Leasim, Continental Europe; Ralph Hamhury, United Kingdom; Reginald Armour, India; D. Lotherington, Australia; F. Gulbransen, Panama; Luis Lezama, Mexico; Jacoho Glucksman, Argentina; Pierre Le Long, France; Max Bosman, Belgium; Nicholas Cazazis, Roumania; Joost Smit, Holland and Dutch East Indies; J. N. Ermolieff, North Africa; Carl Wallman, Scandinavia.

Studio Delegation—J. R. McDonough, president, RKO Radio Pictures; B. B. Kahane, president, RKO Studios, Inc.; Howard S. Benedict, director of publicity, RKO Studios, Inc.; Robert F. Sisk, assistant to McDonough; Irving Berlin, songwriter under contract to Radio.

Treasurer's Representatives—J. J. DeWaal, E. F. Clarke, Wm. J. McShea, R. A. O'Brien, R. E. Helms, R. A. Young, J. J. Schmitzer, Elmer Sedin.

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Kansas City—T. R. Thompson, branch manager; W. A. Burke, office manager; E. L. Dyson, J. Lewis, A. A. Renfro, K. G. Howe, salesmen.

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Minneapolis—L. E. Goldhammer, branch manager; A. F. Stern, office manager; W. C. Winters, S. Frank, E. Rosen, C. J. Dressell, L. S. Gruenberg, salesmen.

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Oklahoma City—R. B. Williams, branch manager; M. J. Dowling, office manager; P. D. Fielding, C. D. Burton, salesmen.

Omaha—A. M. Avery, branch manager; A. M. Hill, office manager; O. Hanson, W. J. Foley, E. G. Huhnke.

Philadelphia—F. L. McNamee, branch manager; C. Zagrans, office manager; S. Lefko, H. W. Tyson, M. Shulman, J. J. McFadden, Jr., E. J. Epstein, salesmen.

Pittsburgh—G. Lefko, branch manager; D. C. Silverman, office manager; C. R. Westbrook, R. H. Lange, J. Graham, E. Lebhy, salesmen.

Portland—M. E. Cory, branch manager; S. S. McFadden, office manager; B. R. Keller, D. G. C. Adams, salesmen.

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Sioux Falls—S. W. Fitch, branch manager; C. B. Snyder, office manager; E. J. Frace, F. Horn, salesmen.

Washington—R. J. Folliard, branch manager; J. E. Cashman, office manager; H. E. Kahn, E. W. Grover, O. Knox, H. F. Bachman, salesmen.

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Montreal—N. M. Durant, branch manager; L. Choquette, salesman.

St. John—E. A. Whelpley, branch manager.

Toronto—J. F. Meyers, branch manager; H. F. Taylor, salesman.

Vancouver—W. S. Jones, branch manager.

Winnipeg—Mark Plottel, branch manager; J. Myers, salesman.

In Chicago for Radio Sales Convention



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Board Chairman
RKO



Ned E. Depinet
President
RKO Dist. Corp.



Jules Levy
V. P. and G. S. M.
RKO Dist. Corp.



J. R. McDonough
President
Radio Pict. Corp.



B. B. Kahane
President
RKO Studio Corp.



E. L. McEvoy
Eastern, Canada
Sales Manager



Cresson Smith
West and South
Sales Manager



Al Mertz
Short Subject
Sales Manager



Courtland Smith
President
Pathe News



Phil Reisman
Vice-President
RKO Export Corp.



S. B. McCormick
Advertising and
Publicity Head

N. Y. Critics For, Against Color Film

New York critics reacted variously to "Becky Sharp," now in its world premiere at the Music Hall, and viewed the new three-color Technicolor process with which it was made as alternately excellent and experimental.

Consensus of their opinion follows:

American— . . . but this department enthusiatically contrihutes its vote to the assured success of "Becky Sharp." Further, it predicts that it (color) will be henceforth as important to the cinema as "The Jazz Singer." Though color is introduced, Director Mamoulian has not brutally taken advantage of it. . . . "Becky Sharp" does not rely on such grandiose measures. It is hrisk and lively, sensitive and serene, and what excitement there is exudes naturally from the story.

Daily Mirror— . . . a truly beautiful film. The color is exquisite. Subtle olive greens, turquoises, flames, pearls are captured by the camera with accurate fidelity. No previous color picture compares with "Becky Sharp." The story, unfortunately, is a sedate, talky account. . . . The central character, superbly played by Miriam Hopkins, is not a really sympathetic one.

Daily News—The spectators came with the expectation of being bowled over by something entirely new in the way of color photography. They were, I'm afraid, disappointed on that score, but they remained to applaud the efforts of all those concerned in the making of a picture that is endowed with a great deal of pictorial beauty. . . . Color photography is still in the experimental stage, but "Becky Sharp" shows the strides that have been made in the Technicolor laboratories. . . . Except for her voice, which became too strident at times, Miriam Hopkins gives a fine performance. . . . The success of "Becky Sharp" demonstrates that color has a definite place in the scheme of pictures. . . .

Called "Handsome Production"

Evening Journal— . . . a handsome production that, technically, is a great improvement over the earlier experiments in color photography. Visually "Becky Sharp" is charming. Cool blues, pale yellows and bright reds are assembled with a genuine color sense and blended with artistic effect. . . . But color is still a novelty, and it is still too early to say whether, as its sponsors hope, it can replace the black and white of the screen. Miriam Hopkins gives an excellent performance as the designing Becky of Thackeray's "Vanity Fair." The hrilliant novel has been skillfully transferred to the screen and very well cast.

Herald-Tribune — The most important cinematic experiment since moving shadows first became articulate. . . . As a dramatic entertainment it has its faults, and some of these stem from the experiment itself, hut as the first serious step in an uncharted field it is a considerable triumph. . . . It is understandable but regrettable that their concentration on sheer imagery has caused them to neglect the dramatic aspects of "Becky Sharp." Francis Edward Faragoh's scenario is episodic and singularly lacking in climactic power. . . . When color is employed too profusely it definitely diverts one's attention from the dramatic action, a recurrent fault in "Becky Sharp." And, except in the dimly lit passages, it is curiously flat, with scant graduation in tone and almost no dimensional addition to cinematic technique.

Post—Not that the black and white filtu is to vanish overnight, but it is in the death throes, and the knell was sounded yesterday with the arrival in glorious raiment of "Becky Sharp." . . . Even without color "Becky Sharp" would be a superior picture . . . it is an exciting adventure in a new medium, a finger pointing dramatically toward hitherto unrealized possibilities in the motion picture art. . . . From a scientific standpoint there undoubtedly is room for improvement. In certain dissolves the color transition seems wobbly. . . . What impressed me in "Becky Sharp" is the added dimension which color gives and the use which Mamoulian made of that color not only esthetically but in foreshadowing and scoring the dramatic implications of the story. . . . Next to this I should place Miriam Hopkins's performance in the title role. . . .

Sun— . . . in spite of all the ballyhoo, color photography still has its faults, and serious ones. Even the charm and quaintness of the Robert Edmond Jones settings could not conceal the metallic quality of the sound production, the difficulty in matching up skin tones in close-ups and near-shots. The tendency of the light to fade and suddenly brighten. . . . The picture, as drama, is both helped and hindered by its insistence upon color. . . . Even Miriam Hopkins lacks her customary warmth and wholeheartedness. . . . As drama, "Becky Sharp" is an artificial piece . . . although it never touches greatness, has much to offer. The panic at the ball. . . . The difficulty of cutting from one color sequence to another, without too much distracting attention from the story, is one of the many problems that Hollywood will eventually have to solve. Color-photography of course will some day he taken for granted. That day does not seem to he yet upon us. Hollywood, cautiously watching the opening of "Becky Sharp," need not hysterically throw away its reliable black-and-white cameras.

Times—Although it is dramatiqally tedious, it is a gallant and distinguished outpost in an almost uncharted domain, and it probably is the most significant event of the 1935 cinema. . . . Certainly the photoplay, coloristically speaking, is the most successful that has ever reached the screen. . . . It possesses an extraordinary variety of tints, ranging from placid and lovely grays to hues which are vibrant with warmth and richness. This is not the coloration of natural life, hut a vividly pigmented dream world of the artistic imagination. . . . Rouben Mamoulian and Robert Edmond Jones have employed the new process in a deliberately stylized form, so that "Becky Sharp" becomes an animate procession of cunningly designed canvases. Some of the color combinations make excessive demands upon the eye. Many of them are as soothing as black and white. The most glaring technical fault, and it is a comparatively minor one, is the poor definition in the long shots, which convert faces into blurred masses. In close-ups where scarlet is the dominant motif, there is also a tendency to provoke an after-image when the scene shifts abruptly to a quieter color combination. . . . The major problem, from the spectator's point of view, is the necessity for accustoming the eye to this new screen element . . . the film is so much more significant as an experiment in the advanced use of color than as a straightforward dramatic entertainment. . . . But one thing is certain about "Becky Sharp." Its best is so good that it becomes a prophecy of the future of color on the screen. It forced this column to the conclusion that color will become an integral motion picture element in the next few years.

World-Telegram—The general effect, then, is fascinating. The new process is soothing to the cye and it is sharply defined, but, largely because of the expert manner in which certain colors have been grouped, it does not jump up and slap you in the face. Indeed, there are times when one is scarcely conscious of color at all.

It is at its hest, it seems to me, in close-ups and when certain solid colors, like a pure red, are used. When it attempts to mix two colors to get another it loses its vitality, and in moderately long shots, except when vivid colors are used, it hecomes hlurred. . . . It is safe to say that when it is perfected further and if used with well-written stories it will he of great help to the cinema. If not it will always remain a novelty. But if it is skillfully blended with story, acting, direction and dialogue it can bring a tempo and an excitement to films that are missing in hlack and white photography. . . . As for the story . . . it is an uneven entertainment, with dull and interesting scenes by turns, and that it is played by its entire cast in a manner much better than it deserves.

Radio Dots and Dashes

CHICAGO, June 16.—RALPH ROLAN'S ambition is to have enough clothes to change his suit at least twice daily. No wonder Time Marches On!!!

✤

Although he lost one arm in a hunting accident when he was 14, JOHN MARTIN still plays a better game of golf than most, shooting in the low seventies. All champs look out!

✤

ROY LARSEN, "March of Time" president, claims his favorite working hours are from midnight to three in the morning, which is when a good bit of each "March of Time" is put together. Now we know why they called off the NRA.

✤

S. BARRET MCCORMICK, believed to be the only human in captivity who has been exhibitor, producer and publicity director, talked to all the boys in their own language.

✤

Boys were carrying around the latest RKO pressbooks and devouring them as if theye were late daily extras. Too bad FRED SCHAEFER, veteran p. b. editor, wasn't here to take a bow and lift a couple.

✤

RUTGERS NEILSON, the sees-all-knows-all (Pathe News influence, eh!) assistant to BARRET MCCORMICK, was all over the field like a duffer on a golf course, only "RUT" could call his shots.

The studio delegation included two men attending RKO meets for the first time, HOWARD S. BENEDICT, publicity, and IRVING BERLIN, the songwriter. J. R. MCDONOUGH, president of RKO Radio Pictures, and B. B. KAHANE, president of RKO Studios, have made previous trips from the coast to RKO conventions at Chicago. BOB SISK was the fifth member of the L. A. delegation.

✤

BOB SISK, J. R. MCDONOUGH'S executive assistant, reversed his last year's travel proceedings. At that time he went from New York to Chicago and then to the coast. Now he comes from the coast to Chicago and will return to the studio just after the convention.

✤

PHIL REISMAN'S foreign force was one of the most representative ever gathered for a sales convention, there being some 15 countries to send delegations.

✤

Three musketeers (just a picture play) of the fairways are EDDIE MCEVOY, CRESS SMITH, and AL MERTZ.

✤

"BIG BILL" JONES, the master mind of the Pacific Slope, is one of the really and truly veterans of LEE DEVANEY'S Canadian contingent. "BIG BILL" goes back to the old "black top" days and he was one of the first carnival men to tour Canada, starting as a barker.

Goodwin on Comedy Script

HOLLYWOOD, June 16.—Leslie Goodwin, author of many RKO comedy shorts, has been assigned to work on the script of "The Rainmakers," next Wheeler and Woolsey feature, which Fred Guiol will direct.

Radio Buys Actors' Story

HOLLYWOOD, June 16.—Ray Mayer and Tom Dugan, actors, have sold an original story called "It Happened in Hollywood," to Radio.

Radio Nearing End Of Current Program

HOLLYWOOD, June 16.—With five features in work, two in preparation, and Frank Buck prepared to return soon from the Malay Peninsula with his latest animal film, Radio will soon have its 1934-35 program finished, Ned E. Depinet, president of RKO Distributing Corp., stated today.

The current shooting schedule is the heaviest of the year, with the following in work: Merian C. Cooper's "The Last Days of Pompeii"; "Alice Adams," starring Katharine Hepburn; "Jalna"; "Old Man Rhythm," a musical with Charles Buddy Rogers, and "Leander Clicks," with James Gleason and Zasu Pitts.

Two soon to go into work are: "Three Musketeers," to be directed by Rowland V. Lee, and "Freckles," with John Robertson directing. Frank Buck will be back in July.

Ballyhoo Hits RKO-Ites

CHICAGO, June 16.—Elaborate displays on features and shorts met RKO delegates' eyes when they gathered at the Drake today for the three-day sales gathering which opens Monday.

Among the various eye-fillers were 12 art 24-sheets encircling the balcony of the ballroom. These were punctuated by glittering columns and 6-sheet size sales messages. Around the floor were 24 five-foot star cut-out heads in full color. Short subject series were represented by 40 x 60 layouts in easel frames.

Flags of all nations are mingled with sales messages and advertising in many languages.

The decorative plan was prepared by Leon J. Bamberger, sales promotion manager, and were executed by the American Display Corp. from sketches by the Radio art department under David J. Strumpf.

See "Becky" Tonight

CHICAGO, June 16.—Radio's army of delegates, 275 strong, will attend Monday night's performance of "Becky Sharp," at the Palace.

Bank Night Men Confer

KANSAS CITY, June 16.—Judge Emmett Thurman, general counsel of Affiliated Enterprises, Denver; Claud Ezell, general sales manager, Dallas, and Ray Coffin, president of Affiliated Distributors, Inc., Des Moines, general distributors for bank night, arrive here this week end to spend several days or a week with R. W. McEwan, bank night distributor in Kansas and western Missouri.

Scott Gets Oklahoma

Ward E. Scott, midwestern district manager for Fox, has added the Oklahoma exchange to his group, which now includes Kansas City, St. Louis, Omaha and Des Moines. The rearrangement of districts leaves Harry Ballance with Charlotte, Atlanta, Dallas, New Orleans and Memphis.

Lesser Offers Awards

Sol Lesser, producer of four George O'Brien westerns on the 1935-36 Fox schedule, is offering $4,000 in prizes for the first five exchanges showing the best increase over last season's quartet. The winning exchange will be awarded $1,500; second, $1,000; third, $750; fourth, $500; fifth, $250.

Purely Personal

SAM COHEN, who normally handles foreign publicity for U. A., pens from London:

"I have been here a week, but in that time I have thoroughly mastered London's domestic, foreign, economic, social, political, industrial, educational, ethnic, religious, geological, geoghaphical, sexological, meteorological and alcoholic problems."

Casually and by way of addenda, he adds: "To have seen London in Jubilee is a memorable experience."

•

HARRY RAPF is slated to take a plane for the coast today after attending the graduation exercises, in which his son, MAURICE, participated, at Dartmouth. BYDDY SCHULBERG, son of the B. P.'s, and also a student at the same scholastic center, leaves by train for Hollywood tomorrow, accompanied by his cousin, Marvin Gersh.

•

J. CARLO BAVETTA, Brazilian branch manager for Fox, sailed for his new headquarters Saturday. GUSTAVE MOHME of Mexico City and CARLO ZENO of Porto Rico also have left for their respective territories. The men have been vacationing between conventions.

Quip of the Day

Kansas City, April .—Louie Sutter, who has disposed of his interest in the Columbia, was asked what he planned to do.

"I think I'll go back to Greece and see if I can't become dictator," he flashed.

RUTH WEISBERG, personal assistant to S. CHARLES EINFELD who was recently appointed vice-president of Vitagraph, is also vice-president of the Warner Club. She is a vice-president assisting a vice-president.

•

W. C. GEHRING, drive leader in the Third S. R. Kent sales contest, is in Chicago and leaves for San Francisco July 6. He will hold a series of conferences at all Fox exchanges on his way back from the coast.

•

ERNEST MORRELL, who handles transportation matters for all M-G-M travelers, has never been outside of New York, believe it or not. And he's been buying tickets for everyone else for years.

•

SAM FOX of Fox Movietone Publishing Co., sails for Europe shortly to open new offices. He will visit England, Sweden, Norway, Holland, Germany, France, Belgium, Italy and Spain, among others.

•

TREM CARR, vice-president in charge of production for Republic, is now a colonel along with W. RAY JOHNSTON, who received his commission at the Cincinnati convention.

•

DARRYL ZANUCK and WILLIAM GOETZ are on their way east for conferences with JOSEPH M. SCHENCK, who is due back soon from Europe.

•

AL JOLSON left for the coast yesterday and took with him EDDIE DAVIS, gag writer, who has been helping on the actor's last five radio scripts.

•

B. B. REINGOLD, Fox St. Louis branch pilot, has returned to his office after closing with F. & M. on new product.

•

SOL ROSENBLATT arrived from Washington over the week-end and is setting up temporary offices at the Waldorf Astoria.

•

JACK SCHWARTZ, Republic sales representative connected with the Chicago office, has arrived in New York on his way to Bermuda for a honeymoon trip.

•

H. R. KOSSMAN, American manager for Andre Debrie, Inc., reports installation of four 35 mm. of his company's sound projectors on the *Normandie*.

•

SAM DEMBOW's removal to the svelte lawns of Westchester has been set back to early July.

•

CHARLES CASANAVE, of American Display Corp., is in Chicago attending the RKO convention.

•

BILL PINE shoves off for Hollywood again tomorrow.

•

EDGAR BERGEN, ventriloquist, starts work today in a Vitaphone one-reeler.

•

. . . Milwaukee

BEN J. MILLER, secretary of the Film Board of Trade, and CHARLES TRAMPE, president of the board, have gone to Hollywood. They are slated to return about July 1.

BEN KATZ, manager of the Warner, will be married to Miss Renee Silver, Ravine, July 1.

IRVING STINE, until recently manager of the Bay in Green Bay, has returned to Milwaukee to assist L. F. GRAN in the operation of the circuit. He has been succeeded in Green Bay by TOM REILLY, formerly manager of Warners' Granada here.

O. L. MEISTER's White House has gone dark for the summer for the first time in 20 years.

Paramount Personalities

WALTER WANGER didn't come in from the coast after all. He is busy on three films at the Paramount studio.

✣

DON VELVE, ad sales head, held a meeting with some of his force Saturday morning. Attending were ARTHUR CRAIG, his assistant; J. HAAS, western supervisor; WELDON WATERS, eastern supervisor; MORRIS GLUCK, of the New York exchange; ED WALTERS of Buffalo; H. Q. BURNS, in charge of Canadian ad sales. Selling problems and methods of handling new accessories were discussed.

✣

MYRON SATTLER, New York exchange manager, was the first one in and out of the meeting.

✣

JOE PENNER kidded some of the conventioneers between sessions. He said he will leave for the coast July 1 to make his second film under his Paramount contract. PENNER revealed he has three or four sponsors for his new air program.

✣

JESSICA DRAGONETTE, radio songbird under contract to Paramount, was the guest of LOU DIAMOND. She, DIAMOND and PENNER made a representative threesome.

✣

DIAMOND said Saturday that the first and only two-reel cartoon ever to be made will be released by Paramount around Christmas. It's a "Popeye" subject called "Sinbad, the Sailor." DIAMOND expressed satisfaction over the six "Popular Science" subjects, which will be released in ComiColor.

Selling Plans Told As Para. Meet Ends

(*Continued from page 1*)

sales to the national circuits and discussed at length pictures which will break down into 35, 30 and 25 per cent brackets.

Yesterday J. J. Unger and Charles M. Reagan, divisional sales managers, conducted individual talks with visiting branch managers and outlined the sales policies to govern their operation.

A rough print of "The Crusades," which was hurriedly prepared in Hollywood for screening here, was shown at 3 P. M. Saturday. Two and a half hours later the delegates left by bus for the Wing Foot Golf Club in Westchester, where an informal dinner was held.

Thelma Todd in Musical

HOLLYWOOD, June 16.—Thelma Todd has been signed by Paramount for one of the featured parts in Bing Crosby's "Two for Tonight." Joan Bennett will have the feminine lead. Frank Tuttle will direct and Douglas McLean will produce.

Hardy, Fields Share Credit

HOLLYWOOD, June 16.—Sam Hardy will have joint credit with W. C. Fields for the story of "The Man on the Flying Trapeze." Fields writes under the name of Charles Bogle. Clyde Bruckman has finished direction of the comedy which was tentatively titled "Everything Happens at Once."

"Blue Moon" for Strand

"Once in a Blue Moon" will have its local premiere at the Strand, Brooklyn, in two weeks.

Code Secretaries Finish

Florence Abramson, who wound up her duties Saturday as secretary of the local clearance and zoning board is taking a vacation before she rejoins the New York Film Board of Trade.

Lillian Silver, secretary of the local grievance board, returns to her former job as secretary to Charles L. O'Reilly, president of the T. O. C. C., in a few days. She has been ill and will recuperate for a few days before resuming work.

Uncertainties Dampen Hopes For Code Rule

(*Continued from page 1*)

Court May 27 in its decision in the "sick chicken" case, there seems little likelihood that any determined effort will be made to revive the NRA.

During the next nine and one-half months, the Administration may approve voluntary agreements, but since those agreements would be without the protection from enforcement of the anti-trust laws which covered the codes, officials in Washington are not very enthusiastic over the prospects. They cannot see industries rushing in with voluntary agreements which can cover effectively only concerns engaged in interstate commerce, with violations punishable only by cease-and-desist orders.

These agreements, further, will be required to provide for collective bargaining, minimum wages, maximum hours and prohibition of child labor if they are to deal with trade practices, and then may only prohibit much unfair methods of competition as are already outlawed by existing statutes.

Must Bind Themselves

Thus, it will be necessary for members of industries desiring to eliminate unfair trade practices to bind themselves to the observance of labor conditions from which their competitors who do not sign the agreement will be exempt. This will be true even though non-signatory concerns may be prosecuted if they violate the trade standards which are set up by the signers, which in effect will be nothing more than a statement of the practices prohibited under the Federal Trade, Clayton and other acts.

The National Industrial Recovery Act was one of the first of the important measures of the Roosevelt Administration offered during the special session of Congress called in 1933. It was signed by President Roosevelt on June 16 of that year.

Within two months, negotiation of a code for the industry was initiated by then Deputy Administrator Sol A. Rosenblatt. After a number of meetings in New York and other cities, members of the industry were called to Washington Sept. 12 for public hearings, which lasted for three days. On Nov. 4, the code was sent to the White House and on Nov. 27 was approved by the President, becoming effective early the following month. Like all other codes, it lapsed May 27 when the Supreme Court held that the powers delegated to the President were beyond the authority of Congress and that the Federal Government was without a right to attempt to control intrastate business.

Charlotte Likes Code Results

CHARLOTTE, June 16.—Some of the leading exhibitors in this territory are satisfied with the way the code worked, but are not ready to commit themselves on a substitute form of industry regulation.

Charles W. Picquet of Pinehurst says he hopes some method can be worked out for continuing code boards here.

Most exhibitors in this territory are observing code regulations thus far.

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The NEW VOICE of ACTION

Northern Electric in Canada

Distributed by

Electrical Research Products Inc.

250 West 57th Street, New York

"Lamps" Gets Good $12,700 On the Coast

LOS ANGELES, June 16.—"Oil for the Lamps of China" was the biggest draw of the week downtown. It took $12,700, over normal by $4,700, at the Hillstreet, but failed to make much of a showing at Warners' Hollywood. The $12,800 gross there was under par by $1,200.

"Thunder in the East" made a good showing at the 4-Star, going up to $3,900. "The Healer" and "Men of the Hour" took a par $3,200 at the Pantages. All other houses were under average.

Total first run business was $77,200. Average is $87,700.

Estimated takings for the week ending June 12:

"BLACK SHEEP" (Fox)
"NO MORE LADIES" (M-G-M)
CHINESE—(2,500), 30c-55c, 6 days. **Gross:** $9,200. (Average, $12,500)

"SPRING PARADE" (Du World)
FILMARTE—(800), 40c-50c, 7 days. **Gross:** $2,500. (Average, $2,750)

"THUNDER IN THE EAST" (U. A.)
4 STAR—(900), 30c-55c, 6 days. **Gross:** $3,900. (Average, $3,250)

"OIL FOR THE LAMPS OF CHINA" (F. N.)
HILLSTREET—(2,700), 25c-40c, 6 days. **Gross:** $12,700. (Average, $8,000)

"BLACK SHEEP" (Fox)
"NO MORE LADIES" (M-G-M)
LOEW'S STATE—(2,500), 30c-55c, 6 days. **Gross:** $12,900. (Average, $14,000)

"THE GLASS KEY" (Para.)
PARAMOUNT—(3,595), 30c-55c, 7 days. Stage: F. & M. revue, Rube Wolf and his orchestra. **Gross:** $13,000. (Average, $18,000)

"OIL FOR THE LAMPS OF CHINA" (F. N.)
WARNER BROS. (Hollywood)—(3,000), 25c-40c, 6 days. **Gross:** $12,800. (Average, $14,000)

"ALIBI IKE" (Warners)
WARNER BROS. (Downtown)—(3,400), 25c-40c, 6 days. **Gross:** $7,000. (Average, $12,000)

"THE HEALER" (Monogram)
"MEN OF THE HOUR" (Col.)
PANTAGES—(3,000), 25c-40c, 7 days. **Gross:** $3,200. (Average, $3,200)

"Miserables" High As Denver 2nd Run

DENVER, June 16.—"Les Miserables" came back as a second run at the Broadway and was again a big draw. It reached $2,500, over average by $1,000.

"Break of Hearts" was the only other downtown attraction in the money. It was $500 over the line on a take of $5,500 at the Orpheum. "Dinky" was pulled at the Aladdin at the end of five days with only $800 in the till.

Total first run business was $18,800. Average is $23,000.

Estimated takings for the week ending June 6:

"DINKY" (Warners)
ALADDIN — (1,500), 25c-35c-50c-60c, 5 days. **Gross:** $800. (Average, $2,500)

"LES MISERABLES" (U. A.) (Second Run)
BROADWAY — (1,500), 25c-40c, 7 days. **Gross:** $2,500. (Average, $1,500)

"PEOPLE WILL TALK" (Para.)
DENHAM — (1,500), 25c-35c-50c, 7 days. **Gross** $3,000. (Average, $4,000)

"UNDER THE PAMPAS MOON" (Fox)
DENVER — (2,500), 25c-35c-50c, 7 days. Stage show. **Gross:** $4,000. (Average, $6,000)

"BREAK OF HEARTS" (Radio)
ORPHEUM—(2,600), 25c-35c-40c, 7 days. Stage show. **Gross:** $5,500. (Average, $5,000)

"EIGHT BELLS" (Col.)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $4,000)

Looking 'Em Over

"Born for Glory"

(Gaumont British)

LONDON, June 6.—Released here as "Brown on Resolution," the big production value in "Born for Glory," which is to be the film's American title, is the realism of a series of scenes picturing naval engagements between British and German men-of-war during the World War. The British Admiralty cooperated by the loan of ships and personnel and the result, so far as the sea scenes are concerned, is a most impressive, even terrifying, picture of the realities of modern war. The story will offend no national sensibilities, the film, in fact, being excellent peace propaganda as well as a fine spectacle.

'Way back in '93, a London shopkeeper's daughter is betrayed by a naval lieutenant. Turned away by her father, she slaves to educate her son as a sailor and he passes through training ship and naval school to become, on the eve of the war, an able-bodied seaman on the cruiser *Rutland* in the Pacific. In port, the crew fraternizes with sailors from the German ship *Zeithen* and the boy strikes up a friendship with one of them.

Soon after the outbreak of hostilities, the *Rutland* meets and is sunk by the more powerfully armed *Zeithen*. The boy is among those saved. As a prisoner on the German boat he again meets his friend. He knows that the *Zeithen*, pursued by the British ship *Leopard*, must make hasty repairs if it is to escape. When it puts in at Resolution Island for that purpose, he manages to swim ashore with a rifle and cartridges and, by sniping the men engaged in fixing a new plate on the ship's side, holds up the work. One of the men he shoots is his German friend. Finally his hiding place is shelled, but the sound of the guns brings the *Leopard* on the scene and the *Zeithen* is sunk. All that can be found on the island of the possessions of the dead boy is a gold watch. The captain of the *Leopard* recognizes it as that which he gave to the shop-girl over 20 years ago.

The story is just strong enough to link the war sequences, but these are good enough to make any audience sit up. That they are authentic in all points of British naval procedure and discipline is a merit on top of their exceptional spectacular values. Walter Forde, director, has managed the microphone as well as the camera in close-ups of shell-bursts, big-gun broadsides and drowning men in flooded engine rooms. John Mills is excellent in the role of the boy hero and Betty Balfour, his mother, does well with few opportunities.

Running time, 85 minutes. "G." ALLAN

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Ladies Crave Excitement"

(Mascot)

HOLLYWOOD, June 16.—Dealing with newsreel cameramen, suggesting how, perhaps, the "March of Time" reel was born, this picture is entertaining, though hardly authentic.

Norman Foster, star cameraman for a newsreel service, with the assistance of Eric Linden, covers the army war games and similar events and fights constantly with his boss, Purnell Pratt. While working, he meets Evalyn Knapp, daughter of Gilbert Emery, the owner of a rival newsreel, but does not know her identity.

Foster gets exclusive shots of gangsters doping a horse but is robbed of the negative on the way to his office. Discharged for negligence, he conceives the idea for a march of events reel, sells it to Pratt and learns just before the reel is released that his competitors have beaten him with a similar film. Things are settled when the companies merge and Foster marries Miss Knapp.

The dialogue and screenplay of Wellyn Totman and the direction of Nick Grinde keep up interest at all times. The supporting cast, including Irene Franklin and Esther Ralston, gives able performances.

The picture as an action melodrama should please in all spots where this type of film is popular.

No production code seal. Running time, 69 minutes. "G."

Form Kentucky Firm

FRANKFORT, Ky., June 16.—The Twila Amusement Co., Twila, Ky., has been incorporated with a capital stock of $2,000 by Ted Creech, J. E. Winters and O. M. Howard.

"G-Men" Tops Capital Again In 11-Day Run

WASHINGTON, June 16. — "G-Men" demonstrated its staying powers by rolling up $8,000 in 11 days on a return engagement at the Metropolitan. This is $3,700 over a first week average.

"Our Little Girl," also a return engagement at Loew's Columbia, was good for $5,000, over the line by $1,400, and "In Caliente" grabbed off $19,500 with a stage show at the Earle. This was up by $1,100.

Hot weather hit other houses, all being below par.

Total first run business was $72,400. Average is $77,100.

Estimated takings, exclusive of tax:

Week Ending June 3:
"SINS OF LOVE" (Cummins)
LITTLE—(318), 25c-35c, 7 days, 4th week. **Gross:** $900. (Average, first week, $1,200)

Week Ending June 4:
"THE UNFINISHED SYMPHONY" (G. B.)
BELASCO—(1,052), 25c-65c, 7 days, 2nd week. **Gross:** $1,000. (Average, first week, $2,200)

Week Ending June 5:
"BREAK OF HEARTS" (Radio)
RKO-KEITH'S — (1,836), 25c-55c, 6-2/3 days. **Gross:** $9,000. (Average, seven days, $10,600)

Eleven Days Ending June 6:
"G-MEN" (F. N.)
METROPOLITAN — (1,591), 25c-40c, 4 days, 2nd week, return engagement. **Gross:** $8,000. (Average, first week, $4,300)

Week Ending June 6:
"OUR LITTLE GIRL" (Fox)
LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days, return engagement. **Gross:** $5,000. (Average, first week, $3,600)

Week Ending June 6:
"THE FLAME WITHIN" (M-G-M)
LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Joan Marsh, Duke Norman & Zara Lee, Lewis & Ames, California Collegians. **Gross:** $18,500. (Average, $20,900)

"GOIN' TO TOWN" (Para.)
LOEW'S PALACE — (2,370), 35c-77c, 7 days, 2nd week. **Gross:** $10,500. (Average, first week, $15,900)

Eight Days Ending June 6:
"IN CALIENTE" (F. N.)
EARLE—(2,218), 25c-77c, 8 days. Stage: Landt Trio & White, Paul Draper, Jean Boydell, Five Wonder Girls. **Gross:** $19,500. (Average, 7 days, $18,400)

"Flame" at $5,500 Indianapolis High

INDIANAPOLIS, June 16. — "The Flame Within" was the only attraction to stir up any excitement here last week and that didn't start a riot. The take at the Palace was $5,500, just $1,000 over average.

"The Case of the Curious Bride" went $500 over the line on a gross of $7,500 at the Lyric, but "Break of Hearts" and "In Caliente," at the Circle and Apollo, respectively, were weak.

Total first run business was $20,500. Average is $20,500.

Estimated takings for the week ending June 8:

"IN CALIENTE" (F. N.)
APOLLO—(2,100), 25c-40c, 7 days. **Gross:** $3,000. (Average, $4,000)

"BREAK OF HEARTS" (Radio)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $4,500. (Average, $5,000)

"CASE OF THE CURIOUS BRIDE" (F. N.)
LYRIC—(2,000), 25c-40c, 7 days. Vaudeville. **Gross:** $7,500. (Average, $7,000)

"FLAME WITHIN" (M-G-M)
PALACE—(3,000), 25c-40c, 7 days. **Gross:** $5,500. (Average, $4,500)

Loew Decides On Giveaways; RKO Shies Off

(*Continued from page* 1)

last month, the company has increased its sales more than 100 per cent, he says.

Independent circuits such as Consolidated, Randforce, Springer & Cocalis, Century, Rugoff & Becker, Rudolf Sanders, Harry Brandt and David Weinstock have been using Lucky for several weeks. M. E. Comerford's Capitol, Mauch Chunk, Pa.; John Harris' Beach View at Beach View, Pittsburgh, and Mike Manos' Elwood City, Pa., houses are also signed up for the game.

Several Warner and Skouras units in New Jersey have adopted the game. Seven Parco agents are now lining up theatres out of town. They are Chubby Kaplan, Baltimore; Mort England, Pittsburgh; Nicholas Abrams, Chicago; Raleigh Good, Charlotte; Joe Loeffler, Cleveland; Fred Young, Atlanta; Murray Perleman, New York.

Saperstein Absent; Allied Defers Talk

(*Continued from page* 1)

tling the exhibitor-distributor differences alleged to have brought about the proposed invasion by Loew's of the Chicago theatre field. The meeting is expected to go on today.

Saperstein, who was originally scheduled to arrive from Chicago on Friday, was reported to have been delayed there by the holding up of Chicago exhibitor commitments on M-G-M sales policies which are regarded as the key to a solution of the dispute.

Ask Classification For Fox Met Claims

(*Continued from page* 1)

for in the Joseph M. Schenck plan of reorganization for the circuit has been set for hearing June 24 before Federal Judge Julian W. Mack.

A final hearing on the Schenck reorganization plan itself will be held before Judge Mack June 27. Sufficient creditor acceptances to ratify the plan on that date are already on hand, according to report.

Indies Say They'll Raise Film Budgets

HOLLYWOOD, June 16.—With Republic monopolizing the independent production field, most of the remaining independent producing organizations, including Invincible, Chesterfield and Cameo, are planning larger budgets, they indicate, in order to supply a better grade of product for the new season.

Clear "G-Women" Title

HOLLYWOOD, June 16.—Warners have cleared the title "G-Women" after several other studios claimed the title. There are no assignments yet.

Republic Holds Denver Regional



Denver—Republic's sales force in this area smiles for the cameraman. The meeting was held on Wednesday with E. A. Golden presiding. Photo by H. E. N.

LOS ANGELES, June 16.—E. A. Golden, Republic Pictures' sales manager, will open the third of a series of western sales meetings here Monday with Republic men from this territory and San Francisco attending. The meeting was preceded by regional sessions at Seattle and Denver.

Variety Club Chatter

Kansas City

KANSAS CITY, June 16.—A series of initiations of new members at Variety club headquarters on the Country Club Plaza included L. A. JOHNSON, United Motor Service; JACK HENRY, Jack Henry's Haberdashery, and JOE MAGUIRE, M-G-M booker.

Variety Club has donated to the Kansas City Orphan Boys' Home suits for members of its sandlot baseball team. This gesture, which pleased the orphan boys no end, was arranged by FRANK HENSLER, M-G-M exchange manager. HENSLER plans to have the boys appear in their baseball uniforms at some Monday Variety Club luncheon and take a bow.

The Club is hitting on all cylinders in the new Country Club Plaza clubhouse. Attendance is up. Further away from film men's offices and theatres than the former downtown club rooms, greater parking facilities, more clubroom space, and pride of ownership have conduced to revive interest to the original temperature.

GEORGE BAKER, president, is receiving a lot of credit.

Programs get a better rating, kings apparently going to some lengths to get talent.

CHARLES V. STANSELL associate editor of the *Kansas City Star,* was applauded at the last luncheon when he asserted that the form of government under which the country began 150 years ago undoubtedly is the best today. New Dealers to the contrary. Conditions change, men little, STANSELL believes.

STAN CHAMBERS, Uptown manager, pinch hit for MCCARTHY as king.

Guests included WALTER DENNEY, G. B. FIELDS and J. H. KELLY, of the National Theatre Supply.

W. E. MARTIN, secretary of the Buffalo Variety Club, and MEYER DENEBEIM, local business man, were guests.

Des Moines

DES MOINES, June 16.—Variety Club is planning a statewide golf tournament for the latter part of July or the first of August. All theatre representatives will be invited to participate, membership in the club not being a requirement. The event will be the major social event of the summer for the club. L. M. MCKEACHNEAY is making preliminary arrangements.

Omaha

OMAHA, June 16.—The new Variety club quarters on the fourth floor of the Paxton Hotel were officially greeted with a stag party on the night of June 14.

Formal opening of the club quarters will be a swanky affair, revolving around a dinner-dance which calls for an expenditure of $2.50 per plate. That will be Saturday night, June 22.

At the seventh luncheon meeting of the local chapter at the Paxton Hotel JAMES HALL was guest of honor. HALL is the first professional to have participated in Variety club's social affairs.

The new quarters on the fourth floor are rapidly assuming shape and will be done well in advance of the opening.

Philadelphia

PHILADELPHIA, June 16. — Milton Rogasner is the new chairman of the house committee, succeeding Jay Emanuel, resigned.

Chief Barker EARLE SWEIGERT attended the Pittsburgh meeting, was elected a member of the directors' board, which pleased Tent No. 13 members.

The Sunday trades show screenings continue through June.

Several Tent No. 13 members attended the Tent No. 11 golf tournament, including JAY EMANUEL, HARRY WEINER and JAMES CLARKE.

"Hearts" Hits $19,300, Big Detroit Take

DETROIT, June 16. — "Break of Hearts" was the surprise of the week. With the help of five vaudeville acts, it piled up $19,300, over normal by $4,300.

At the same time "Goin' to Town" held up to $12,200 in its second week at the United Artists, and "In Caliente" was good for $21,200 at the Michigan. "Werewolf of London" and "Air Hawks" also were in the money with a $6,100 take at the Adams.

Total first run business was $67,500. Average is $60,000.

Estimated takings for the week ending June 7:

"WEREWOLF OF LONDON" (Univ.)
"AIR HAWKS" (Col.)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $6,100. (Average, $5,000)

"BREAK OF HEARTS" (Radio)
FOX—(5,100), 15c-55c, 7 days. Stage: 5 acts vaude. **Gross:** $19,300. (Average, $15,000)

"MARK OF THE VAMPIRE" (M-G-M)
"FOLIES BERGERE" (U. A.)
(Second Run)
FISHER—(2,975), 10c-40c, 7 days. **Gross:** $3,400. (Average, $5,000)

"IN CALIENTE" (F. N.)
MICHIGAN — (4,100), 15c-55c, 7 days. Stage: 5 acts vaude. **Gross:** $21,200. (Average, $20,000)

"GREAT GOD GOLD" (Monogram)
"LOST CITY" (Regal)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $5,300. (Average, $5,000)

"GOIN' TO TOWN" (Para.)
UNITED ARTISTS—(2,070), 15c-55c, 7 days, 2nd week. **Gross:** $12,200. (Average, $10,000)

"Public Hero" Best Bet Along Broadway

(*Continued from page* 1)

stanza. "Oil for the Lamps of China" was runner-up with a gross of $27,050 on the initial week at the Strand.

The Palace with "Escape Me Never" did a nice business, hitting in the neighborhood of $13,000. "The Clairvoyant" at the Roxy also netted the house a profit with $25,500. Mae West's fifth week at the Paramount managed to squeeze through on the right side of the ledger with approximately $13,000. "Stranded" opens at the Strand on Wednesday.

Fox to Make 10 Abroad

LONDON, June 16.—Fox-20th Ctntury will produce 10 pictures here this season, Joseph M. Schenck said yesterday before leaving for New York. Contracts closed include one with Elisabeth Bergner for three pictures in two years and one with Paul Czinner, who will direct the Bergner pictures and make three additional pictures in the next two years.

M-G-M Releases Cooper

HOLLYWOOD, June 16. — Jackie Cooper's contract is not being renewed by M-G-M. He has just finished his last role in "O'Shaughnessy's Boy."

M-G-M is building up Freddie Bartholomew as star timber to replace Cooper on the roster. Mickey Rooney is also under contract for some important roles.

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MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 142 NEW YORK, TUESDAY, JUNE 18, 1935 TEN CENTS

End Receiver Move on Pathe But Ask Trial

Accounting Sought from Company Officials

The motion for the appointment of a receiver for Pathe Exchange, Inc., filed in state supreme court here last week by Pat Casey, studio labor representative and a Pathe stockholder, was withdrawn yesterday by Casey's attorney, Martin E. King.

The withdrawal was made in King's answer to the affidavit filed by Pathe in reply to the application for a receiver. King's answer states that the motion for the appointment of a receiver is being withdrawn be-

(*Continued on page 6*)

More Testimony on Radio Programs In

Further testimony concerning the amount of music suitable for radio programs which is not controlled by the American Society of Composers, Authors & Publishers was given yesterday as the Government's anti-trust suit against Ascap went into its second week of trial before Federal Judge Henry W. Goddard in U. S. District Court here.

With William J. Benning, musical program director of Station WTMJ, Milwaukee, on the stand for the entire day, testimony was added to the record reflecting the difficulty of preparing popular musical programs for broadcasting without resorting to Ascap's library. The trial resumes this morning.

Two Arbitrations on Schedule Here Today

Two voluntary arbitration cases are on tap at the New York Film Board of Trade this afternoon. A third complaint was scheduled, but was settled yesterday between Fox and the Rivoli, Hoboken, N. J.

Both cases are for alleged breach of contract. They involve Fox against Matty Chrystamos, Mineola, Mineola, L. I., and U. A. against the Casino, Richmond Hill, L. I., operated by Fleischman and Hirsch. Louis Nizer, secretary of the board, will represent distributors.

Southern Theatres Go Into a New Pool

CHARLOTTE, June 17.—Organization of Interstate Theatres, Inc., an independent circuit in North and South

(*Continued on page 8*)

Predict Para. Claims Under 64 Millions

Court Hears Statement As Supervision Ends

The claims of all Paramount creditors filed against the company in its reorganization proceedings will not exceed $63,377,046 in allowable amounts, and may be "several million dollars less," Alfred E. Cook, counsel for the debtor company, told Federal Judge Alfred C. Coxe yesterday at a hearing which resulted in the signing of orders which remove the company from further court supervision.

The adjustment of allowable claims against the company to the maximum

(*Continued on page 8*)

Authority Sought For Para. Payment

The application of the trustee in bankruptcy for Publix Enterprises, formerly a large Paramount theatre holding company, for authority to declare a final dividend to creditors and wind up the affairs of the company is approved in a report sent to the U. S. District Court here yesterday by Referee Oscar W. Ehrhorn. A hearing on the report will be held in court tomorrow.

The final report and accounting of

(*Continued on page 8*)

Campi Pares Staff; Takes Small Office

In line with general liquidation, Campi yesterday moved its headquarters into smaller offices on the 23rd floor in the RKO Building. The staff has been pared to skeleton size.

Records coming in from the 31 branches are temporarily being stored

(*Continued on page 8*)

More Colonels

Fred Meyers of Meyers Flats, N. Y., has been appointed a Kentucky Colonel. He's also known at RKO headquarters.

Robert Wolff, New York exchange manager for RKO Radio, has also received a certificate from Gov. Ruby Laffoon. He managed to get two days' clearance over Meyers.

Industry Is Requested to Submit Codes

By CLARENCE LINZ

WASHINGTON, June 17.—American industry was today invited to submit voluntary agreements under the legislation enacted last week, but was warned by Administrator James L. O'Neill several weeks will probably elapse before the machinery can be set up to deal with them.

The first problem to be faced by the new NRA is that of adjusting its organization and personnel to conform to the limited work which it now will perform, in the course of which the

(*Continued on page 8*)

Takes Hit by Martial Law in Omaha Strike

OMAHA, June 17.—Martial law in the local tram strike sent receipts to record lows yesterday and today. Yesterday Gov. Roy Cochran ordered all car service halted until the strike, nine weeks old, is settled.

As a result of the governor's order, the city is left with only a meager taxi service.

R. R. Cummings, district manager for the A. H. Blank circuit, said that business was so bad at the Orpheum and Omaha he would welcome a closing order from the National Guard.

RKO to Stay, Meet Is Told By Aylesworth

No Merger, He Declares; Sees Bright Future

CHICAGO, June 17.—RKO will retain its identity, any rumors to the contrary notwithstanding, declared Merlin H. Aylesworth, chairman of the board, at the opening of the three-day sales convention at the Drake.

"We will not only retain our identity, but we will climb to greater achievements," he declared. The statement stirred the conventioneers to a demonstration.

Aylesworth paid tribute to Mayor Edward J. Kelly as "the showmen's friend."

"Kelly," he said, "stands for clean, yet exciting pictures, and with this

(*Continued on page 6*)

Silent on Talk by Saperstein—Feist

Mystery surrounds the meeting scheduled for yesterday between Felix F. Feist, general sales manager for M-G-M, and Aaron Saperstein and Sidney Samuelson on the Chicago situation.

Saperstein arrived in the morning and left early in the afternoon. Feist could not be reached and Samuelson had nothing to say.

Allied of New Jersey meets today at the Lincoln to discuss new product.

Arthur Leaves for St. Louis Hearings

Harry C. Arthur of F. & M. left yesterday for St. Louis to be on hand today when the first of a series of hearings begin before Federal Judge George Moore in connection with the anti-trust suit against Warners, RKO and Paramount.

Argument will be heard on defense motions on a demurrer filed on behalf of RKO and Ed Depinet and a request for a bill of particulars.

House Extends Tax On Tickets 2 Years

WASHINGTON, June 17.—The House today passed the bill extending for two years admission and other excise taxes which were slated to expire at the end of this month. The $500,000,000 measure was put through without amendment. The bill provides for continuation of admission taxes on their present basis.

Otterson Lauds Paramount Men; Promises No Change

Praising those who participated in the Paramount reorganization work and declaring there would be no change in the studio setup, John E. Otterson, newly elected president of Paramount, for the first time met face to face with the company's sales forces at the final sales session at the Waldorf.

Introduced by Adolph Zukor, chairman of the board, who praised the

(*Continued on page 8*)

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"Jubilee" First for Financing by M-G-M

"Jubilee" will be the first play in which M-G-M will participate in the financing. Contracts have been signed by the film company with Max Gordon and Sam Harris, who will produce it jointly starting in September. According to the deal, M-G-M will put up 50 per cent of the finances on "Jubilee." Arrangements on other plays to be produced by either Gordon or Harris will be worked out later.

Cole Porter and Moss Hart, authors of "Jubilee," left by plane for Hollywood yesterday. Gordon is set to reopen the Center with "The Great Waltz" on Aug. 5. He also plans to produce "Sweet Home" by Allen Scott and "Shadows Pursuing" by John Huston.

Mirisch in Old Post

MILWAUKEE, June 17.—Harold Mirisch, who resigned as Warner theatre division manager to join Standard Theatres, is back at his old post. The shift took place when Lester Kreiger was transferred to Philadelphia.

SERVICES AVAILABLE

EX-WASHINGTON CORRESPONDENT NOW DOING PUBLICITY FOR GOVERNMENT DEPARTMENT DESIRES CONNECTION IN MOTION PICTURE INDUSTRY—ANY BRANCH. EXCELLENT CONTACTS. THOROUGH KNOWLEDGE OF THE INDUSTRY. GO ANYWHERE. AVAILABLE IMMEDIATELY. WRITE OR WIRE BOX 500, MOTION PICTURE DAILY, 1790 BROADWAY, NEW YORK.

Purely Personal

ARTHUR A. LEE, vice-president of G.B., and GEORGE W. WEEKS, the company's general sales manager, leave on a tour of key cities east of the Mississippi today. They will arrange a series of previews for exhibitors.

•

AL LICHTMAN, DARRYL ZANUCK and WILLIAM GOETZ are slated to arrive from the coast today. LICHTMAN was to have left by plane yesterday while ZANUCK and GOETZ are coming by train.

•

HARRY RAPF returns from New Hampshire today after attending the graduation of his son, MAURICE, from Dartmouth. He plans to take a plane for Hollywood this afternoon.

•

HAL ROACH left by plane for the coast yesterday after several weeks here producing a short on radio amateurs.

•

HARRY EGERT and JACK GOLDSTEIN of Rex Premiums left for Chicago yesterday and tomorrow head for the coast.

•

LOUIS B. MAYER, ARTHUR STEBBINS and FELIX YOUNG are due to arrive from Hollywood today.

•

BARRETT KIESLING of the M-G-M publicity staff on the coast is in town. He is at the Warwick.

•

WILLIAM P. (BERNIE) BERNFIELD, U. A. exploiteer at Kansas City, is in New York on a visit.

•

LYLE TALBOT is on his way back to the coast to play in "Special Agent" for Warners.

•

MARTIN DICKSTEIN, film critic of the *Brooklyn Eagle,* has resigned.

Medallion Plans Eight

A program of eight pictures will be produced and distributed by the recently organized Medallion Prod., Inc., during 1935-36. Victor and Edward Halperin are associated with the company. The films are "The Gods Strike Twice," "The Zombies Will Get You," "Mutiny on the Submarine," "The Return of Dr. Jekyll," "Murder in Chinatown," "Melody in F," "I Live Forever" and "Slave Ship." All eight are planned for the independent market.

Checkers Win Cases

Conviction of three Ross Federal checkers for trespass in a District Court at Boston has been reversed after trial by a directed verdict of Judge Butterworth in Superior Court, according to Ross Federal Service.

The case originally came up in May when two of the checkers refused to leave the Revere and Boulevard theatres at Revere. They were arrested and fined $10 each.

"Cathedrals" to DuWorld

DuWorld has acquired the American distribution rights of "Cathedrals," short subject made to be a future record of outstanding French cathedrals.

Wall Street

Columbia Drops 1⅛ on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1)	64¾	63⅜	63⅜	—1⅛
Consolidated	3⅝	3½	3½	.....
Cons. pfd (1¼v)	15⅛	14⅝	14⅝	— ½
Eastman	147	147	147	—1
Fox "A"	14⅞	14½	14½	— ¼
Loew's	41⅞	41⅜	41½	— ½
Loew's, pfd	107¼	107¼	107¼	.....
Paramount	3¾	3⅝	3⅝	.....
Pathe	⅝	⅝	⅝	.....
RKO	2⅛	2	2	— ⅛
Warner	4⅛	4	4	— ⅛
Warner, pfd	25	24⅞	25	+ ⅜

Technicolor Off on Curb

	High	Low	Close	Net Change
Technicolor	22	21⅝	21⅝	— ⅜

Paramount F. L. Bonds Gain 1

	High	Low	Close	Net Change
General Theatre Equip. 6s '40	11¼	11¼	11¼	— ¼
Keith B. F. 6s '46	81¼	80½	81	.....
Loew's 6s '41 ww deb rights	104½	104⅜	104½	+ ½
Paramount F. L. 6s '47	92¼	92	92¼	+1
Paramount Publix 5½s '50	94	93½	94	+ ½
Warner Bros. 6s '39 wd	64¾	64¼	64½	.....

(c) *Plus stock extras.* (K *and v*) *Paid this year.*

(Quotations as at close of June 17)

Amalgamated Books Full Company Units

Complete show units are being put out under the new policy adopted by Amalgamated Vaudeville Agency in resuming its vaudeville bookings.

Acts are being built into a show, synchronized and rehearsed and reach theatres as a single unit revue, according to E. M. Fay, who is in charge.

On the Normandie

Joseph M. Schenck, chairman of the board of Fox; Maurice Silverstone, managing director for United Artists in England; Anna May Wong, Kay Francis and Henri de la Fallaise are aboard the *Normandie* which is due in New York on Thursday.

S. W. Smith, managing director of British Lion Film Corp., and managing director of Anglo-Canadian Distributors, also is on the *Normandie.*

Nat Levine in Chicago

CHICAGO, June 17.—Nat Levine, newly elected vice-president of Republic and head of Mascot, is here at the Drake. Although RKO Radio is holding its convention here, Levine denies his presence has anything to do with the sales session.

Cifre Starts Service

BOSTON, June 17.—Joseph S. Cifre has started under the name Joseph S. Cifre Purchasing Counselors a national service to advise independents on equipment, accessories and theatre operations and all purchases.

Ochs Gaining Fast

Lee Ochs, local operator, was reported recovering rapidly last night at the York Hospital, where he underwent an appendicitis operation last Friday. He's expected out in 10 days.

Reade House Reopening

ASBURY PARK, June 17.—Walter Reade opens the remodeled St. James here on Thursday. The house seats 1,900.

Culkin Will Renew Industry Onslaught

WASHINGTON, June 17.—Resuming his campaign against block booking and other allegedly unfair practices in the industry, Representative Francis D. Culkin this week plans to launch on the floor of the House an attack directed chiefly at Will H. Hays.

The Pettengill bill, backed by the Parent and Teacher Assn., is more or less laid by for the session, but that organization is understood to be drafting a number of amendments to strengthen the measure, and a new bill is expected to be offered soon.

Possibilities of action by the House on the bill to incorporate the American National Theatre and Academy are seen in the action of the Judiciary Committee in making a favorable report on the measure. A similar bill, introduced by Senator Wagner of New York, already has been passed by the Senate.

IATSE Heads Hold St. Louis Session

Representatives of operators' and stage hands' locals of the I.A.T.S.E. are convening in St. Louis today for a series of meetings this week of the general executive board.

Among those attending the session are George E. Browne, president; Lou Krouse, his assistant; Harlan Holmden, in charge of the New York and Chicago operator locals.

IATSE Meets in South

BIRMINGHAM, June 17.—Several hundred delegates from nine Southeastern states are here for the annual convention of the seventh district, I.A.T.S.E., today and tomorrow.

Among the highlights of the convention will be addresses by W. P. Raoul, of Atlanta, international representative; George Cushing, president of the New Jersey State Federation of Labor, and others.

One new officer will be elected, a secretary to succeed W. R. Morris, of Mobile, whose term has expired.

Rob Theatre Manager

Four bandits held up Adolph Mandel, manager of the Gramercy on the east side, and escaped with the weekend receipts of $180.

Golden Due on Coast

LOS ANGELES, June 17.—Edward A. Golden is due from Seattle tomorrow to attend the two-day Republic regional which opens June 21.

Gaynor Has Concussion

HOLLYWOOD, June 17.—Janet Gaynor has a concussion of the brain, suffered when she ran into Henry Fonda while on location.

Lauste Is Seriously Ill

MONTCLAIR, N. J., June 17.—Eugene Lauste, pioneer in the field of sound, is seriously ill of cancer of the stomach at the Montclair Community Hospital.

FRANK CRAVEN
"VAGABOND LADY"
WILLIAM MORRIS OFFICE

"A Home Run!" Predict Variety Daily's Box (office) - Score Keepers



Another from Warner Bros. right over the old pan—and what a panic of a pan it is!

JOE E. BROWN in "ALIBI IKE"

A First National Picture with Olivia de Havilland, Ruth Donnelly. Directed by Ray Enright from Ring Lardner's famous story.



"The death knell of black and white films was sounded yesterday with the arrival in glorious raiment of 'Becky Sharp' . . . Even without color it would be a superior picture; in the naturalistic hues with which the improved Technicolor has invested it, 'Becky Sharp' becomes more than a photoplay; it is an exciting adventure in a new medium, a finger pointing dramatically toward hitherto unrealized possibilities in motion picture art."

—Thornton Delehanty, *N. Y. Post*

"Science and art have joined hands to endow the screen with a miraculous new element in 'Becky Sharp.' . . . It produces in the spectator all the excitement of standing upon a peak and glimpsing a strange, beautiful and unexpected new world."

—Andre Sennwald, *N. Y. Times*

"A truly beautiful film. The color is exquisite . . . Miriam Hopkins is ravishingly lovely in Technicolor and gives a flawlessly convincing performance."

—Bland Johaneson, *N. Y. Mirror*

"The success of 'Becky Sharp' demonstrates that color has a definite place in the scheme of pictures . . . It is endowed with a great deal of pictorial beauty . . . presents Thackeray's famous gold digger as the center of a brilliant and witty screen play."

—Kate Cameron, *N. Y. Daily News*

FASCINATING

"BECKY

MAKES MOTION

AT RADIO CITY

AND WILL MARK

EVENT IN EV

PLAYS AS THE C

PIONEER PICTURES presents **MIRIAM HOPK**

PRODUCTION with Frances Dee, Cedric Hardwic

FILMED IN ALL THE BEAUTY OF THE NEWLY PERFECT

JONES . . . DISTRIBUTED BY RKO RADIO PICTUR

COLORFUL "SHARP"

PICTURE HISTORY MUSIC HALL AS HISTORIC AN RY THEATRE IT MING OF SOUND!

s "BECKY SHARP"...A ROUBEN MAMOULIAN
illie Burke, Alison Skipworth, Nigel Bruce, Alan Mowbray
ECHNICOLOR . . . DESIGNED IN COLOR BY ROBERT EDMOND
ICORPORATED . . . PRODUCED BY KENNETH MACGOWAN.



"This department contributes its vote to the assured success of 'Becky Sharp'. . . . Further, it predicts that it will be henceforth as important to the cinema as 'The Jazz Singer'. . . . It is brisk and lively, sensitive and serene, and what excitement there is exudes naturally from the story."

—Murray Boltinoff, *N. Y. American*

"The most important cinematic experiment since moving shadows first became articulate. . . . 'Becky Sharp' promises to be the most widely discussed film of the season."

—Howard Barnes, *N. Y. Herald Tribune*

"The production offers a happy harmony of color and action, with neither one distracting the attention from the other. . . . The brilliant novel has been skilfully transferred to the screen and very well cast."

—Rose Pelswick, *N. Y. Evening Journal*

"The general effect (of color) is fascinating. . . . It is soothing to the eye and it is sharply defined, but it does not jump up and slap you in the face. . . . Indeed, there are times when one is scarcely conscious of color at all."

—William Boehnel, *N. Y. World-Telegram*

RKO to Stay, Meet Is Told By Aylesworth

(*Continued from page* 1)

sensible attitude is entitled to reciprocal appreciation from the film business." Mayor Kelly had been previously introduced by Ned E. Depinet, president of RKO Distributing Corp. He responded by saying that films were "the sounding board of the entire United States."

Reviewing the past season, Aylesworth said "it did his heart good to come to this season's convention and tell the men that promises had come true, even more so than had been expected."

Speaking of color, Aylesworth said emphatically that he was extremely proud that the RKO organization had been able to sponsor the release of the first perfected color feature.

Going in briefly for personalities, the RKO and NBC executive said that he considered Merian C. Cooper, now producing "The Last Days of Pompeii" and "She" for Radio, and previously responsible for many of its successes, as a leading authority in the use of color and looked for great things when Cooper assumes the Pioneer Pictures production reins.

Aylesworth also expressed the opinion that the time was ripe for another Frank Buck picture, and said his advices from Singapore had convinced him that Buck would again surprise the business.

Returns East After Talk

Aylesworth came in by plane from New York and left immediately for Manhattan after delivering his talk.

Color was talked strenuously both in and outside the convention. Before going into the opening session to talk to the delegates John Hay Whitney, president of Pioneer Pictures, producer of "Becky Sharp," and Rouben Mamoulian, director, interviewed the press.

Whitney told the convention that color would not be as revolutionary as sound. Mamoulian contended color was of secondary value, but emphasized that it was a great aid in developing dramatic effects. He said he hoped his next assignment would be a color film.

Mamoulian caught the Chief to the coast later, and Whitney took an afternoon plane to New York.

The morning was devoted to flashes of coming releases which were shown at the Cinema Arts Theatre.

Jules Levy, vice-president and general sales manager of RKO Distributing Corp., welcomed newcomers to his staff. He paid tribute to the following who have joined the organization during the year: Cleve Adams, Pittsburgh; H. W. Boehme, Seattle; L. S. Gruenberg, Minneapolis; P. Harrison, Jacksonville; H. W. Landstrom and H. B. Lovelace, Salt Lake City; J. Myers, Winnipeg, and C. R. Westbrook, Pittsburgh.

Key addresses today will be made by J. R. McDonough, president of RKO Radio Pictures, who will talk on product, and Depinet, who will announce the new season's lineup.

Depinet Color Conscious

CHICAGO, June 17.—"Color pictures such as 'Becky Sharp,' which we have just released, are definitely important and much of our discussion will concern this vastly interesting innovation," Ned E. Depinet told the press upon his arrival for Radio's annual sales convention.

Berlin, Swope Leave

Irving Berlin, composer under contract to RKO Radio Pictures, accompanied by Herbert Bayard Swope, board chairman of K-A-O., left New York by plane yesterday afternoon, for Chicago, where they will attend Tuesday's sessions of the annual RKO Convention.

Berlin, will continue onto the coast, where he will resume work on the score for "Follow the Fleet," a starring vehicle for Fred Astaire and Ginger Rogers. His first, "Top Hat," has just been completed.

Lily Pons to Coast

Lily Pons, Metropolitan Opera star, left on the 20th Century yesterday for Hollywood where she will make her film debut at Radio in a song-drama tentatively titled "Love Song," with a score by Jerome Kern. Miss Pons will rest before reporting July 1 to begin work on the film, which is to be directed by John Cromwell.

The diva is expected to attend the RKO sales convention, now in session at the Drake, Chicago, between trains.

Radio Dots and Dashes

CHICAGO, June 17.—NED DEPINET and JULES LEVY have been side by each at the rostrum for several successive conventions.

✣

BOB HAWKINSON tells of hearing the "Carioca" played on a harmonica by an old man in Chiclayo, far up in the Andes mountains of Peru. The wonder to BOB is, how did the old man learn the tune when there are no music stores or theatres wired for sound in Chiclayo.

✣

The stalwart manager of RKO's Panama Branch, FRED S. GULBRANSEN claims the commuting record from the Atlantic to the Pacific. He covered the span 30 times in eight months.

✣

Boys missed FRANK BUCK and his animal show at the World's Fair. FRANK is out Singapore way bagging the big ones and the sales force here will be selling his screen wares in the early fall.

✣

DON HANCOCK, snappy executive of the Van Beuren Corp., is in rare form with his yarns about the farmer's daughter and the traveling salesman.

✣

Boys who carry the fancy titles of treasurer's representatives blew in from all parts of the country, but the traveling was old stuff to them, as that's what they do nothing else but. Here's the lineup: J. DEWAAL, E. F. CLARKE, WILLIAM MCSHEA, R. O'BRIEN, R. HOLMES, R. A. YOUNG, J. J. SCHNITZER and ELMER SEDIN.

✣

Early arrivals were all good golfers, which makes it look bad for old man par. NED DEPINET, JULES LEVY, CRESSON SMITH, AL MERTZ, A. A. SCHUBART and MIKE POLLER were among the pill shooters who left New York Friday.

✣

One of the veterans who could call off the whole clan by first and last name was HARRY GITTLESON, the flashy editor of "Flash," the company's de luxe house organ. HARRY stopped the show with his convention number and then started to dig in on the post convention number. That guy's a whole staff.

✣

Purchasing Agent LOU GAUDREAU must have been glad they weren't giving out prizes for the best speeches. LOU gathered the awards for the RKO golf tournament.

✣

M. H. AYLESWORTH is good copy for the golf magazines. Golfdom knows him as "Deacon" AYLESWORTH.

✣

FRANK MEYERS, Toronto branch chief, has established a record year for the territory, both in sales and collections.

✣

NAT (SONNY BOY) LEVY, Detroit branch manager, has been smiling around like the cat who ate the cream. The reason? He carries a copy of his weekly collections, sompen to make any B. M. proud.

✣

RUSSELL (PUDGY) BRENTLINGER, Kentucky representative for the Indianapolis office, has a couple of iron biceps under those fashionable sleeves. "PUDGY" is great at the gripping game.

All Points of the Compass



Chicago, June 17.—This is Radio's foreign contingent, now assembled at the Drake for their company's annual sales convention. The group left New York under the general guidance of Phil Reisman, standing in the rear at the right, and includes: R. H. Hawkinson, B. D. Lion, E. D. Leishman, Ralph Hanbury and his wife, H. W. Leasim, Pierre C. Le Long, N. Cazazis, Max Bossman, Joost Smit and his wife, Douglas Lotherington and his wife, Fred S. Gulbransen, Jacobo O. Glucksmann and Carl G. Wallman.

Radio Buys Burgess Yarn

HOLLYWOOD, June 17.—Radio has purchased screen rights to "Two O'Clock Courage," mystery novel by Gelett Burgess. Kenneth Macgowan will supervise. No cast or director have been selected as yet.

Mercer, Malneck Assigned

HOLLYWOOD, June 17.—Johnny Mercer and Matt Malneck have been assigned by Radio to do the songs for "To Beat the Band," musical by George Marion, Jr.

Blumberg to Chicago

Nate J. Blumberg, general operator of the RKO circuit, left for the RKO Distributing sales convention in Chicago yesterday.

John O'Connor, executive film buyer for the RKO circuit, accompanied Blumberg.

Libel Suit Up Today

LOS ANGELES, June 17.—The $180,000 libel suit brought by the Leimert against the Union Labor Council and the Los Angeles Amusement Federation comes up for hearing Tuesday in Superior Court.

End Receiver Move on Pathe But Ask Trial

(*Continued from page* 1)

cause of "revelations" of Pathe's financial condition set forth in the company's replying affidavit. King asks instead that charges against Pathe officers and directors, requiring various accountings from them, be tried immediately by giving the case preference on the trial calendar. Justice Edward Dore is expected to rule on this application within the next few days.

Maisell Forms New Firm

Lewis Maisell has organized Ultramares Films to produce a series of Portuguese language features. The first is temporarily titled "Despojos Do Mar" ("Spoils of the Sea"). David Strong of Criterion Films will handle distribution.

—and they're all finished or in production!

FOX

proudly presents these

AUGUST • SEPTEMBER OCTOBER • RELEASES

for the

1935-36 SEASON

The strongest line-up in FOX history ... cast with the greatest names on the FOX roster ... conceived with an unerring eye for showmanship values. Read the following pages carefully and convince yourself!

There's a copy waiting for you at your FOX Exchange.

YOU HAVEN'T A SHOW WITHOUT FOX

Predict Para. Claims Under 64 Millions

(Continued from page 1)

$63,377,000 level was an essential step in the consummation of the company's reorganization plan which provides that the plan shall not be effective in the event provable claims against the company exceed $65,000,000.

All of the remaining legal steps for the carrying out of the plan and the effecting of the transfer of the company's property from the trustees to the new Paramount board and officers were taken yesterday at a special meeting of the board and in court. The actual transfer of the company's assets, however, will require another two weeks. With this in mind, July 1 has been set as the exact date on which the New Paramount company will officially begin operations.

Authority Sought For Para. Payment

(Continued from page 1)

Irving Trust Co., as trustee in bankruptcy for Publix Enterprises, and Irving's petition that it be discharged as trustee, was also approved by Referee Ehrhorn. If the report is approved by the Federal Court tomorrow the distribution of dividends will be begun immediately and the affairs of Publix Enterprises will be completely wound up within three weeks, attorneys said. The assets of the company were acquired at foreclosure sale by Famous Theatres Corp, new Paramount theatre subsidiary, a year and a half ago.

Defendants Can't Collect

Former Paramount officers and directors who are defendants in actions brought by the trustees of Paramount to recover sums allegedly paid them in salaries or bonuses in excess of reasonable amounts will be unable to collect on any claims they may have against Paramount until the actions against them, now pending in state court here, have been adjudicated.

This was disclosed yesterday at a hearing before Federal Judge Alfred C. Coxe, when Edward Pride of Hughes, Schurman & Dwight, counsel for some of the defendants in the trustees' actions, opposed this provision which is contained in a final order carrying out closing steps in the Paramount reorganization.

Among the defendants in the trustees suits are Sidney R. Kent, Jesse L. Lasky and Sam Katz. Their total claims against Paramount are believed to be not less than "several hundred thousand dollars" but less than $1,000,000. Alfred E. Cook, counsel for Paramount, described the provision as an "attachment" of any sums which might be collected from Paramount.

Judge Coxe signed the order with the stipulation that those affected by it could have individual cases reviewed by the court later.

20 Firms to Submit Bills

Approximately 20 law firms which participated in the reorganization of Paramount Publix will file applications for allowances which are expected to exceed $1,000,000 on July 2. A public hearing on the applications was set for July 18 by Federal Judge Alfred C. Coxe, who yesterday cautioned the attorneys to submit only "moderate and reasonable" applications so as not to invite criticism and court displeasure. The applications will represent the bill for reorganizing Paramount, which must be paid by the new company.

SEC to Hold Para. Hearing

WASHINGTON, June 17.—A hearing will be held here Tuesday before the Securities and Exchange Commission on the activities of officers, bankers and others who were active in the reorganization of Paramount Publix. The hearing is for the purpose of preparing a report on the reorganization as required by Congress.

Kennebeck Goes West

John Kennebeck, head of Paramount's activities in Australia, has left for the coast, where he will sail on the *Monterey* for his headquarters. Jack Rappaport, in charge of the Havana branch, sails Friday for home. While Ted Pierpoint of Panama, sails on June 21. All have been here attending the four-day sales convention, which wound up Sunday at the Waldorf.

Girl Born to Thalbergs

HOLLYWOOD, June 17.—A girl was born to Norma Shearer and Irving Thalberg over the week-end at the Cedars of Lebanon hospital. It is their second child.

Otterson Lauds Paramount Men; Promises No Change

(Continued from page 1)

new company head, Otterson stressed the fact that he would not have accepted the presidency if his election had not been welcomed by Zukor, with whom he planned to work closely at all times in the future, he said.

Otterson then emphasized the fact that he did not contemplate any changes in the personnel of any branch of Paramount and paid tribute to the ability of the men who carried the company through the two-and-a-half years of bankruptcy. In discussing the coast setup, Otterson said that as a result of a series of conferences between eastern executives and Henry Herzbrun and Ernst Lubitsch, general manager and managing director, respectively, of the studio, were returning to Hollywood to continue in their present posts and to work out the studio's program in complete harmony with home office executives.

The new company head brought his address to a close by paying individual tribute to the reorganization work of George J. Schaefer, vice-president; Y. Frank Freeman, head of the theatre organization; and Austin C. Keough, chief legal counsel and secretary of the new company.

Before introducing Otterson, Zukor, asserted that the entrance of the former Erpi head was one of the best things that has happened for the company.

Zukor told the men that for years he has had a yearning to be active in coast production and Otterson's election to the presidency now gives him that opportunity.

He said that when S. R. Kent was general sales manager during his last years with the company, he was offered the presidency by Zukor and Kent turned it down.

Following Otterson's talk, Jessica Dragonette, who will make her screen debut in "The Big Broadcast of 1935"; Joe Penner, who will star in "Collegiate"; Cecil B. DeMille, producer-director of "The Crusades," and Loretta Young were introduced.

The company is mulling over plans to roadshow the DeMille picture, which was said to have cost more than $1,000,000 and took a year to make.

J. J. Unger leaves for the south today to begin a series of regional meetings with branch heads and exchange forces. Selling policies for individual territories will be laid out at these sessions. Charles Reagan, western divisional head, will leave tonight for Minneapolis where he will hold a meeting tomorrow and Thursday. From there he will go to Chicago and three other key centers.

It is understood Paramount will increase the number of percentage pictures this season over last year.

The Minneapolis regional will be held June 19-20; Chicago, June 21-22; Kansas City at Excelsior Springs, June 24-25; Denver, June 27-28; San Francisco, June 30 and July 1.

Southern Theatres Go Into a New Pool

(Continued from page 1)

Carolina in which a group of exhibitors were said to have pooled their interests for the purpose of operation economies has been announced here by S. S. Stevenson of Henderson, N. C., general manager of Stevenson Theatres of Henderson.

The announcement said the incorporators, in addition to Stevenson, were H. R. Berry of Hartsville, S. C.; G. W. Parr of Lancaster, S. C.; J. I. Simms of Orangeburg, S. C.; B. L. Trozier of Rock Hill, S. C.; R. P. Rosser of Sanford, N. C., and F. W. Smith of Monroe, N. C.

Twenty-five theatres are said to be affiliated with the group.

Skouras Seeking More

Having closed with Leon Rosenblatt for the Westwood, Westwood, N. J., Skouras Theatres is now negotiating for a theatre in Ossining, N. Y., which would give it control of the town. About two weeks ago the circuit acquired the Glen, Glen Cove, L. I. Skouras also has the Cove in Glen Cove.

Levee on His Way East

HOLLYWOOD, June 17.—M. C. Levee left here by train for New York on Saturday night to confer with Leslie Howard on the actor's plans for future picture work. Warners have two productions lined up for Howard, scheduled to start this fall. They are a screen version of "Petrified Forest" and "Green Light."

Industry Is Requested to Submit Codes

(Continued from page 1)

staff will be cut from more than 5,000 to 1,500.

The handling of the agreements will be under the new Division of Business Cooperation, to be headed by Prentiss L. Coonley, formerly code administrative officer.

Taking over his new position today, O'Neill indicated considerable attention will be given during the next six months to the development of new recovery legislation to be enacted before the NRA goes out of existence next April. In all probability, it was held, this legislation would not be sought during the present session of Congress but would be held over until next January.

Kuykendall Is Pessimistic

COLUMBUS, MISS., June 17.—In an address before the Columbus Rotary club, Ed Kuykendall, president of the M.P.T.O.A., painted a picture of national conditions in the wake of the Supreme Court's decision on the NRA.

Kuykendall said he was more or less pessimistic about the situation, feeling that many of the benefits of NRA would be lost permanently by the adverse court decision. He discounted voluntary codes, declaring that it was his opinion that no codes without compulsion could be effectively enforced.

He declared that uncertainty prevailed throughout the industry.

Campi Pares Staff; Takes Small Office

(Continued from page 1)

at the headquarters, but will be placed in a storehouse later. About five offices have not yet sent in their files.

During the year and a half of operation, Campi held 47 regular sessions and 10 special meetings. There were 76 meetings of appeal boards on which more than 100 different persons sat. More than 1,200 distributors and exhibitors sat on local boards throughout the country.

John C. Flinn yesterday denied the Department of Justice was interested in the Texas records.

Olinto Accorsini Dead

WASHINGTON, June 17.—Olinto Accorsini, 45, former manager of Warners' Trenton in Lynchburg, died Sunday afternoon from a cerebral tumor, at Mount Alto Hospital, where he had been under treatment for several months.

For many years Accorsini was associated with Charles Casey's Academy and Isis in Lynchburg. When the Casey properties were sold to Publix, Accorsini went over to Trent's Trenton, where he remained as manager under the Warner regime until last winter when he was given a three months' leave of absence.

To Show 'Curiosity Shop'

Alliance Films, Ltd., will preview "The Old Curiosity Shop," the latest B. I. P. production, at the Chanin Auditorium, Wednesday, at 8:45 P.M.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 143 NEW YORK, WEDNESDAY, JUNE 19, 1935 TEN CENTS

RKO Sets 14 Titles; List To Total 48

Have 211 Shorts, with 12 "March of Time"

CHICAGO, June 18.—Fourteen titles of the 48 features which RKO Radio proposes to make for the 1935-36 season were announced today at the second day's session of the sales convention at the Drake by Ned E. Depinet, president of RKO Distributing Corp.

In addition, the company will have 211 short subjects, Depinet said. These will include 36 two-reel comedies, 12 issues of "March of Time," 52 one-reelers produced by the Van Beuren Corp., 104 issues of Pathe News and seven Pathe Topics.

Five musicals are scheduled. Three

(*Continued on page* 18)

Penn. Open Sunday Passed in Senate

HARRISBURG, June 18.—Pennsylvania communities were today practically assured of Sunday shows after 2 P. M. when the State Senate adopted the local option bill on final passage, 29-20.

The bill went back to the House for approval of an amendment made

(*Continued on page* 4)

N. Y. Aldermen Act On Sunday Measure

A bill legalizing Sunday performances in legitimate theatres in the city was passed by the Board of Aldermen yesterday and now goes to Mayor LaGuardia for his signature. The bill provides for one day off a week for all performers except those in film theatres.

Sunday performances still face obstacles here, however, with Actors Equity Assn. on record against them and with action indicated which would bar Equity members from participating in them.

"Sharp" at $95,000; Gets a Second Week

"Becky Sharp" will be held a second week at the Music Hall, it was decided late yesterday. The first week will end tonight with a gross in the neighborhood of $95,000.

The second week of "Let 'Em Have It" at the Rivoli garnered about $22,000.

Seek 9,700 Sales

Chicago, June 18.—Ninety-seven hundred contracts for next season is Radio's objective.

Placards around the convention room at the Drake claim the company sold 7,200 in the 1932-33 season; 7,700 in the 1933-34 season, and 8,370 in 1934-35.

Selznick Will Quit M-G-M to Do 10 at U. A.

HOLLYWOOD, June 18.—David O. Selznick will leave M-G-M around Sept. 1 to produce at United Artists. He so announced here today. Selznick will produce 10 films for U. A. release over a period of two years, it was learned from Al Lichtman before the new U. A. president left by plane for the east today.

It is understood that Selznick will produce under the Selznick Pictures banner. The type of product he will make will be along the lines of "Viva Villa" and "David Copperfield," it is said. Selznick said no stars or directors or other talent had yet been engaged but that he hoped to announce acquisitions shortly.

Lichtman and James Mulver started east on completion of negotiations with Selznick.

Pathe Loan Pledge Influenced Casey

A disclosure that the appointment of a receiver for Pathe Exchange, Inc., could have resulted in a $2,000,000 loan which is secured by Pathe's 49 per cent interest in Du Pont Film Mfg. Co.'s stock being declared due and payable, influenced Pat Casey to

(*Continued on page* 4)

Ontario Amusements Unite in Tax Fight

TORONTO, June 18.—Exhibitors, sport organizations, hotels, amusement parks and fall fairs have united in the fight against the Ontario Government over the recent drastic amusement tax increases.

The Allied Sports and Amusement Ass'n. has been organized to combat

(*Continued on page* 4)

McAdoo Seeks Senate Action On Copyrights

Committee Report Aims At Vote This Session

By CLARENCE LINZ

WASHINGTON, June 18.—Efforts to secure Senate approval of the State Department's copyright bill will be made by Senator McAdoo of California before the end of the session. The first step in that direction was taken yesterday with the reporting of the measure by the Patents Committee.

The legislation reported was a new draft of the bill prepared by Senator Duffy of Wisconsin, outstanding changes being the elimination of the clause permitting the imposition of license fees in lieu of damages, the

(*Continued on page* 2)

Speeding of Ascap Trial Is Forecast

A likelihood that the trial of the government's anti-trust suit against the American Society of Composers, Authors & Publishers will be speeded up by agreement between counsel for both sides and may result in the calling of theatre and film men as government witnesses by Friday or early next week, was expressed by government counsel yesterday.

The trial is now in its second week before Federal Judge Henry W.

(*Continued on page* 2)

Jersey Allied Gets Plan of House Pool

Members of Allied of New Jersey yesterday were offered a rough plan for pooling theatres across the Hudson into one large circuit. No details were available, but it is said the plan will be fashioned after a similar idea now in operation in Michigan.

New York exhibitors have definitely turned down a plan to combine their houses.

Reports of the Atlanta convention, various committees and product were other topics discussed.

Expect IATSE Will Realign Local 306

ST. LOUIS, June 18.—Before the general executive board meetings of I. A. T. S. E. stage hands and operators wind up Friday, Harlan Holmden,

(*Continued on page* 2)

SEC Studies Workings of Para. Setup

Begins by Probing into Company's History

By BERTRAM F. LINZ

WASHINGTON, June 18.—Tracing the activities of Paramount from prewar days to the receivership in 1933, the Securities and Exchange Commission today began hearings in its formal investigation of the company's reorganization, ordered by Congress.

The inquiry is purely formal, since the commission is without authority to take any action approving or disapproving the reorganization or the issuance of the substitute securities by which the new organization takes over the obligations of its predecessor.

The history of Paramount's operations, including its financing and the lawsuits leading up to the receivership and bankruptcy and the handling of the receivership and bankruptcy proceedings were traced through Austin C. Keough, secretary of the company, and

(*Continued on page* 4)

Otterson May Go West with Zukor

Adolph Zukor and Watterson Rothacker may accompany John E. Otterson, Paramount president, to the coast on the latter's contemplated studio visit within the next two weeks, it was reported yesterday.

Zukor recently told Paramount's national sales meeting here that his present office of chairman of the board gave him an opportunity to become active in coast production, which he

(*Continued on page* 4)

Zanuck, Goetz Here To Talk on Product

The number of pictures 20th Century will make for Fox will be determined at conferences to be held late this week between S. R. Kent, head of Fox; Joseph M. Schenck and

(*Continued on page* 4)

Hess Given Second Verdict for Libel

After a two-day jury trial, presided over by Supreme Court Justice Lydon, Gabriel L. Hess yesterday was awarded a $10,200 verdict against the *Churchman* and Dr. Guy Emery

(*Continued on page* 4)

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Speeding of Ascap Trial Is Forecast

(*Continued from page* 1)

Goddard in U. S. District Court here with only radio broadcast witnesses having been heard. The government is reported to have scores of complaints from exhibitors against Ascap on hand which will be introduced in evidence. In addition, a long list of exhibitors and film men who will be called by the government as witnesses against Ascap is in readiness. Speeding up of the trial to permit the hearing of these witnesses on angles of the case with which the industry is most concerned may be accomplished by stipulations of counsel for both sides on evidence which will be admitted or barred without testimony.

William J. Benning, musical program director of Station WTMJ, Milwaukee, was on the stand for the second consecutive day yesterday. He was cross-examined further by Nathan Burkan, Ascap counsel, on his testimony on the difficulty of giving radio programs with popular music without being licensed by Ascap.

Warner Outing Today

The Warner Club will go on its annual boat ride and outing up the Hudson to Bear Mountain today. A turnout of 1,200 is expected.

Lease Rahway Theatre

David Bernard and Samuel Engleman have leased the Rahway, Rahway, N. J. Warners formerly operated.

Purely Personal

E. R. GOURDEAU, head of International World Film Studios, London, plans to leave for the coast the end of the week for a three-day technical survey of studios. He intends to return to England immediately after he gets back from the Hollywood junket.

•

SAM COCALIS, accompanied by his son, JAMES, and daughters, VIRGINIA and MARIA, sails today on the *Berengaria* for a three months' tour of Europe. They will visit England, France, Switzerland, Venice and Athens.

•

ED KUYKENDALL, M.P.T.O.A. president, is due in town today and may remain over for several days to take in the trial of the government's suit against Ascap, for which he is a prospective witness.

•

GREGORY DIXON of the U. A. advertising department is the latest Kentucky colonel. He already has a pair of riding pants and riding boots, and he is now looking around for a pair of silver eagles and coat.

•

MAY ROBSON arrived on the *Santa Rosa* from the coast yesterday. She has been signed by Universal for a role in "Three Kids and a Queen." A fellow passenger was EDWARD ARNOLD's wife.

•

IRWIN ZELTNER of Loew's is still receiving congratulations for the way he handled the publicity on Loew's New York demise.

•

HELEN MACK, who recently finished work in Radio's "The Return of Peter Grimm," will reach New York Friday with her husband, CHARLES IRVIN.

•

COUNTESS OLGA ALBANI begins work today at the Vitaphone plant in Brooklyn in a two-reel musical, "Escapade."

•

MAURICE SILVERSTONE, managing director for United Artists Corp., Ltd., in London, arrives on the *Normandie* tomorrow.

•

MYRON STARR is now running the Liberty, Plainfield, N. J., for JOE SICARDI, who is entering the brokerage business.

•

PRINCESS NATALIE PALEY, half sister of the GRAND DUCHESS MARIE, has been signed for a part in Radio's "Sylvia Scarlett."

•

HAROLD RODNER, of Warners, has been made district deputy grand master of the seventh Manhattan district of Masons.

•

CLINTON M. WHITE, assistant sales manager of G.B., has left for Pittsburgh to close a product deal.

•

C. AUBREY SMITH has arrived in town. He sails today on the *Berengaria,* getting back in September.

•

WILLIAM BRANDT is around again after undergoing an operation.

•

JOE E. BROWN plans to take a vacation in the east soon.

•

BILLY WILKERSON, publisher of *Hollywood Reporter,* is at the Warwick.

•

ALICE FAYE and JAMES CAGNEY will be guest stars on AL JOLSON's radio program Saturday night.

•

DAN KRENDEL, manager of the Tivoli, Toronto, is in town on a vacation.

•

E. V. DINERMAN, ad chief for RKO in Cincinnati, is in town for a short visit.

•

ARTHUR SOMERS ROCHE's last story, "Hard to Get," has been acquired by Fox.

•

LEWIS MILESTONE gets into town today from the coast.

•

. . . *New Haven*

OTTO BOLLE, Paramount's Detroit manager, dropped in on A. M. KANE the other day on his way from Boston.

JOHN HOWARD, the Bobby Jones of Indianapolis, shot a 77 at the Racebrook Club. The next day he went back and cut it to a 76.

JOHN MOORE of Paramount's Boston exchange, dropped in on A. M. KANE while attending his class reunion at Yale. He used to be a champion pole vaulter and tried to demonstrate the fine points of the stunt in KANE's apartment. A good time was had by all—except KANE.

Expect IATSE Will Realign Local 306

(*Continued from page* 1)

third vice-president and steward of Local 306 in New York, is expected to move for reorganization of the New York unit. Sessions started yesterday.

Although there have been reports Local 306 would be put back on an autonomous basis, this is discounted here. The opinion of international officers is that the charter of the New York local will be lifted and a new one granted under a new name and number. There are said to be certain disruptive elements in the organization which officials want to clear out.

George Browne, president of the I. A. T. S. E., will personally supervise reorganization of Local 306. He plans to leave for Washington Friday night and next week be in New York.

With the arrest of 10 Local 306 pickets Monday night in West 42nd St., this brings the total of the union's sandwich men arrested in the last two weeks to 100. The local is picketing the Times Square, adjacent to Bickford's Restaurant, which is being picketed by other elements.

Charles Carlino has been sentenced to the workhouse for three months after being convicted of placing stench bombs in theatres.

Brandt Joins Law Firm

Joe Brandt has joined the law firm of Hartman, Sheridan, Tekulsky and Pecora as business counsel. He is a lawyer, but says his connection with the firm does not mean he will practice law. He will give advice on problems connected with the industry.

Brandt will leave for the coast on June 22 to study a proposal which the firm is handling for financial interests. He admits he has been negotiating with Pathe, but refuses to discuss the nature of the proposal.

McAdoo Seeks Senate Action On Copyrights

(*Continued from page* 1)

deletion of the provision for the relief of a defendant charged with infringement who could prove he had been duped by a third person, an increase from $5,000 to $20,000 in the maximum recovery for infringement, and elimination of the $250 minimum.

Films are more directly treated in the new version of the bill, which provides that "the right to exhibit the copyright work publicly if it be a motion picture" may be acquired just as the right to perform or produce a drama.

Much of the committee's report was directed to a discussion of the minimum penalty clause which was eliminated. "The existence of such a provision, as well as some others of the remedial provisions has a significance much larger than the mere matter of collecting damages," it was declared.

"Producers and consumers of literary and artistic works make use of these provisions as bargaining points in their original contracts of purchase and sale. It is believed that such use goes far beyond what should be expected from a normal reliance of property owners upon the law to defend them against unauthorized uses of their property.

Sees Changes Since 1909

"The committee is firmly of the opinion that to eliminate the statutory minimum of $250 for infringement without proof of damage is to eliminate the chief factor in the use of the law for bargaining, sometimes for coercive purposes, between producers and consumers of copyrighted works. Moreover, since 1909, when the present law was enacted, the methods of using copyrighted works have developed with amazing rapidity. For the law to attempt to fix a specified sum as minimum damages in view of the growth of this usage would seem wholly unreasonable."

The increase in the maximum, the committee contended, "seems proper in view of the vast increase in recent years in the value of copyrightable material. So many palpable injustices have arisen from the present law that courts have acquired a dislike for handling such cases and have come to feel that the law is wrong. It is believed that with the enactment of this provision of the bill the courts will realize that the statute lays a foundation under which they can do justice and that they may be relied upon to utilize their full powers and abilities to such end."

Because of the delay in moving the legislation, the effective date of the amendments has been advanced from July 1, as originally contemplated, to Nov. 1 next.

Ascher Suit Over Sheridan Is Ended

CHICAGO, June 18.—Ascher Brothers' suit against Essaness, involving control of the Sheridan, came to a close in court here today in a decision of Judge Lindsay not to disturb the present status of the theatre. The suit was interpreted as an attempt by Loew to enter Chicago.

THE ONLY THING ON EARTH THAT BEATS THE HEAT!



WOW! 30 OPENING ENGAGEMENTS OVER THE WEEK-END SENSATIONAL!

Business equals "Chained" which played last Fall! It takes a real attraction to bring the folks indoors right now. Just an old M-G-M custom to give you HITS when you need 'em. "Public Hero No. 1" doing swell and now "No More Ladies." *Next* season, *this* season, *any* season — M-G-M's the answer!

SEC Studies Workings of Para. Setup

(*Continued from page* 1)

Sir William Wiseman, a partner in Kuhn, Loeb & Co.

Keough explained the beginnings of the company and how it was gradually expanded until at the time it went into receivership it had 501 subsidiary and affiliated companies. Twenty-five per cent of the company's distribution, he said, is through Paramount's own theatres.

Wiseman was questioned regarding representation on the Paramount directorate of partners and relatives of partners of Kuhn, Loeb, as well as profits which that banking organization made through the handling of Paramount issues.

The hearing today was confined to showing the erection of the vast film structure as a preliminary to inquiring into the reorganization operations.

Otterson May Go West with Zukor

(*Continued from page* 1)

had desired for some time. He is expected to spend most of the summer on the coast. Rothacker, former producer, will probably be assigned to the studio as a home office representative, although definite duties or a title have not yet been designated so far as could be learned.

Otterson is reported anxious to familiarize himself with studio problems and needs at the earliest date possible, and to that end is endeavoring to make his first visit to the studio as president of Paramount within the next two weeks. Following his studio survey, Otterson is expected to decide on final details of new contracts being prepared for Henry Herzbrun, studio general manager, and Ernst Lubitsch, studio managing director. These contracts may be signed during Otterson's coast visit, as the Paramount board, which next meets on June 27, will have had an opportunity then to pass on all phases of the new pacts except those to be settled during Otterson's studio visit.

Efforts to reach Otterson yesterday for comment on the reports were unsuccessful, but it was stated that he was endeavoring to arrange a general press conference for either tomorrow or Friday.

Lubitsch and Herzbrun left by train yesterday on their return trip to the coast. They were acompanied by Cecil B. DeMille.

Ask Goldstein Approval

A petition asking approval for the adjustment of a $127,500 theatre mortgage claim filed against Paramount by Samuel and Nathan Goldstein, Massachusetts operators, was submitted to Special Master John E. Joyce yesterday by attorneys for the Paramount trustees. A hearing on the petition was set for June 24.

The mortgage claim is based on a release of the Goldsteins from liability at the time Paramount acquired the Rivoli, Chicopee, Mass. It provides for allowance of the $127,500 claim at $55,000 and the assignment of the claim in that amount to the reorganized G-B Theatres Corp., a Paramount New England subsidiary, which agrees in turn to reduce the mortgage $27,500.

Wall Street

Fox Gains ¾ on Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1) 64		63½	63½	+ ⅛
Consolidated	3⅝	3⅝	3⅝	+ ⅛
Cons. pfd (1¼v)..	14⅞	14⅞	14⅞	+ ¼
Eastman 1	47⅜	146¾	147⅜	+ ⅜
Fox Film "A" ...	15¼	14⅞	15¼	+ ¾
Loew's	41¾	41¼	41½	.....
Paramount	3⅝	3½	3⅝	.....
Pathe	⅝	½	½	— ⅛
Pathe "A"	9¾	9½	9¾	— ½
RKO	2	2	2	.....
Warner	4¼	4	4	.....
Warner, pfd	25¾	24¾	25¾	+ ¾

Technicolor Up on Curb

	High	Low	Close	Net Change
Technicolor	22	21½	21¾	+ ⅛

Para. Publix Bonds Lead Gains

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11½	11½	11½	— ¼
Loew's 6s '41 ww deb rights..	104⅞	104	104	— ½
Paramount F. L. 6s '47	92⅝	92⅛	92⅝	+ ⅜
Paramount Publix 5½s '50	95	93¾	95	+1
Warner Bros. 6s '39 wd	65⅜	64½	65	+ ½

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 18)

Pass 2 Subsidiary Claims

A claim of $59,224 filed against Paramount by Coast Theatres Corp., a wholly owned California subsidiary, is recommended for allowance in full by Special Master John E. Joyce in a report submitted to the Federal district court yesterday. The claim represented the balance owed the subsidiary by Paramount prior to the latter's receivership.

Another report by Joyce recommended the allowance of a claim filed by John G. Paine at $29,300. The claim was filed against Paramount by Paine as agent for the owners of copyrighted music. Paine represented the Music Publishers' Protective Ass'n.

Two Foreign Men Leaving

Jasper Rapoport, Paramount manager in Cuba, who was here for the company's annual convention, sails for Havana tomorrow aboard the *Peten*. S. E. Pierpoint, branch manager in Cristobal, Canal Zone, also a convention visitor, sails for England on the *Laconia* tomorrow with Mrs. Pierpoint and their son, in continuation of a three months' leave of absence.

Strike Spreads to Seven Mexico Spots

By JAMES LOCKHART

MEXICO CITY, June 18.—The strike of the Cinematographic Employes' Union has spread to seven neighborhood houses. It is predicted that unless exhibitors yield to the union's demands that dismissed workers be reinstated the strike will extend to practically every house here this week. The government is trying to conciliate the dispute.

It is estimated the strike has already cost affected exhibitors more than $20,000.

Operators to Head Fox Theatre Units

Operating heads of the various National Theatres' subsidiaries will be made president of the circuits they supervise. Rick Ricketson, handling the Rocky Mountain district, will be top man in Fox Intermountain, while Elmer C. Rhoden will head the Fox Midwest group.

Conferences between the two operating heads and Spyros Skouras for five-year contracts have started. Ricketson and Rhoden will be here for another week or so before returning west. Arch Bowles, in charge of the San Francisco division for F.W.C., is all set on his pact.

Hess Given Second Verdict for Libel

(*Continued from page* 1)

Shipler, editor-in-chief, for libel. The jury assessed $10,000 as punitive damages and $200 as actual damages. Louis Nizer represented Hess, while Arthur B. King of Bing, Buhler & Miller tried the case for the defendants.

Admitted into the evidence was a judgment rendered a few weeks ago by another jury in favor of Hess against P. S. Harrison of *Harrison's Reports*. The judge directed the jury to take the previous verdict into consideration.

King argued that the *Churchman* had innocently copied an article from *Harrison's Reports;* that Hess had already won a $5,200 verdict for the same libel and that no verdict ought to be given him for an innocent error.

Max D. Steuer, Frederick Wood, Richard Dwight, David L. Podell and Ex-Ambassador Gerard testified for Hess.

Zanuck, Goetz Here To Talk on Product

(*Continued from page* 1)

Darryl Zanuck. Reports have it the company will produce from 10 to 12.

Zanuck arrived from the coast yesterday with William Goetz, his assistant and general manager of 20th Century. Harry Goetz, president of Reliance, was grounded in Kansas City yesterday en route from Hollywood to New York. He left for St. Louis by train in the hopes of getting a plane there.

Zanuck and Goetz plan to remain here 10 days before heading west again.

Fox Wins Contract Verdict in Mineola

Fox yesterday won a $245 decision against Mady Chrystamos of the Mineola, Mineola, L. I., for breach of contract. The defendant admitted he had not lifted all pictures contracted for. Louis Nizer was attorney for the exchange.

United Artists' breach of contract complaint against Fleischman & Hirsch of the Casino, Richmond Hill, L. I., was postponed indefinitely to give both parties time to work out a settlement. The Fox grievance against the Rivoli, Hoboken, was officially marked off the calendar as settled.

Pathe Loan Pledge Influenced Casey

(*Continued from page* 1)

withdraw his application for the appointment of a receiver, Martin E. King, Casey's attorney, said yesterday.

King stated that Pathe attorneys had advised State Supreme Court Justice Edward A. Dore that the Du Pont stock, regarded as one of Pathe's most valuable assets, was pledged as security for the $2,000,000 loan recently made from Bankers Trust Co. and a provision of the loan permits the bank to declare the notes due and payable in the event of the appointment of a receiver for Pathe. In such an eventuality, King said, the Du Pont stock could be liquidated by the bank.

On Monday King withdrew his motion for the appointment of a receiver for Pathe but asked for a preference on the trial calendar for suits against officers and directors of the company asking accountings.

When asked to comment on King's explanation of the withdrawal of his application for a receiver, a Pathe representative said, "Our statement that the appointment of a receiver could result in the Bankers Trust loan being declared due and payable was not news to the plaintiff or King."

Penn. Open Sunday Passed in Senate

(*Continued from page* 1)

by the Senate last week. Concurrence in the amendment was voted. Legislative leaders say there is little if any doubt that Governor Earle will sign the bill, which is now before him.

The Senate amendment eliminated the original mandatory requirement that the proposal be voted upon in every municipal sub-division of the State at the general election next fall and substituted a plan whereby a referendum may be held when a petition signed by five per cent of the votes cast by the dominant party in a district is filed with the authorities.

When the bill came before the Senate today Senator Joseph C. Trainer of Philadelphia offered another amendment which would have made counties, instead of cities, boroughs and townships, the units in which local option might be exercised. The amendment was defeated. The Senate then adopted the bill as amended last week.

This is the final week of the legislative session.

Ontario Amusements Unite in Tax Fight

(*Continued from page* 1)

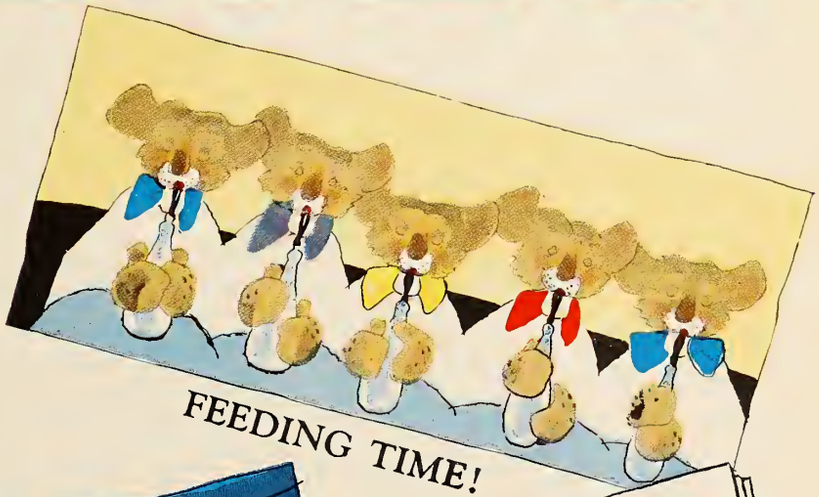
the regulations under which practically all exemptions have been wiped out, the worst blow of all being the imposing of the levy on admissions 25 cents and under. One objective of the association is to get low-priced tickets on the tax-free list once more.

The fight may continue until the fall, when a special session of the Ontario Legislature is to be called to deal with government problems. Exhibitors around the province have reported a big falling off in attendance because of the tax.

MILLION DOLLAR BABIES



THE PROUD PARENTS



FEEDING TIME!



WASH DAY



PLAYTIME

EXTRA DAILY SCHMOOS ★★★

LEO'S KIDS TERRIFIC!



Nation goes Nuts over Junior Lions!

Elected for 1935-36 Box-office winners!

ALL THEATRES DEMAND THEM!

Read the story on following pages—

IT COSTS A FORTUNE TO RAISE 'EM—

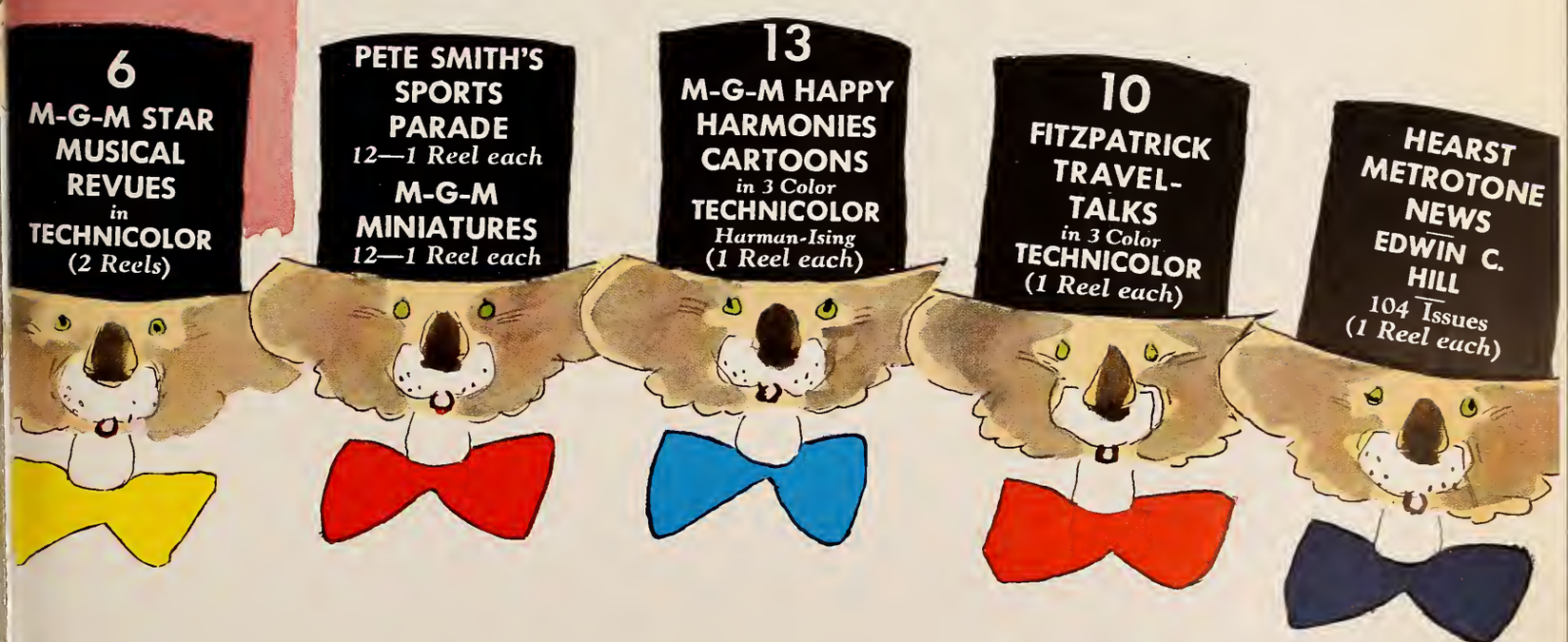
but Papa Leo is sparing no expense to make them the wonder kids of all show business!



MRS. LEO TELLS SOME "INSIDE STUFF"!



"I feed them plenty of STAR names which gives them FEATURE strength. They're brought up at the big studios, M-G-M's and Hal Roach's, so they get the benefit of limitless RESOURCES. They're developed by big time DIRECTORS and WRITERS. And I dress them up in the richest DE LUXE manner — 35% of them in that expensive ***three-color Technicolor.*** No wonder my kids are a sensation on the program. Sometimes they even steal the show!"



A WORD FROM YOUR PAL, HAL!



"Gentlemen, take this as a promise! I'm going to make the best comedies of my career in 1935-36"

(signed) Hal Roach

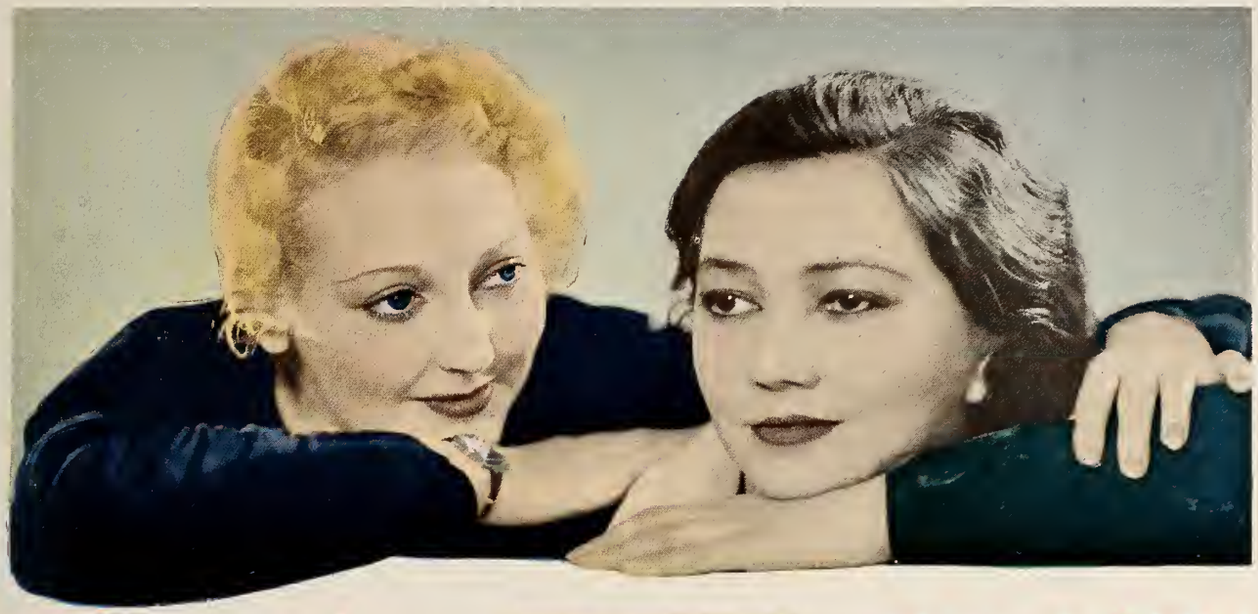


"Me too!"
(signed)
Carl Alfalfa Switzer
"The cockeyed Crooner" of Our Gang



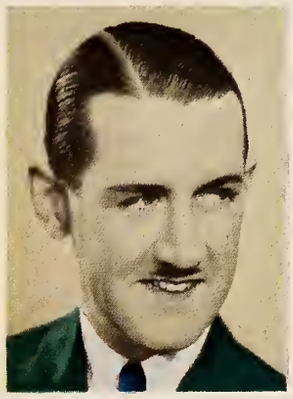
"Okay toots, we'll do our darndest to help!"

(signed) Spanky McFarland and "Our Gang"



THE GIRLS!

Hal Roach has taken options on a bushel of Broadway farces for the laugh use of Thelma and Patsy for 1935-36. Imagine what these "feature-strength" stars will do in boiled down stage hits! Hal will make big grin whoopee with the screen's only team of feminine happy hooligans!



THE GUY!

Charley Chase poked out a comedy home run with "Okay Toots!" If you've screened it, you know! Chase can dance! Chase can sing! Chase can play more musical instruments than there are Dionne kids! Watch him go to town next season—in Broadway hit comedies. Hal Roach has a bundle of them for him!

THE KIDS!

Omaha exhibitors nominated him to star in features after seeing him in "Beginner's Luck!" Critics call him "the male Shirley Temple!" We call him box-office! He's "Spanky"—sparkling star of Hal Roach's "Our Gang" kids! He's "hot!" He's the greatest "Our Gang" trouper Hal Roach has developed in 14 years. And that's saying plenty!



"OUR GANG"
FEATURING
SPANKY
McFARLAND

A SCREENFUL OF HAPPINESS IN '35-'36!

8 THELMA TODD - PATSY KELLY
(Two Reels Each)

8 CHARLEY CHASE
(Two Reels Each)

8 "OUR GANG" *featuring* SPANKY McFARLAND
(Two Reels Each)

BIGGER! BETTER! HAL ROACH COMEDIES!

Stars! Stars! Stars! Stars! Stars!

M-G-M STAR MUSICAL REVUES *in* TECHNICOLOR

6 GREAT ENTERTAINMENTS
in 2 Reels each



"Mr. Exhibitor! Did you care for 'Star Night At Cocoanut Grove' with Mary Pickford, Bing Crosby, Gary Cooper and a host of big name box-office celebrities? Well, I've made arrangements to bring you Six more of these Star-Studded, tuneful, "exploitable" shorts. The big stars appearing in them will mean dollars when you put them in the lights!"

★ "CRIME DOESN'T PAY" SERIES STARTS NEW TREND IN PICTURES THAT SWEEPS INDUSTRY!

★ Sensational short subject is FIRST with new idea!

★ M-G-M's "BURIED LOOT" started feature producers making dramas of Secret Service War Against Crime!

★ PROVES THAT M-G-M's "CRIME DOESN'T PAY" SHORTS HAVE FEATURE DRAW AT BOX-OFFICE!

★ GET READY FOR MORE OF THIS GREAT SERIES!

★ BY PUBLIC DEMAND!



JUST A FEW DROPS FROM SHOWER OF PRAISE!

"... as right, tight and compact a mellerette as an exhib would want to round out a program. To bring back single picture programs...it's one of the best shorts made." —*Variety*

"...will provoke more audience interest than most features..." —*M. P. Daily*

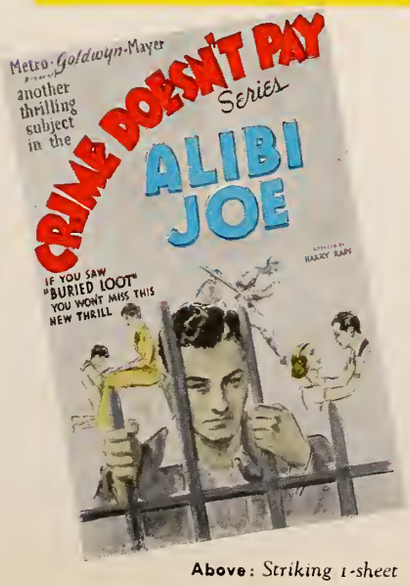
"...excellent idea...should be extremely profitable to public and theatre men." —*Arthur Brisbane*

"...packed with suspense!" —*M. P. Herald*

6 CRIME DOESN'T PAY

Tabloid Dramas

2 Reels Each



Above: *Striking 1-sheet*

Produced at M-G-M Studios with Feature Names and Directors!

Get set... for "Alibi Joe," first of the new season's "Crime Doesn't Pay" series, directed by George B. Seitz!

Get set... for a roaring crime drama that zooms beyond "Buried Loot" in crackling thrills!

Get set... for more Page One publicity breaks and the united, cheering support of police, clergy and civic groups!

Get set...for all six of these timely, tabloid triumphs! Every one is a true crime story! Every one will hit "Crime Doesn't Pay" from a new angle! Every one can be sold like a feature! Remember "Buried Loot" and...get set!

PROMOTION!

Watch For The "Alibi Joe" Pressbook — Crowded With Giant Campaigns That Clicked On "Buried Loot"! See The Posters! See The Ads! See The Tieups!



...Showmen Put His Name In Lights From Coast To Coast!

...M-G-M's Clipping Bureau Shows That He's In The Ads!

...His Studio Fan Mail Is Amazing!

...Unseen—Yet One Of The Most Potent Stars In The Industry!

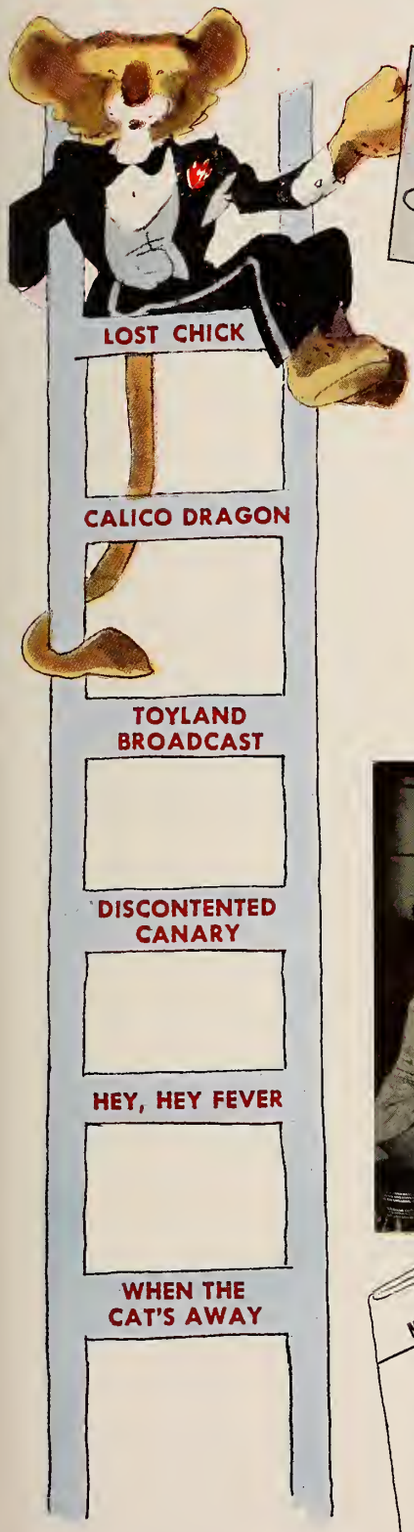
ONE REEL EACH!

MR. & MRS. PUBLIC LIKE PETE SMITH!

12 PETE SMITH SPORTS PARADE
12 PETE SMITH MINIATURES

(One Reel Each)

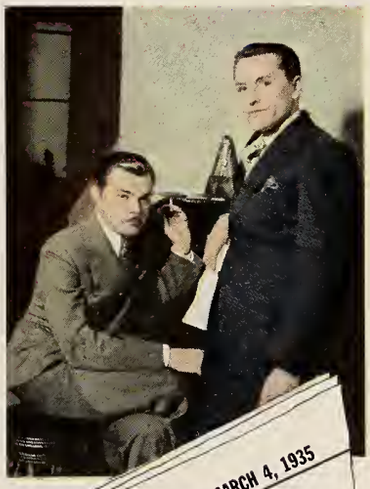
HERE'S WHAT HAPPENED IN CARTOONS IN ONE YEAR!





Leo climbed the ladder, hit by hit, until now he's at the TOP!

HAPPY HARMONIES *Technicolor* CARTOONS IN FIRST PLACE!



MONTREAL DAILY STAR—MARCH 4, 1935

The "Front" Show

THE campaign to wrest from _____ his monopoly on inspired cinematic cartoons in color is beginning to assume threatening proportions. Two partners, Harman and Ising, of the M. G. M. studios, are apparently the chief conspirators, and their latest volley is being fired at the Capitol, where "When the Cat's Away" evokes both laughter and applause. This is a little gem of a tinted cartoon. In the "front" show at the Capitol there is also a contribution by James Fitzpatrick, a Travel Talk called "Rainbow Canyons," the loveliest piece of color work since Fitzpatrick adopted that medium. But the main feature of this week's "front" show is the warning finger which is being pointed at the whimsical Mr _____. Watch out, _____!

Meet Hugh Harman and Rudolph Ising! Join M-G-M in a salute to their genius!

Today . . . while the nation rings with applause for their "Good Little Monkeys" . . . they're knee-deep in even greater plans for the Harman-Ising Cartoons of tomorrow! They're using **three tone Technicolor** instead of two! They've doubled their studio space and almost tripled their staff! They're ready to make every Happy Harmonies subject an All-American event! *To the left we reprint an editorial that says a mouthful. Read it again!*

13 HAPPY HARMONIES CARTOONS
in Three Color
TECHNICOLOR
(One Reel Each)



A prediction. "JAPAN—IN CHERRY BLOSSOM TIME," first of the new season's Traveltalks, will be a leading contender for the Academy Award of 1936

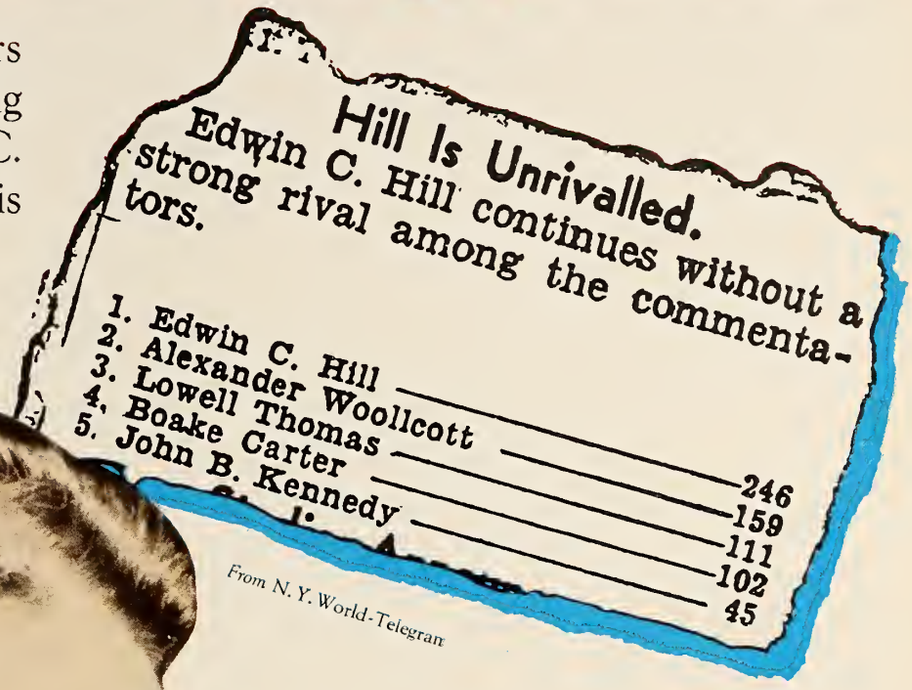
TRAVEL DE LUXE

Colors . . . *warm and alive!* Music . . . *haunting and beautiful!* Voices . . . *rich and golden!* Romance . . . *of alluring far places!* No wonder each Fitzpatrick Traveltalk is a veritable poem in pictures! No wonder that pictures like "Holland in Tulip Time" are played again and again. Mexico, Japan, Spain, Egypt, Canada, Austria — these are but a few of the glamorous locales of Fitzpatrick Traveltalks to come! Each will be in color! Each will be thrilling! No wonder M-G-M jubilantly presents this new series, confident in its enormous box-office appeal.

10 FITZPATRICK TRAVELTALKS *in 3 color* TECHNICOLOR

HILL RE-ELECTED!

Every year the radio editors of America vote for the leading news commentator. Edwin C. Hill won by a landslide this year again! He sells tickets!





M-G-M's PROUD OF ITS NEWSREEL!

Proud . . . because its business sky-rocketed 33 per cent in the last twenty-four months!

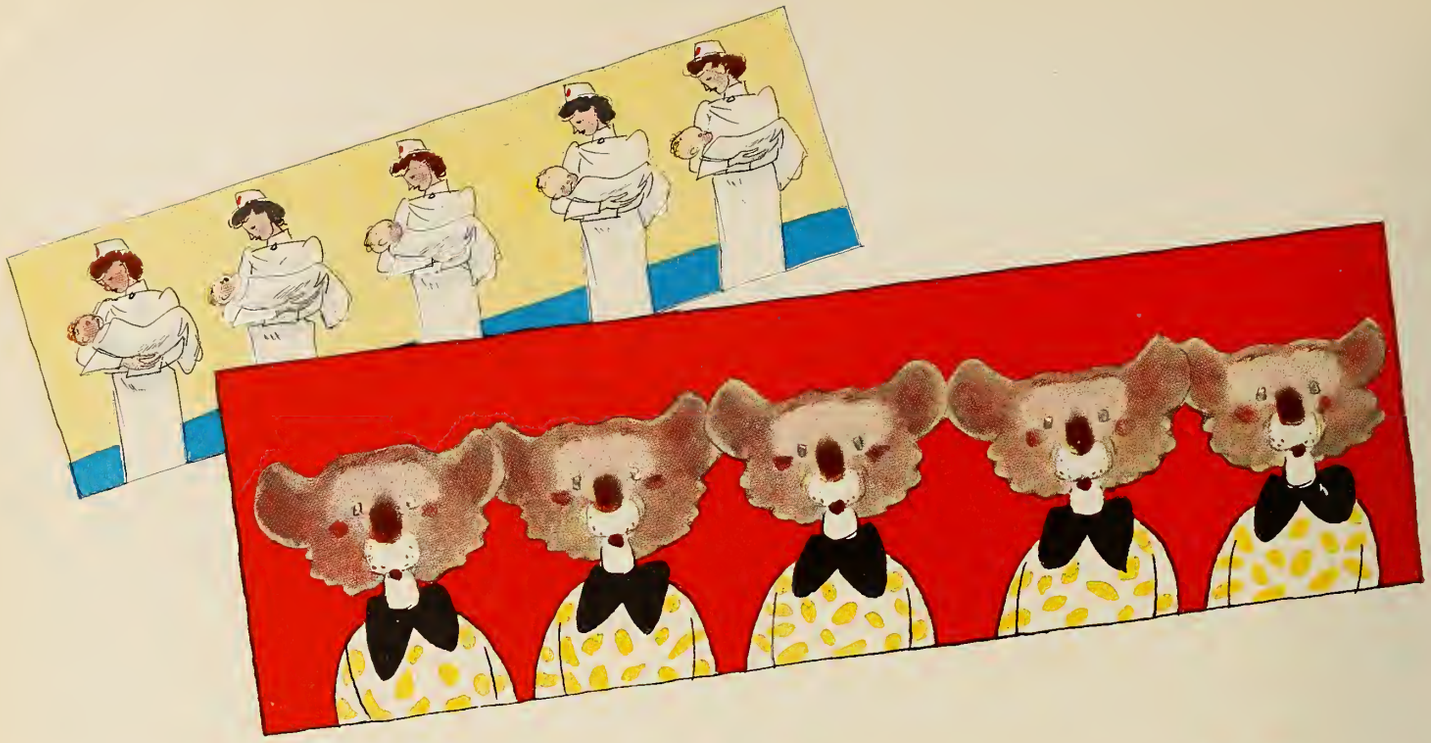
Proud . . . because it is first with the news from a thousand frontiers!

Proud...because it dominates its field in powerful, national newspaper publicity.

Proud . . . because it has the magic voice of Edwin C. Hill!

Twice Weekly
One Reel Each

HEARST METROTONE NEWS
featuring
EDWIN C. HILL
The Globe Trotter



THE WORLD'S MOST POPULAR JUNIORS!

M-G-M SHORTS 1935-36

HAL ROACH COMEDIES
2 Reels Each

8—Todd-Kelly
8—"Our Gang"
8—Charley Chase

M-G-M JUNIOR FEATURES
2 Reels Each

6—"Crime Doesn't Pay"
6—M-G-M Star Musical Revues in Technicolor

1-REEL RELEASES

12—Pete Smith Sports Parade
12—Pete Smith Miniatures
13—M-G-M Happy Harmonies Cartoons in Three Color Technicolor
10—Fitzpatrick Traveltalks — Three Color Technicolor
104 Issues—Hearst Metrotone News

FIRST . . . in star names!

FIRST . . . in shrewdly planned advertising values!

FIRST . . . because they are backed by the unparalleled resources of the M-G-M studios!

AND AGAIN—*35% of 1935-36 Shorts Will Be in 3-Tone TECHNICOLOR.*

The **FIRST COMPANY** *is naturally* **FIRST** *in* **SHORTS!**

"10th Ave.," Duchin Lead Washington

WASHINGTON, June 18.—Outstanding in a week of unusual low grosses, in spite of the presence of 100,000 Shriners, was "The Girl from 10th Ave." at the Earle, with $20,400. Eddie Duchin and his orchestra were on the stage. The gross was $2,000 over par.

The Metropolitan took $5,100 for "The Florentine Dagger," the only other house to go over average last week.

Other first runs swooped down, Loew's Fox hitting $19,800 for "Public Hero No. 1" and a stage show. Loew's Palace, with "Doubting Thomas," took $15,000, but nevertheless went into a second week. Loew's Columbia hit $3,200 with "It's a Small World."

Total first run business was $74,600. Average is $77,100.

Estimated takings, exclusive of tax:

Nine Days Ending June 12:

"THE UNFINISHED SYMPHONY" (G. B.)

BELASCO—(1,052), 25c-65c, 9 days, 3rd week. **Gross:** $1,100. (Average, first week, $2,200)

Nine Days Ending June 11:

"SINS OF LOVE" (Cummins)

LITTLE—(318), 35c-40c, 9 days, 5th week. **Gross:** $1,000. (Average, first week, $1,200)

Week Ending June 13:

"GIRL FROM 10TH AVE." (F. N.)

EARLE—(2,218), 25c-77c, 7 days. Stage: Eddie Duchin & Orchestra, Arthur Boran, Powell & Nedra. **Gross:** $20,400. (Average, $18,400)

"IT'S A SMALL WORLD" (Fox)

LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days. **Gross:** $3,200. (Average, $3,600)

"PUBLIC HERO NO. 1" (M-G-M)

LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Al Siegel & Carolyn Marsh, Don Lee & Louise, Charlie Foy, Sammy White. **Gross:** $19,800. (Average, $20,900)

"DOUBTING THOMAS" (Fox)

LOEW'S PALACE—(2,370), 35c-77c, 7 days. **Gross:** $15,000. (Average, $15,900)

"THE FLORENTINE DAGGER" (Warners)

METROPOLITAN—(1,591), 25c-40c, 7 days. **Gross:** $5,100. (Average, $4,300)

Eight Days Ending June 13:

"ESCAPE ME NEVER" (U. A.)

RKO-KEITH'S—(1,836), 25c-55c, 8 1/3 days. **Gross:** $9,000. (Average, seven days, $10,600)

"Werewolf" Leads Oklahoma's Takes

OKLAHOMA CITY, June 18.—Universal had a big week here. "Werewolf of London," helped by a stage show, reached $2,200 at the Liberty in four days. Normal for seven days is $2,500.

"Mr. Dynamite" at the Capitol garnered $2,400, over par by $200, in seven days. "The Flame Within" and "Cardinal Richelieu" were both weak.

Total first run business was $11,750. Average is $13,500.

Estimated takings for the week ending June 15:

"THE FLAME WITHIN" (M-G-M)

CRITERION—(1,700), 10c-26c-36c-55c, 7 days. **Gross:** $3,500. (Average, $5,000)

"CARDINAL RICHELIEU" (U. A.)

MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $3,200. (Average, $4,000)

"MR. DYNAMITE" (Univ.)

CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $2,400. (Average, $2,000)

"WEREWOLF OF LONDON" (Univ.)

LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. **Gross:** $2,200. (Average week, $2,500)

"GRAND OLD GIRL" (Radio)

LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $450. (Average week, $2,500)

"Oil" Leads Omaha With $5,250 Take

OMAHA, June 18.—"Oil for the Lamps of China" did well in spite of a trolley strike and the opening of the racing season. The take at the Brandeis was $5,250, over average by $1,750.

In spite of this heavy competition, "Doubting Thomas" and "Dinky" went over the line by $250 for a gross of $8,750 at the Orpheum.

Total first run business was $18,200. Average is $16,500.

Estimated takings:

Week Ending June 11:

"WEREWOLF OF LONDON" (Univ.)
"THE DARING YOUNG MAN" (Fox)

OMAHA—(2,200), 25c-40c, 6 days. **Gross:** $4,200. (Average, $4,500)

Week Ending June 12:

"OIL FOR THE LAMPS OF CHINA" (F. N.)

BRANDEIS—(1,200), 25c-35c-40c, 7 days. **Gross:** $5,250. (Average, $3,500)

Week Ending June 13:

"DOUBTING THOMAS" (Fox)
"DINKY" (Warners)

ORPHEUM — (3,000), 25c-40c, 8 days. **Gross:** $8,750. (Average, $8,500)

Buffalo in Slump; "Caliente" Is First

BUFFALO, June 18.—Below normal business prevailed again in a week of pleasant weather. "In Caliente" made the best comparative showing at $7,400, while the odd double bill, "The Informer" and "Nit Wits," built up strongly and finished only $100 behind.

Total first run take was $34,400. Normal is $42,800.

Estimated takings for the week ending June 14:

"THE GLASS KEY" (Para.)

BUFFALO — (3,500), 30c-55c, 7 days. Stage: Paul Small, Joe Donatella & Bro., Bob Ripa, Alexander & Santos. **Gross:** $9,800. (Average, $14,300)

"MURDER IN THE FLEET" (MGM)
"IT'S A SMALL WORLD" (Fox)

CENTURY—(3,000), 25c, 7 days. **Gross:** $5,000. (Average, $6,000)

"THE INFORMER" (Radio)
"NIT WITS" (Radio)

GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $7,300. (Average, $8,000)

"IN CALIENTE" (F. N.)

HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $7,400. (Average, $8,000)

"SCHOOL FOR GIRLS" (Liberty)
"TWO HEADS ON A PILLOW" (Liberty)

LAFAYETTE—(3,000), 25c, 7 days. **Gross:** $4,900. (Average, $6,500)

"Glass Key" Twin Cities' Best Grosser

MINNEAPOLIS, June 18.—"The Glass Key" was by far the strongest attraction of the week on both sides of the river. It topped normal by $1,000 on a gross of $6,500 at the State and was also $500 over par on a take of $6,000 at the St. Paul Paramount.

"Thunder in the East" demonstrated considerable strength by grossing $4,000, up by $1,000, at the World. "Break of Hearts" passed normal by $700 on a take of $4,700 at the St. Paul Orpheum.

Total first run business in Minneapolis was $24,900. Average without the Alvin is $21,500. Total St. Paul business was $18,400. Average is $16,000.

Estimated takings:

Minneapolis:

Week Ending June 13:

"THE DEVIL IS A WOMAN" (Para.)

CENTURY — (1,650), 25c-40c, 7 days. **Gross:** $4,500. (Average, $4,000)

"DINKY" (Warners)

LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending June 14:

"IN CALIENTE" (F. N.)

ORPHEUM — (2,900), 25c-40c, 7 days. Stage show. **Gross:** $6,000. (Average, $5,500)

"THE GLASS KEY" (Para.)

STATE—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $6,500. (Average, $5,500)

"THE ROGUE OF THE RIO GRANDE"

PALACE — (900), 16c-25c, 7 days. Five acts vaude. **Gross:** $2,400. (Average, $2,000)

"THUNDER IN THE EAST" (G. B.)

WORLD—(400), 25c-55c, 7 days, 2nd week. **Gross:** $4,000. (Average, $3,000)

St. Paul:

Week Ending June 14:

"THE GLASS KEY" (Para.)

PARAMOUNT—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $6,000. (Average, $5,500)

"ONE NEW YORK NIGHT" (M-G-M)

RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

"BREAK OF HEARTS" (Radio)

ORPHEUM — (2,000), 25c-40c, 7 days. **Gross:** $4,700. (Average, $4,000)

"MARK OF THE VAMPIRE" (M-G-M)

TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,700. (Average, $1,500)

"MODERN MOTHERHOOD" (Cummins)

WORLD—(400), 25c-35c, 7 days. **Gross:** $2,000. (Average, $1,500)

"Oil" Is Only Seattle Draw; Takes $4,900

SEATTLE, June 18. — Summer hit box-offices heavily, with "Oil for the Lamps of China" the only attraction doing anything remotely resembling good business. The take at the Music Box was $4,900, over par by $900.

The only other spot to get on the profit side of the line was the Liberty with a dual bill consisting of "The Unwelcome Stranger" and "Men of the Hour," which garnered $4,200.

Total first run business was $23,700. Average is $35,000.

Estimated takings for the week ending June 15:

"LES MISERABLES" (U. A.)

BLUE MOUSE—(950), 25c-40c-55c, 4 days, 3rd week. **Gross:** $1,800. (Average, $4,000)

"IN CALIENTE" (F. N.)

BLUE MOUSE—(950), 25c-40c-55c, 3 days. **Gross:** $3,100. (Average, $4,000)

"UNDER THE PAMPAS MOON" (Fox)

FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $5,800. (Average, $7,000)

"THE UNWELCOME STRANGER" (Col.)
"MEN OF THE HOUR" (Col.)

LIBERTY—(1,800), 10c-15c-25c-35c, 7 days. **Gross:** $4,200. (Average, $4,000)

"OIL FOR THE LAMPS OF CHINA" (F. N.)

MUSIC BOX—(950), 25c-40c-55c, 7 days. **Gross:** $4,900. (Average, $4,000)

"THE INFORMER" (Radio)
"DINKY" (Warners)

ORPHEUM—(2,450), 25c-35c-40c, 7 days. **Gross:** $5,200. (Average, $6,000)

"MARK OF THE VAMPIRE" (M-G-M)
"STOLEN HARMONY" (Para.)

PARAMOUNT — (3,050), 25c-35c-40c, 7 days. **Gross:** $4,700. (Average, $6,000)

Doctors to Honor Levin

Jack H. Levin of the Copyright Protection Bureau will be honored on Saturday by the board of directors of the Social Service Department of the medical staff of the Hospital for Joint Diseases at the hospital's Breezy Point camp. Dr. Leo Michel, Congressman Cohen and Joe Moharan are in charge of the program. Levin has been active in the work of the League for the Welfare of Crippled Children for the past 10 years.

"Oil" Pulls Big $22,000, Frisco's Top

SAN FRANCISCO, June 18.—"Oil for the Lamps of China" was in the heavy money last week. It reached $22,000, up by $2,000, at the Warfield.

Next best attraction was "Les Miserables" which garnered $9,500, over the line by $1,500, at the United Artists. "Our Little Girl" and "Alibi Ike" on a dual bill at the St. Francis went over the line $500 for a total of $7,500. "Hooray for Love" took a par $13,000 at the Golden Gate, but elsewhere there was little to get excited about.

Total first run business was $83,000. Average is $82,000.

Estimated takings:

Week Ending June 11:

"HOORAY FOR LOVE" (Radio)

GOLDEN GATE—(2,860), 25c-35c-40c, 7 days. Stage, band. **Gross:** $13,000. (Average, $13,000)

Week Ending June 12:

"THE PEOPLE'S ENEMY" (Select-Radio)
"ALIAS MARY DOW" (Univ.)

FOX—(4,600), 15c-30c-40c, 7 days. **Gross:** $8,000. (Average, $9,000)

Week Ending June 13:

"UNFINISHED SYMPHONY" (G. B.)

EMBASSY — (1,200), 25c-35c, 7 days. **Gross:** $4,500. (Average, $5,000)

"CHINATOWN SQUAD" (Univ.)
"THE HEALER" (Republic)

ORPHEUM—(3,000), 15c-35c-40c, 7 days. **Gross:** $7,000. (Average, $8,000)

"OUR LITTLE GIRL" (Fox)
"ALIBI IKE" (Warners)

ST. FRANCIS—(1,400), 15c-35c-40c, 7 days. **Gross:** $7,500. (Average, $7,000)

"LES MISERABLES" (U. A.)

UNITED ARTISTS—(1,200), 15c-35c-40c, 7 days. **Gross:** $9,500. (Average, $8,000)

"GIRL FROM 10TH AVENUE" (Warners)
"COLLEGE SCANDAL" (Para.)

PARAMOUNT—(2,670), 25c-35c-40c, 7 days. **Gross:** $10,500. (Average, $11,000)

"OIL FOR THE LAMPS OF CHINA" (F. N.)

WARFIELD—(2,700), 25c-35c-40c-55c, 7 days. Stage, band. **Gross:** $22,000. (Average, $20,000)

Week Ending June 14:

"GIRLS FROM THE OLD TOWN" (Swedish)

CLAY—(400), 25c-50c, 7 days. **Gross:** $1,000. (Average, $1,000)

"People Will Talk" Indianapolis Ace

INDIANAPOLIS, June 18. — "People Will Talk" was the big noise in a generally dull week. It took $9,000, above normal by $2,000, at the Lyric, helped by Noble Sissle and a stage show.

"Public Hero No. 1" was $500 over the line on a gross of $5,000.

Total first run business was $20,750. Average is $20,500.

Estimated takings for the week ending June 15:

"UNDER THE PAMPAS MOON" (Fox)

APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $2,750. (Average, $4,000)

"GIRL FROM 10TH AVE." (F. N.)

CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $4,000. (Average, $5,000)

"PEOPLE WILL TALK" (Para.)

LYRIC—(2,000), 25c-40c, 7 days. Noble Sissle stage show. **Gross:** $9,000. (Average, $7,000)

"PUBLIC HERO NO. 1" (M-G-M)

LOEW'S—(2,800), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,500)

RKO Sets 14 Titles; List To Total 48

(*Continued from page* 1)

of these will be with Fred Astaire and Ginger Rogers. One, "Top Hat," is complete. Another is "Follow the Fleet" and a third was not named. A fourth musical on the list was given as "To Beat the Band" and the fifth was not named. Lily Pons, Metropolitan Opera star, will make her debut in another with music tentatively called "Love Song."

Two features in color from Pioneer are scheduled, with Merian C. Cooper as producer.

Katharine Hepburn is scheduled for three: "Mary of Scotland," Theatre Guild play in which Helen Hayes starred on the stage, to be directed by John Ford; "Sylvia Scarlett," modern romantic drama based on Compton Mackenzie's novel and to be directed by George Cukor, and "Quality Street," J. M. Barrie story in which Maude Adams appeared.

Bert Wheeler and Robert Woolsey are down for two features to be produced by Lee Marcus. One, tentatively titled "The Rainmakers," will be directed by Fred Guiol.

Irene Dunne is scheduled for one or more, neither of which is named. Ann Harding is down for two, Gene Raymond for two, Richard Dix for two, Charles Boyer for one.

Barbara Stanwyck will be starred in "Shooting Star," a story of the life of Annie Oakley, famous markswoman of frontier days, and William Powell will return to the studio to appear in "Two O'Clock Courage," from Gelett Burgess' novel.

Comedy for Miss Rogers

In addition to the three co-starring musicals with Fred Astaire, Ginger Rogers will star in a straight comedy, "In Person," to be directed by William Seiter from a Samuel Hopkins Adams story, with Pandro S. Berman supervising. There may be other Rogers' solo-starring films, it was stated.

Two of the outstanding pictures of the year, Depinet stated, will be "The Return of Peter Grimm," from David Belasco's stage hit, with Lionel Barrymore starring, and "Mr. Grant," a biographical drama based on the life of the Civil War leader.

John Ford is also scheduled to direct "The Plough and the Stars," Sean O'Casey's Irish drama. James Gleason will be seen in two unnamed features.

The titles definitely announced follow:

"Mary of Scotland," starring Katharine Hepburn, to be directed by John Ford.

"Sylvia Scarlett," starring Katharine Hepburn, to be directed by George Cukor, a modern romantic drama from Compton Mackenzie's novel.

"Quality Street," starring Katharine Hepburn. From the J. M. Barrie story in which Maude Adams appeared.

"Top Hat," musical with score by Irving Berlin, co-starring Fred Astaire and Ginger Rogers. Completed and scheduled for fall release. Pandro S. Berman, producer.

"Follow the Fleet," also with Irving Berlin music, co-starring Fred Astaire and Ginger Rogers, to be released during midwinter holiday season. To be directed by Mark Sandrich, with Pandro S. Berman as producer.

"Love Song," tentative title, starring Lily Pons, Metropolitan Opera star. To be directed by John Cromwell, with Pandro S. Berman producing.

"The Rainmakers," Wheeler and Woolsey co-starring vehicle, to be directed by Fred Guiol, with Lee Marcus producing.

"The Return of Peter Grimm," David Belasco stage success, with Lionel Barrymore starring.

"Shooting Star," a story of the life of Annie Oakley, starring Barbara Stanwyck.

"Two O'Clock Courage," from the Gelett Burgess novel, starring William Powell.

"In Person," a Samuel Hopkins Adams story, to be directed by William Seiter and supervised by Pandro S. Berman.

"Mr. Grant," biographical drama based on the highlights of General Grant's career. Announced as one of the season's most important productions.

"The Plough and the Stars," based on Sean O'Casey's Irish drama, with John Ford directing.

"To Beat the Band," a musical.

Eight Radio Producers Listed

CHICAGO, June 18.—In discussing the RKO Radio studio production setup before the convention today Ned E. Depinet described it as "a distinguished group of picture-wise producers and thorough showmen."

Pandro S. Berman, Merian C. Cooper of Pioneer Pictures, Edward Kaufman, Kenneth Macgowan, Lee Marcus, Zion Meyers, Cliff Reid and Robert F. Sisk were named as the men who will produce the product.

Berman was given credit for some of the company's "greatest hits"—"Roberta," "The Little Minister," "Morning Glory" and others. Cooper's record during the past two years was described as "memorable." He has two Technicolor features scheduled for the new list.

Kaufman, on the lot for the past two years as a writer, gets his first assignment as a producer on "Husk," from a story by Thomas Walsh. Macgowan has been promoted from the headship of the story department to an associate producership. He worked on "Becky Sharp" and will supervise "The Return of Peter Grimm," starring Lionel Barrymore. Marcus has worked on comedy shorts and Wheeler and Woolsey features for a long period.

Meyers has been an assistant to Berman on the larger musical features for some time. His first assignment as an associate producer was on "Old Man Rhythm." Reid has been producing for some time.

Sisk is a newcomer as an associate producer. He is former director of advertising and publicity and until recently an assistant to J. R. McDonough.

42 Stars and Featured Names

CHICAGO, June 18.—Forty-two stars and featured players are under contract to appear in the features to be produced by Radio during 1935-36, Ned E. Depinet told the sales convention at the Drake today.

Among the headliners he listed Katharine Hepburn, Fred Astaire, Ginger Rogers, Lily Pons, Bert Wheeler, Robert Woolsey, Richard Dix, James Barton, Ann Harding, Irene Dunne, William Powell, Gene Raymond, Charles Boyer, Barbara Stanwyck, Anne Shirley and Lionel Barrymore.

In support of these will be Margot Grahame, Buddy Rogers, James Gleason, Helen Mack, John Beal, Helen Broderick, Walter Abel, Helen Westley, Preston Foster, Betty Grable, Dave Chasen, Eric Blore, Erik Rhodes, Margaret Hamilton, John Wood, Rosamond Pinchot, Helen Parrish, Alan Hale, Evelyn Roe, Molly Lamond, Ray Mayer, Margaret Callahan, Willie Best, Jane Hamilton, Virginia Reid, Maxine Jennings, Hazel Forbes and Kay Sutton.

New personalities are to be introduced, too, Depinet stated.

Ten Directors Under Contract

CHICAGO, June 18.—Ten directors are under contract for the coming season's lineup, the RKO Radio convention was told today.

They are John Cromwell, George Cukor, John Ford, Philip Moeller, George Nicholls, Jr., Stephen Roberts, John Robertson, Mark Sandrich, William Seiter and George Stevens.

Cromwell, under long term contract, is regarded as one of the company's aces. He has been assigned the direction of Lily Pons' first, "Love Song." Cukor gets one of the three Katharine Hepburn vehicles, "Sylvia Scarlett." Ford will do at least two, one of which will be "The Plough and the Stars," and the other, "Mary of Scotland," starring Hepburn.

Nicholls has already completed "The Return of Peter Grimm." Roberts has been assigned to "Mr. Grant." Sandrich will continue on the Astaire-Rogers musicals.

Seiter is scheduled for "In Person," a Ginger Rogers starring comedy.

Negotiations are under way, it was stated, for other directors.

In addition to these, the shorts will be directed by Alf Goulding, Al Boasberg, Fred Guiol, Ben Holmes, Arthur Ripley, Lee Jason, Joe Fields, John Grey, Les Goodwin, Jack Townley and Eddie Moran.

Shorts Series Gains

CHICAGO, June 18.—Van Beuren's share of RKO Radio's short subject lineup will have a greater number of series with fewer subjects in each, the convention at the Drake was told today by Don Hancock, production supervisor.

Novelty and diversity will be sought, he promised, and the three-color Technicolor process will be used in the cartoons.

Hancock was making his first appearance before an RKO convention. He has held his production post for several months, however.

One of the new features will be the Bill Corum series of sports pictures, Hancock said. Corum, a well known sports writer, will write and deliver the narration on each picture and will supervise them on location. There will be seven in the series. Two are in the making, "Bugle from the Blue Grass," a horse racing subject, and "Boxing."

New titles have been selected for the Easy Aces and travel series. The former will be known as "The Easy Aces Series" and the latter will be called "The World Parade." There will be 13 of the Aces, an increase from last season's six, and there will be seven of the travel pictures, with songs and music and narration by Alois Havrilla.

In commenting on the fact that six "Dumb Bell Letters" were set on the program, Hancock said this would be the minimum with the possibility that they might be increased later.

H. L. and Stacy R. Woodward will have six in the "Struggle to Live" series, with subjects ranging from the tropics to the Arctic. The first, "Neptune's Mysteries," with octopi, has been completed.

This will make a total of 52 single reels with not more than 13 reels in any single series for the purpose of increasing the diversity of the program.

Holds Cooperation Necessary

CHICAGO, June 18.—The sales and advertising and publicity departments must be inseparable if a company is to function 100 per cent, S. Barret McCormick, advertising and publicity head of RKO Radio, told the convention today. "It is the obligation of salesmen to team with the ad men and press agents," he said.

Red Kann, editor of MOTION PICTURE DAILY, pointed out to the conventioneers that the measure of success next season will be governed by the ability of the studio to deliver box-office product.

Radio Renews Four Pacts

HOLLYWOOD, June 18.—Radio has picked up options on Preston Foster, George Nicholls, Jr., Ray Mayer, and Anthony Veiller. Foster is now working in "The Last Days of Pompeii," Nicholls recently completed directing "The Return of Peter Grimm," Mayer played in "The Arizonian" and Veiller is on the writing staff.

Berlin Sings a Bit

Chicago, June 18.—Irving Berlin, who wrote the music and lyrics for "Top Hat," Radio's opener for the new season with Fred Astaire and Ginger Rogers, made a hit at the convention this afternoon when even his cracked falsetto voice failed to dim the obvious enthusiasm for the numbers which he sang from the picture without benefit of piano accompaniment.

"Piccolino" in particular went over big, with "Top Hat, White Tie and Tails" and "Cheek to Cheek" in second and third place.

What They're Down For

Chicago, June 18.—*Stellar assignments thus far made for the RKO Radio lineup follow:*

FRED ASTAIRE—Co-starred with Ginger Rogers in "Follow the Fleet," "Top Hat" and a third unnamed so far.

LIONEL BARRYMORE—Star in "The Return of Peter Grimm."

CHARLES BOYER—Star in one unnamed so far.

RICHARD DIX—Star in two unnamed.

IRENE DUNNE—Star in one or more unnamed.

JAMES GLEASON—Star in two unnamed.

ANN HARDING—Star in two unnamed.

KATHARINE HEPBURN—Star in "Quality Street," "Sylvia Scarlett" and "Mary of Scotland."

LILY PONS—Star in "Love Song."

WILLIAM POWELL—Star in "Two O'Clock Courage."

GENE RAYMOND—Star in one or more unnamed.

GINGER ROGERS—Star in "In Person" and co-starred with Fred Astaire in "Follow the Fleet," "Top Hat" and a third unnamed so far.

BARBARA STANWYCK—Star in "Shooting Star."

WHEELER & WOOLSEY—Star in "The Rainmakers" and another unnamed so far.

"Time" No Newsreel Competitor—Martin

CHICAGO, June 18.—John S. Martin, managing editor of *Time*, attempted to end speculation as to whether "March of Time" would conflict with Pathe News on the RKO Radio schedule by telling the conventioneers at the Drake today that he did not consider them competitive.

"Just as *Time Magazine* is in no sense competitive to the daily newspaper, so is 'March of Time' a different form of screen journalism entirely non-competetive with the long established and universally accepted newsreel.

"Now that four issues of 'March of Time' have gone over, we feel that we are ready to go places," he said. "We must follow the news, study it, and when we can see it breaking significantly, as far ahead as possible, but not always ahead, then we'll go out and get it for you and our mutual public. As the history of our time unfolds we will picture memorable parts of it as intelligently, as forcibly, as fearlessly as we know how. So far this formula looks good to us."

A special 16-page RKO issue of *Time* was released this afternoon to conventioneers by the producers of "March of Time." The issue contained official announcement of the reel's distribution by RKO. Ned Depinet thereby was the first film executive to grace the coveted front-page picture spot hitherto devoted to world rulers, political figures and leading lights in commerce and arts.

Russell Gleason Gets Role

HOLLYWOOD, June 18. — Russell Gleason will play the juvenile lead in "Leander Clicks" for Radio. The screen play from the William Slavens McNutt story is by James Gleason who also will play the leading male role and co-direct with Ray McCarey under supervision of William Sistrom.

Start Musical July 8

HOLLYWOOD, June 18.—Radio will start production on "To Beat the Band" on July 8. The musical is an original by George Marion, Jr. Rian James is doing the screen play and Zion Myers will supervise. Director and cast have not been signed.

Olsen in "Musketeers"

HOLLYWOOD, June 18.—Moroni Olsen, New York stage actor, has been cast as Porthos in "The Three Musketeers" by Radio. Cliff Reid is producing and Rowland V. Lee directing. Featured in the cast are Paul Lukas, Onslow Stevens, Margot Grahame, Heather Angel, Rosamund Pinchot, Nigel de Brulier, Murray Kinnell and John Qualen.

Kaufman to Handle "Husk"

HOLLYWOOD, June 18. — Edward Kaufman will supervise "Husk" for Radio as his first producing assignment. He has been a writer on that lot for two years. Rian James is doing the screen play from the story by Thomas Walsh. Stephen Roberts will direct.

Complete "Adams" Cast

HOLLYWOOD, June 18.—Radio has completed the cast of "Alice Adams" with the signing of Jonathan Hale. Featured in top roles are Katharine Hepburn, Fred Stone and Fred MacMurray. George Stevens is directing and Pandro S. Berman is producing.

Radio Dots and Dashes

CHICAGO, June 18. — Salesman GEORGE TUCKER, Albany, is too close to water to be comfortable. GEORGE would rather fish than eat and a pond of water sends his temperature up.

✣

H. M. (HONEY) LYONS, Atlanta branch manager, is saying "no" when the boys tell him of the new methods of growing hair. Forced to take the advice of an exhibitor client, HONEY tried a treatment that cost him beaucoup fuzz.

✣

"SLICK" COLLINS, Atlanta salesman, has a two-year-old son which the Atlantans say is boss of the family.

✣

EDDIE MURPHY is sticking by the Tigers, although they have cost him a couple of hats to date.

✣

JACK TROY, "the Calgary Cowboy," has sold film and chased contracts in almost every hole and corner in the 6,000 miles which comprise the Canadian territory. Over a period of approximately 20 years, TROY has covered Canada from the Atlantic to the Pacific, via rail, steamship, afoot, horseback, canoe, dogsled, and airplane.

✣

S. BARRET MCCORMICK keeps that collegian look, let the years come and go. Time doesn't march on on the Mc physiognomy.

✣

JACK CONNOLLY, general of all the Kentucky colonels, was a captain in the big scrap.

✣

C. E. PENROD, Indianapolis salesman, is a funster de luxe and has a bag of tricks in the Houdini classification.

✣

CLAUDE WALLACE, Indianapolis, works the northern territory like many of us play golf, covers a lot of ground.

✣

WILLIAM (LARRY) GARDINER, Boston, has the smallest foot at the convention. Embarrassing moment is when the shoe store managers refer him to the boys' department.

✣

"MILT" AMES, Boston salesman known as "Skinny," would rather argue than eat.

✣

HARRY GOLDSTEIN, Boston salesman, is champ squash player of the Beantown squad.

✣

Branch Manager AVERY of Omaha broke down just before convention time and traded in his old bus. Reported to be an inside job.

✣

BILL FOLEY, Omaha, was seen responding to OSCAR HANSON'S "gimme-a-match" request.

✣

Manager GREENBLATT of Cleveland breezed in early with his "Indians"—WARD, LEFKO, GOLDSMITH and BRAUNIG, with GOLDSMITH one of the RKO 100 per-centers, the magna cum laude of the sales force.

Early Bird

Chicago, June 18.—*Motion Picture Daily* for Monday, air-expressed out of New York, was distributed bright and early the same morning to the RKO Radio conventioneers and held the field alone. Comment was divided between "How did you do it?" and "That's marvelous service."

Albany's foursome consists of Branch Manager C. R. HALLIGAN, Salesmen TOM CONLON and GEORGE TUCKER, and Office Manager A. H. VAN DEUSEN.

✣

BILL WARD, Cleveland, lifts his skypiece and is revealed as a hair restorer patron.

✣

A guy named BILL, from the midwest, polished up a brand new set of teeth for the convention, using Bon Ami, with disastrous results.

✣

SOL SACHS, Dallas chief, has a weakness for golf and a little son, BIMLIE.

✣

JOE BRECHEEN is off the beer and potatoes, ice cream and such. Dallas salesman watches the old diet.

✣

JACK GRUBEN, Dallas, is the granddaddy of film salesmen—about 15 years stomping Texas trails.

✣

EARL DYSON, Kansas City, has a hobby of buying new bearings, pistons, springs, etc., for Oldsmobile cars.

✣

A. A. (JACK) RENFRO, Kansas City suburbanite, is officially looking over the goldfish bowls. JACK owns a big collection, that is between him and his Angora cats.

✣

Boys from Kansas City, headed by Branch Manager THOMPSON, seemed to have shaken off that Kansas dust when they stepped up to register. But they know the refrain, "when dust gets in your eyes."

✣

Los Angeles, home of track and football champs, had another first-line boy in SAM WHITEHEAD, whose territory is sold 100 per cent.

Warner Men Returning

HOLLYWOOD, June 18.—Following a series of advertising campaign conferences Albert Warner and S. Charles Einfeld left for New York by air today. Norman Moray and Harold Bareford leave tomorrow. Moray will stop in St. Louis for a few days on business. Harry M. Warner is remaining here for several days.

Gradwell Sears, Carl Leserman, Ray Haines, Fred Jack, Jake Wilk, Tom Spry, A. W. Schwalberg, Arthur Sackson and A. M. Dougherty left for New York yesterday.

DEBRIE

PERFECTION

NOW COMES TO 16MM. LABORATORY APPARATUS

The reputation of Andre Debrie for the finest in precision workmanship is fully upheld in the new line of DEBRIE 16mm. printers and developing machines. DEBRIE can supply any type of machine to fit any condition of film printing, developing or reversal.

The New DEBRIE Items

The ultimate in contact and optical printing machinery for SOUND or SILENT. Perfect registration always.

16MM. PRINTERS

REDUCTION PRINTER FOR PICTURE ONLY

For optical reduction of picture from 35mm. to 16mm. Two 16mm. prints on 32mm. raw stock can be obtained from one 35mm. negative in one operation.

COMBINED REDUCTION AND CONTACT PRINTER

For the following operations:

1. For picture REDUCTION from 35mm. to 16mm. Two 16mm. prints on 32mm. raw stock can be obtained from 35mm. negative in one operation.
2. For CONTACT PRINTING of 16mm. film on 16mm. or 32mm. raw stock.

COMBINED REDUCTION PRINTER FOR PICTURE AND CONTACT PRINTER FOR SOUND IN ONE OPERATION

For the optical REDUCTION of the picture and CONTACT SOUND printing in one operation.

REDUCTION PRINTER FOR SOUND TRACK

For the optical reduction of the sound track from 35mm. to 16mm. with pre-set rheostat.

CONTACT PRINTER FOR PICTURE AND SOUND

For CONTACT PRINTING of PICTURE and SOUND on 16mm. in one operation. This machine also can be used for contact printing of 32mm. raw stock.

"D. S." Automatic Developing Machines for 16mm.

Negative-Positive or Reversal

Full automatic operation throughout. Reversal Machine incorporates flashing light for second exposure. An outstanding feature is the unusual compactness. (The smallest machine is 7' x 6' x 3' in dimensions.) Thermostatic control of solution and of drying air is provided. Film threads itself through the washing and drying units and is automatically rewound. Solution tanks removable and interchangeable. Absolute cleanliness is the result—no further treatment of film needed.

PERFORATING AND SLITTING MACHINES

These are made for every requirement, in any width of film.

ANDRE DEBRIE, Inc.

115 West 45th St., New York, N. Y.

"People," "Chan" Lead in Portland

PORTLAND, June 18.—"People Will Talk" and "Charlie Chan in Egypt," a dual bill at the Paramount, was the big draw of the week. It secured $7,000, or $2,000 over average.

"Oil for the Lamps of China" at the Broadway grossed $6,000, or $1,000 over normal.

Total first run business was $27,400. Average is $24,700.

Estimated takings for the week ending June 15:

"OIL FOR THE LAMPS OF CHINA" (F. N.)
BROADWAY—(1,912), 25c-35c-40c, 7 days. **Gross:** $6,000. (Average, $5,000)

"THE SCARLET PIMPERNEL" (U. A.) (Second Run)
BLUE MOUSE—(700), 15c-25c, 7 days, 2nd week. **Gross:** $1,400. (Average, $1,700)

"THE GLASS KEY" (Para.) "TRANSIENT LADY" (Univ.)
MAYFAIR—(1,700), 25c-35c-40c, 7 days. **Gross:** $3,000. (Average, $3,000)

"THE INFORMER" (Radio) "CHASING YESTERDAY" (Radio)
ORPHEUM—(1,700), 25c-35c-40c, 7 days. **Gross:** $5,000. (Average, $5,000)

"CHARLIE CHAN IN EGYPT" (Fox) "PEOPLE WILL TALK" (Para.)
PARAMOUNT—(3,068), 25c-35c-40c, 7 days. **Gross:** $7,000. (Average, $5,000)

"THE FLAME WITHIN" (M-G-M)
UNITED ARTISTS—(945), 25c-40c-55c, 7 days. **Gross:** $5,000. (Average, $5,000)

Many at Republic's Reception in Albany

ALBANY, June 18.—More than 50 exhibitors and exchange men attended a reception and buffet luncheon given yesterday by B. H. Mills, manager of the Republic exchange, in honor of the opening of his new establishment. All of the local exchange managers, except Warners and RKO, dropped in. They are out of town at their companies' sales conventions.

Among those present were: A. Stone, manager of the Eagle and president of Allied of New York; Harry Hellman, Paramount; Charles Smackwitz, Warner Theatres; John Gardner, American and Colonie; Sid Dwore, Cameo; Morris Silverman, Mount Pleasant and Rivoli, Schenectady; Allen Serraine, Empire, Port Henry; Frank Weiting, Park, Cobleskill; Henry Freeder and Henry Grossman, Playhouse, Hudson; Clarence Dopp, Strand, Johnstown; Mrs. Clara Richardson, Strand, Schroon Lake; Bob Kane, Millerton, Millerton.

Rifkin Has Boston Party

BOSTON, June 18.—Herman Rifkin, Monogram franchise owner in New England, threw an open house party Tuesday at his exchange in celebration of the change of the organization's name from the Hollywood Pictures Corp. to Republic Pictures Corp. A big crowd was there.

Set N. E. Allied Meet

BOSTON, June 18.—Independent Exhibitors of Massachusetts, Inc., the local unit of Allied, have formulated final plans for the two-day meet of eastern Allied directors here June 24 and 25. Abram Myers and Sidney Samuelson are due to speak at the affair, which will be divided between the Hotel Touraine and the outfit's headquarters.

Strosberg in New Post

ALBANY, June 18.—Benjamin Strosberg, until recently code board secretary here, has been made assistant manager of the Eagle by A. Stone.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Spring Parade"

(Hunnia-Universal)

HOLLYWOOD, June 18.—Superimposed titles in English make this Hungarian film, "Spring Parade," easily understood by American audiences who will like the Viennese music score and the gay love story of the bakeshop girl and the young corporal.

The cast, headed by Franziska Gaal, Paul Horbiger and Wolf Albach-Retty, is excellent under the light touch of Director Geza von Bolvary.

The story deals with a young corporal's irresistible urge to compose music in spite of the protests of his guardian and superior officers. When he is confined to quarters as punishment for writing a military march, his sweetheart smuggles part of his score into salt sticks which go to the luncheon tray of Kaiser Franz Josef, with the result that her aunt's pastry shop is nearly ruined before all complications are solved in one final waltz.

"Spring Parade" should be a good bet for communities in which foreign films are popular. Production Code Seal 953. Running time, 90 minutes. "G."

"Pride of the Triple X"

(Affiliated)

HOLLYWOOD, June 18.—Concerned with cattle stealing, a missing son, and other familiar western story elements, this picture seems pointed for dual bills and junior matinees.

Yancey Lane, returning to his father's ranch after an absence of 20 years, finds the ranch foreman, Rollo Dix, is head of a gang of cattle rustlers. The father, Lafe McKee, not recognizing Lane, is about to ship the cattle to market in Dix's care. Betty Jordan, his adopted daughter, and Dickie Vones, child actor, who plays her brother, instinctively distrust Dix and have confidence in Lane.

With their help, Lane rounds up the cattle rustlers, clears himself of a false charge of having robbed the mails, is reunited with McKee and eventually wins Miss Jordan. The cast all play their roles with utmost seriousness and at times give conviction to the story situations.

The production by Herman A. Wohl, and the direction by Edward Dmytryk are suitable. Photography in some of the outdoor shots is excellent, but the sound is not up to par.

No code seal. Running time, 54 minutes. "G."

Looking 'Em Over

"Struggle for Life"

(Majestic)

"Struggle for Life," made for Foy Prod., Ltd., of Hollywood, by Major C. Court Treatt, an Englishman, is just what its title implies. With a keen eye for dramatic effect, the film pictures the battle for existence of the Habbania Arabs of the Soudan. The incidents recorded, though at times giving the impression of having been so arranged as to heighten the excitement, seem entirely authentic.

The film teems with action and contains a number of moments that ought to thrill those who go in for pictures of this nature. A jungle fire that forces the natives to flee for their lives provides the film with a powerful dramatic finale.

While the film's chief concern is to tell of the Habbania Arabs' search for food and water and their eternal vigilance against the perils of the jungles, it does not ignore romance completely. Running through it is a love story involving two members of the tribe. Fortunately for the film, this romantic note has been kept very much subdued, though it adds much to the fascination of the picture.

This is a highly interesting film boasting of some fine photography.

No production code seal. Running time, 53 minutes. "G."

Cancel Brussels Concert

BRUSSELS, June 18.—Grace Moore's scheduled appearance before the King and Queen and diplomatic corps, scheduled for tomorrow, has been canceled. It was stated that Miss Moore had wired that she was tired.

Mayer Chicago's Guest

CHICAGO, June 18.—Louis B. Mayer, eastbound from the coast, was the guest of Mayor Edward J. Kelly at the Chicago Club today along with RKO Radio executives attending the company's convention here.

Defers Decision on Trust Suit Motions

ST. LOUIS, June 18.—Federal Judge George Moore late today took under advisement motions for a demurrer and a bill of particulars filed on behalf of Ned E. Depinet, president of RKO Distributing Corp., and that corporation in the Government's anti-trust case against Warners, Paramount and RKO and affiliated companies and individual officers.

Counsel were given four days in which to file necessary briefs. On the question of date for trial Judge Moore stated he would not decide that point until he has ruled on the motions argued today, but during the discussion indicated that he probably would not expect to try the case on its merits during either July or August.

Russell Hardy, special assistant attorney-general, in arguing for an early trial, stated that if it is delayed too long it will prove a useless procedure as the complainants in the case are "bleeding to death." Counsel for the defendants, including former United States Senator Reed, opposed a trial in the summer.

Hardy opposed both the demurrer and the plea for a bill of particulars, contending that the indictment was sufficient to warrant a hearing of the testimony.

Reed charged the complainants were themselves responsible for the closing of theatres in St. Louis and had endeavored to obtain a monopoly of the theatrical business here. Sam B. Jeffries, also of counsel for Warners, said that the entire matter at bar was simply a business controversy.

Col. William J. Donovan of New York argued the demurrer for the defense, while Jacob Mark Lashly of St. Louis addressed the court concerning the need for a bill of particulars, saying that he desired to prevent a "legal ambush" of the defendants when the case goes to trial.

Move for Voluntary Code in Northwest

SEATTLE, June 18.—Probability that a voluntary code will be adopted very shortly in the Pacific Northwest foreseen here this week.

Leading exhibitors, both large and small, were reluctant to be quoted because of unfamiliarity with all the details of the proposed voluntary codes. However, Hugh Bruen, president of Allied Amusements, summed up the attitude of a majority of the theatre men:

"Most of the exhibitors of the territory are anxious to see the good features of the recent codes maintained. A movement is now on foot in Seattle and the rest of the state to produce a voluntary code that will retain the clearance and zoning provisions, certain admission principles, legislation against lottery plans and 'giveaways' and other former code provisions."

Single Bills Lead Milwaukee Ballots

MILWAUKEE, June 18.—Early returns on the I. T. P. A. vote on double features conducted during the week starting June 10 in 44 Milwaukee County houses indicate a public preference of four to one for single feature programs with selected shorts.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 144 NEW YORK, THURSDAY, JUNE 20, 1935 TEN CENTS

RKO to Drive For Preferred Playing Time

Also to Ask Percentages On 4 in Small Towns

CHICAGO, June 19.—Driving for increased preferred playing time, the RKO sales policy for the new season will call for a guarantee against percentages on four top pictures in small towns. Terms will be based on the record of "Roberta" or "Little Women," depending upon which was bigger.

Important cities will be handled by Jules Levy and his staff, but model contracts for smaller towns specify three pictures for seven days each at 50 per cent; three at seven days each for 40 per cent; seven for seven days at 30 per cent; 10 for four days at 25 per cent; 10 for three or four days at 25 per cent, with an increasing split if the run lengthens out.

The remaining 19 pictures on the list will be on a flat rental basis.

RKO Session Ends With Policy Talks

CHICAGO, June 19.—RKO Distributing Corp.'s sales convention closed today with talks by studio, sales and foreign chief executives.

Speakers were J. R. McDonough, president of RKO Radio Pictures; Ned E. Depinet, president, and Jules Levy, vice-president and general sales

(*Continued on page 4*)

American Display in RKO Accessory Deal

CHICAGO, June 19.—Following a convention announcement of a cooperative arrangement whereby, under exclusive license, RKO exchanges will exhibit American Display Corp. special accessories available direct to the

(*Continued on page 4*)

No Portland Cuts

Portland, June 19.—Another record has been hung up by the Portland Censor Board. During April but one picture was referred to the board by the official viewers.

The censors viewed 93 pictures of 424 reels and granted permits for all of them. There were no eliminations. They declared "pictures are certainly getting better."

Para. Committee Traded In Securities—Vanderlip

By CLARENCE LINZ

WASHINGTON, June 19.—Formation of a bondholders' protective committee composed exclusively of bankers, members of which traded in Paramount securities at a profit during their service on the committee, was outlined today to the Securities and Exchange Commission by Frank A. Vanderlip, former president of the National City Bank.

Disclosure that there were no bondholders on the committee of which he was chairman was made by Vanderlip as the commission went into the second day of its investigation of the Paramount reorganization.

The former bank head related that he was first approached by a New York attorney who sought to form a

(*Continued on page 3*)

Slight Chance For Code Seen By Kuykendall

Little chance of any workable or even moderately satisfactory code of voluntary type being developed for this industry is seen by Ed Kuykendall, M.P.T.O.A. president and former member of Code Authority, who arrived here yesterday after attending southern exhibitor meetings.

Remarking that it was difficult to accept seriously the idea of a successful voluntary industry code, Kuykendall stated that it had not been easy

(*Continued on page 3*)

ITOA Seeking Code Board Substitutes

Harry Brandt, president of the I.T.O.A., yesterday instructed Leon Rosenblatt, chairman, and Bernard Barr, legal head of the unit's code committee, to get in touch with the Hays organization for the establishment of a tribunal in New York to replace the local boards which were

(*Continued on page 3*)

No Objections Filed To Report on Publix

No objections to the final report of the trustee of Publix Enterprises or his application for leave to pay a final dividend to creditors was voiced when the petitions were heard before Federal Judge Francis G. Caffey in U. S. District Court here yesterday. Judge Caffey is expected to sign orders within a week authorizing the winding up of the affairs of the former large Paramount theatre holding company which went into bankruptcy in January, 1933, and discharging Irving Trust Co. as trustee in bankruptcy.

Sheehan Will Take a Rest After Confab

HOLLYWOOD, June 19.—After Fox production conferences scheduled among Winfield Sheehan, Sidney R. Kent, Joseph M. Schenck and Darryl Zanuck, the first-named will take a two months' vacation starting late in July. August will be spent in Canada hunting and fishing and September in New York looking over the shows and engaging talent.

Sheehan has two more pictures to deliver this season under his name.

(*Continued on page 3*)

Al Lichtman Gets In from the Coast

Al Lichtman arrived by plane yesterday, ending the coast jaunt that saw him elected president of United Artists, succeeding Joseph M. Schenck. Fatigued by the trip, Lichtman went immediately to his home for rest, but is scheduled to put in an appearance at his office today at which time he is

(*Continued on page 3*)

David O. Selznick To Have Own Outfit

HOLLYWOOD, June 19.—When David O. Selznick goes over to United Artists it will be with his own company, to be known as David O. Selznick Prod. He will occupy the quarters to be vacated by 20th Century.

Selznick states emphatically that Myron Selznick is not associated with him in the deal.

It is reported that David O. is dickering with M-G-M to take with him the title to "Gold for Davey Jones," so that he can make this as his first story for U.A. release.

Ascap Trial Is Put Over Until Nov. 4

Attorneys to Confer on Eliminating Details

By agreement of counsel for both sides, trial of the government's anti-trust suit against the American Society of Composers, Authors & Publishers was adjourned yesterday to Nov. 4.

The postponement was announced after attorneys in the case had gone into a huddle shortly after court convened yesterday. The decision was made, it was explained, in order to give Andrew Bennett, special assistant to the Attorney General, in charge of the government's case, and Nathan Burkan, chief counsel for Ascap, an opportunity to go over the case in detail and arrive at stipulations which will speed up the trial once it is resumed. It was felt, the attorneys explained, that the trial was becoming too cumbersome as a result of the

(*Continued on page 11*)

Moore Film Delayed For Studio Re-makes

Columbia is having difficulty with its second Grace Moore picture, "Love Me Forever."

Decision to re-edit, coupled with the report additional scenes are being photographed, has twice delayed world premiere of the picture at the Music Hall. Originally slated for June 4, the date already has been set back twice by the distributor. The latest

(*Continued on page 3*)

Loew's Picks Three Giveaway Theatres

First three theatres where Loew's will adopt chance games and giveaways will be the Boston Road, Victory and Elsmere, all in the Bronx.

(*Continued on page 3*)

N. O. Men Surprised

New Orleans, June 19.—Exhibitors have been surprised by an announcement that Mrs. Joseph Smyth, motion picture inspector, was to be removed and another woman substituted.

The surprise was that such a position existed in the city of New Orleans. No exhibitor had ever laid eyes on her.

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Lilly Wehrenberg Weds

ST. LOUIS, June 19.—Miss Lilly Wehrenberg, daughter of Mr. and Mrs. Fred Wehrenberg of the Lindbergh Drive, was married today to Paul Krueger, superintendent of gardens for the St. Louis Water Department. The ceremony took place at St. Paul's Evangelical Church.

Albee Leaves Hospital

CHICAGO, June 19.—Reid Albee, son of the late E. F. Albee, who has been seriously ill in a local hospital with a streptococcus infection, left for New York today accompanied by a nurse.

Major L. E. Thompson, RKO theatre head, has been standing by Albee for the past few days.

W. C. Fields Gaining

HOLLYWOOD, June 19.—W. C. Fields, who has been ill at his home for the last few days is reported recovering. Two nurses are in constant attendance, but his physicians report that he has rallied considerably. The exact nature of Fields' ailment has not been announced.

Acquire Italian Musical

Metropolis Pictures has acquired American rights to the Italian musical, "L'Eredita Dello Zio-Buonanima" (The Rich Uncle), starring Angelo Musco.

"Princess" at Globe Today

"Princess Charming" opens at the Globe today.

Purely Personal

HELEN O'TOOLE, secretary to ED KUYKENDALL, M.P.T.O.A president, has returned to her home at Scranton, Pa., after several weeks in a hospital following an appendicitis operation. She is expected to be back at her work in the M.P.T.O.A. New York office in about a week.

•

J. D. TROP, Toeplitz representative here, was responsible for the play King Features gave "Loves of a Dictator" in connection with the Castle of Hardenberg, used as a background in the film. This is where Count and Countess Reventlow will reside in the future. The story has been syndicated.

•

PAT MULLEN, who assisted ROBERT FLAHERTY in the filming of "Man of Aran," is the author of a book bearing the same name, in which he writes of the problems that beset the making of the picture.

Quip of the Day

Travail of the double feature system in one local theatre, elicited this remark from one of the house attaches to the manager:

"If you don't watch out, you'll have the audiences picketing the theatre."

MAX REINHARDT leaves Hollywood for New York today on the first leg of a trip that will include Venice and Salzburg. He sails on June 29 and is due back in September.

•

TOM SORRIERO, formerly circuit manager in Baltimore, Scranton, St. Louis and the Far West, now of Los Angeles, is in New York at the Edison.

•

MRS. GERHARD FILIPI, until recently secretary to EDWARD FINNEY, advertising head of Republic, is the mother of a seven-pound boy.

•

SAM E. MORRIS, vice-president of Warners, and HARRY GOETZ, president of Reliance, arrived from the coast by plane yesterday.

•

KAY FRANCIS and MARQUIS HENRI DE LA FALAISE are on board the *Normandie* due to arrive on these shores today.

•

MITCHELL FITZLER, Buffalo and Syracuse exhibitor, is in town. He is owner of the copyright on "treasury night."

•

E. H. GOLDSTEIN has moved into Republic's home office and BUDD ROGERS shifts after the first of the month.

•

FRED ASTAIRE, who has just finished work in Radio's "Top Hat," is in New York for a vacation.

•

C. AUBREY SMITH left for Europe yesterday on the *Berengaria* to play in G. B.'s "Soldiers Three."

•

BEN GOETZ made the trip from the coast by plane.

•

BUDDY CANTOR, Broadway press agent, has closed a deal to become film commentator over Hearst's WINS on Wednesday and Friday nights at 9 o'clock.

•

MAY ROBSON leaves for Hollywood June 29 after a 10-day vacation here.

•

JOE HORNSTEIN returns from Chicago and the independent equipment dealers convention today.

•

JOAQUIN GARAY, Mexican singer, is being held over for a fourth week at the Roxy.

•

. . . *Pittsburgh*

The FRED HARRINGTONS celebrated their 38th wedding anniversary the other day.

•

MARION MURPHY, sister of the Penn's press agent, GENE MURPHY, is here from Chicago for a visit.

•

RUTH SCHWERIN, a Pittsburgh girl, will join the Paramount publicity department in New York next month.

•

FLORENCE FISHER PARRY, critic and columnist of the *Press,* is suffering from ptomaine poisoning.

•

The father of FRANCHOT TONE was presented an honorary degree in science by the University of Pittsburgh at the annual commencement exercises.

•

ALBERT LOVEJOY, former coach at the Radio studios, has been appointed a producer at the Carnegie Tech drama school for next season.

•

RALPH WHITEHEAD, secretary of the American Federation of Actors, is in Pittsburgh organizing a local branch of the organization.

•

MIKE and HAZEL CULLEN presented their pet canaries, "Rasputin and the Empress," to the newlywed BERT STEARNS.

•

PAUL GANNON, Pittsburgh radio tenor, has joined SID PAGE'S unit.

•

JOHN MALONEY is back on the job after a long illness.

Selznick-Joyce in Deal with Shuberts

The Shuberts have been brought into a closer relationship with the industry through a contractual arrangement with Selznick-Joyce giving the stage producers a call on plays written by playwrights under the agency's management and on the services of acting, writing and directing talent under its banner when available.

The Selznick-Joyce office stated the deal was not an indication the Shuberts would produce plays in partnership with any specific studio. It was said all play properties would be made available to any studio interested on a "bid and offered" basis.

According to the agency, all future Shubert productions will be made with an eye to their screen possibilities.

"Crusades" a Special

Paramount has taken "The Crusades" off the general sales contract and will sell the picture individually on terms to be set according to each territory. While this means the Cecil B. DeMille film will be a special, no decision has been reached whether or not to roadshow.

Republic Forces at L. A. Regional Meet

LOS ANGELES, June 19.—Delegates to the Republic regional which opens at the Roosevelt Thursday with Edward Golden, general sales manager presiding, were arriving here today.

Golden arrived last night. Here from San Francisco are:

Floyd St. John, California district manager; S. D. Weisbaum, San Francisco sales manager; S. C. Martenstein, S. J. Goldman, C. J. Crowley, salesmen, and E. A. Morris, booker. Attending from Los Angeles are: Howard Stubbins, Los Angeles sales manager; R. J. Cadman, C. E. Clement, Norman Bosley and C. E. Buchanan, salesmen.

Headed by Trem Carr, vice-president in charge of production, the following from the studios will attend: Robert E. Welsh, executive producer; Herman Schlom, production manager; Paul Malvern, associate producer in charge of the western unit; and Dorothy Reid, story editor.

Registers Foreign Titles

Republic is the first in the industry to register the foreign translations of titles of films for the new season, it is reported by the Hays office. The company has submitted for registration the Spanish equivalents of the names of all of its forthcoming pictures.

Referee Will Hear Cleveland Dispute

CLEVELAND, June 19.—The Court of Appeals has overruled a motion to advance a hearing of the local bank night case appeal and has appointed Saul Danaceau as referee to hear the issues of fact. M. B. Horwitz as operator of the Haltnorth is defendant.

A motion to advance the hearing was filed by Jerome Friedlander, representing Meyer Fischer, Fountain, following a ruling by Common Pleas Judge Frederick Walthers that bank nights are not unfair competition. It is expected the court will hear the case as soon as the referee files his report prior to adjournment at the end of the month. On the other hand, William Minshall and Ben Schwartz, defendant's attorneys, predict the case will go over until fall.

"G-Men" Tops Herald Champions for May

"G-Men" heads the list of *Motion Picture Herald's* Box Office Champions for May. Second place was taken by "Naughty Marietta"; third, "Goin' to Town"; fourth, "Les Miserables"; fifth, "Bride of Frankenstein"; sixth, "Our Little Girl."

First National, M-G-M, Paramount, U. A., Universal and Fox, in the order named, are the companies which produced the winners.

Study Cartoon Series

In addition to a third series of ComiColor cartoons adapted from fantasies, already scheduled for the 1935-36 season, Celebrity Prod. is considering the addition of a new series by UB Iwerks.

Mayer, Strickling Arrive

Louis B. Mayer, accompanied by Howard Strickling, publicity head of the M-G-M studios, arrived yesterday from the coast for a week's stay.

Slight Chance For Code Seen By Kuykendall

(Continued from page 1)

to give or obtain remedial action even under the NRA code with its genuine administrative and enforcement powers. He reported, however, that in exhibitor contacts and correspondence had by him since his proposal to enforce trade regulations through riders attached to sales contracts had been made, there was reflected an approximately 80 per cent sentiment in favor of that proposal.

"That idea, though," Kuykendall said, "is not a new one. It has been used in the industry to regulate relations between exhibitor and distributor for years."

He added that no general organizational or industry move was contemplated to further the contract rider suggestion, as the very nature of the procedure made it a subject for individual, voluntary action on the part of exhibitor and distributor.

Kuykendall plans to leave for Memphis by plane on Saturday and will go from there to his home at Columbus, Miss., for the opening of his second theatre, the Dixie, there on June 24.

A meeting of the executive committee of M.P.T.O.A. will be called by Kuyendall within the next few weeks at some central location to advance organizational activities.

ITOA Seeking Code Board Substitutes

(Continued from page 1)

discontinued when the Blue Eagle met its death at the hands of the U. S. Supreme Court.

Members of the organization feel that much good was accomplished by the local boards, both insofar as clearance and grievances were concerned. A letter will be written to the Hays office within the next few days.

It was reported to the members that Milton C. Weisman expects to have a plan ready within the next week for the pooling of local independent houses into one big circuit. Numerous exhibitors are against the combine idea now and are not interested in what is contained in the Weisman plan.

Close Buffalo Office

BUFFALO, June 19.—Jane M. Holloran has closed the code board office and has taken temporary desk space in the regional M.P.T.O. office. There is considerable talk on Film Row of reviving the Film Board of Trade, with Miss Holloran as secretary.

To Seek Rehearsal Pay

Actors' Equity Ass'n and Chorus Equity Ass'n. have decided to demand "expense money" for players during rehearsals starting in the fall. The scale would be $20 per week for rehearsals following the first probationary week for dramatic productions and 10 days for musical shows, and $15 for juniors with less than two years' experience and for chorus members.

Para. Committee Traded In Securities—Vanderlip

(Continued from page 1)

bondholders' committee with a view to becoming its counsel. Before making any decision, he said, he conferred with the members of Kuhn, Loeb & Co., who extended to him an invitation which he accepted to become chairman of a committee they were forming.

The members of the committee were picked by the banking house and submitted to him for approval, he continued, admitting under questioning that he did not disapprove any of the members nominated.

Although he had never held any Paramount securities and had no interest in the company, Vanderlip said he accepted the position as head of the committee because of his long interest in educational films and the idea that it was "something interesting to do."

Later, he stated, believing the head of such an important committee should have an interest in the company, he purchased some Paramount bonds and certificates. Some of these holdings were later disposed of, apparently at a loss when he desired money for other purposes, but the bonds he still holds show an appreciation of more than 40 points.

At the time the committee was formed, Vanderlip testified, the only member to have any Paramount holdings was Sir William Wiseman, partner in Kuhn, Loeb, who held four shares of Famous Players Canadian.

Inferring that he felt he was out of step with modern methods of financing, Vanderlip, under questioning, freely admitted that a protective committee should include actual bondholders. He explained that he was not surprised at Kuhn, Loeb's action in forming a committee, holding that all who disposed of bonds to investors had a "moral responsibility" toward their customers when the securities turned sour.

However, he added, if he were doing it over again he would insist that the committee include actual holders of the securities. Asked regarding the propriety of committee members dealing in the securities which they were seeking to protect, Vanderlip condemned it where the trades were based on inside information.

• Sir William Wiseman, who yesterday testified regarding the financing of Paramount prior to the receivership in Jan., 1933, explained that he had resigned from the committee when it became apparent that his house would be asked to draft a plan for reorganization. He declared that Kuhn, Loeb's purchases of Paramount securities while he was a member of the committee were solely for investment, and that they sold their holdings when they learned they were to take part in the reorganization.

Both Kuhn, Loeb and Wiseman, as well as two other members of the committee, were shown by commission records to have dealt in Paramount securities during their services.

President Suggests Change in Tax Rate

WASHINGTON, June 19.—Imposition of a graduated income tax on the net income of corporations, running from 10¾ to 16¾ per cent, in lieu of the present flat tax of 13¾ per cent, was asked of Congress today in a special message by President Roosevelt. Also included in the President's recommendations was the suggestion for increased rates of tax on very large personal incomes.

Substitution of a sliding scale for the present flat tax on corporations was suggested as offering relief to weaker concerns.

French Taxes Hit American Films

PARIS, June 19.—Two bills designed to carry out tax reductions on theatres are aimed at American pictures. One provides that the cut shall be applicable only to theatres showing French pictures 75 per cent of the time, and the other provides for subsidizing French producers with a tax applied to foreign films and foreign sound equipment.

Approve Schaefer Claim

The proposed settlement of George J. Schaefer's claim against Paramount Publix, providing for the allowance of the claim at $55,000, was reported on favorably by Special Master John E. Joyce yesterday, and now goes to the U. S. District Court for final approval. The claim was originally filed for approximately $93,000 and was based on a personal service contract held by Schaefer.

Loew's Picks Three Giveaway Theatres

(Continued from page 1)

The trio are last run houses on the circuit.

Loew officials are trying three different games to begin simultaneously at the mentioned group. The starting date has not yet been set, but will be within the next two weeks. The game with the best drawing power and showing best results of the three will be employed generally in other houses where the circuit decides to go in for the practice.

Hays to Coast Today

Will H. Hays and family leave today for Chicago where they take the Sante Fe tomorrow for the coast.

CHICAGO, June 19.—Ernst Lubitsch, Henry Herzbrun, Cecil B. DeMille, Mrs. Edgar Selwyn, Buddy and Sonia Schulberg left on the Chief today for Hollywood.

Laudy Lawrence, general manager for M-G-M in Europe; Kay Kamen, E. P. Curtis of Eastman Kodak, S. W. Smith of British Lion Films are on the *Normandie* which arrives today.

Lou Breese Resigns

BUFFALO, June 19.—Lou Breese, conductor of the Shea's Buffalo orchestra, has resigned, effective Thursday. Breese will take a rest this summer, meanwhile continuing his late-night band spot in the River Boat, Cataract Hotel, Niagara Falls.

Sheehan Will Take a Rest After Confab

(Continued from page 1)

The first is "Way Down East"; the second, "Curly Top." With "The Farmer Takes a Wife" already completed, all three will be shipped to New York before Sheehan starts his vacation.

The present activity on both Fox lots totals six productions, including Sol Wurtzel's "Steamboat Bill" and "Silk Hat Kid," Sheehan's "Way Down East" and "Curly Top" and Jesse L. Lasky's "Here's to Romance" and "The Gay Deception."

A new stage is now being constructed at the Westwood plant, ostensibly to provide more room for increased activity. Indications are that no new buildings will be erected to house the Zanuck unit, provided Lasky departs in August, though officially his contract does not expire until October. Nevertheless, his productions should be completed by the time Zanuck is ready to move in.

Lasky's plans are still indefinite, with Hollywood rumor linking him with Paramount as a unit producer now that United Artists has its quota set for next season by the acquisition of David O. Selznick.

Al Lichtman Gets In from the Coast

(Continued from page 1)

expected to issue a statement on the company's new season plans.

Lichtman will remain here for the U. A. stockholders' meeting, scheduled for June 25, and will return to the coast early in July for the company's annual sales meeting in Los Angeles, July 8 to 11. Maurice Silverstone, chairman of U. A. in England, is due today on the *Normandie*. He also plans to attend the coast sales meeting.

Schenck, also a passenger on the *Normandie*, is expected to confer with Lichtman soon after his arrival on U. A. business matters handled by Schenck while in England.

Moore Film Delayed For Studio Re-makes

(Continued from page 1)

promise is that the film will be ready in its revised form for a June 27 opening, although Music Hall officials are understood to be dubious about delivery of prints in time to properly advertise the attraction for its anticipated engagement.

Delay means general release also has been set back since it is Columbia's intention to play the Moore film at the Music Hall ahead of all other engagements, no matter how far removed from New York.

Rites for J. L. Laughlin

BUFFALO, June 19.—John L. Laughlin, 82, pioneer showman, was buried Monday. Laughlin died Saturday after a long illness. He was manager for years of the old Majestic and Lyric and had brought many famous stage figures to Buffalo.

RKO Session Ends With Policy Talks

(Continued from page 1)

manager of RKO Distributing Corp.; William Mallard, chief counsel; Phil Reisman, vice-president of RKO Export Corp.

Levy, who presided, was heard on the morning program on sales policy and he was followed by Al Mertz, short subject sales manager, who analyzed the company's lineup.

Cresson E. Smith, western and southern sales manager, and E. L. McEvoy, eastern and Canadian sales manager, were the first speakers of the afternoon meeting. There were discussions of the foreign market by Reisman, and the foreign delegation.

Also on the program were A. A. Schubert, manager of the contract department, and G. E. Youngman of the legal department.

Levy announced the winners of the company's sales contests of the past year, including the Jules Levy Anniversary Drive.

The RKO confab wound up with a banquet tonight at the Drake at which Leon Bamberger was master of ceremonies, disclosing hitherto unsuspected talents as a song-and-dance man.

A surprise yesterday afternoon was a special "March of Time" broadcast put on in New York and wired here. Using the regular radio cast, the program opened with a dramatization of the Weyerhaeuser kidnapping case.

The program heard at 5:30 o'clock Chicago time followed John Martin's talk to the convention and the showing of several of the "March of Time" releases.

American Display in RKO Accessory Deal

(Continued from page 1)

exhibitor from distribution points throughout the country, General Manager Charles L. Casanave of the latter organization explained to delegates the aims and purposes of the service. It is believed that the RKO arrangement is the first of a series embracing all major distributors.

Concentrating on the single objective of enabling the exhibitor to sell his programs more profitably to his public, American Display offers an array of 40 special advertising and exploitation items available on every picture produced. Manufactured in quantity, this material, designed and executed by a staff schooled in the exhibitor's selling problem, becomes available to exhibitors at approximately half the cost it would represent if prepared individually. Augmenting standard accessories offered by distributing companies, the American Display service is calculated to place the small theatre on an equal footing with the major circuit house in the character, quality and effectiveness of its box-office approach to its clientele.

Casanave pointed out that, far from discouraging exhibitor initiative and individuality, the activity of American Display representatives in the field, alert to successful individual campaigns and equipped to forward them quickly to headquarters for immediate distribution to other exhibitors, will give added value to original exploitation effort.

Radio Dots and Dashes

CHICAGO, June 19.—JACK ELLIS, JOHN DACEY and PHIL HODES, sales triumvirate of New York branch, started down town with a flashlight, in case they didn't find the streets lit up.

✣

RALPH WILLIAMS, Oklahoma City branch manager, is one RKOite who can beat the marble games.

✣

CARL BURTON, Oklahoma City salesman, is a member of the literati.

✣

Salt Lake City, which has taken the news footlight, sends up a sales force headed by T. J. WALSH.

✣

H. W. LANDSTROM, Salt Lake City, is said to be the ski champion of the convention. Must be the Norwegian in him.

✣

Salesman MOREY ANDERSON, Milwaukee, has a long losing streak with the pasteboards. And J. S. ABROSE of the beer town has a habit of taking the boys into camp.

✣

Philadelphia's human dynamo, FRANK MCNAMEE, quickly ordered a radio set for his room. "Mac" is said to be the originator of the idea of putting Pathe News on the air. He has also inaugurated in Philly a weekly feature radio review that projects from the film the highlights of the picture.

✣

HARRY TYSON, "Philly," is an old-time professional baseball player. Still keeps in fine trim and is said to have no vices outside of receiving perfumed letters.

✣

"Bulldog" is the moniker applied to ELY EPSTEIN, Philadelphia, by friend and foe alike. Yea, he never gives up.

✣

Branch Manager GUY BROWN, New Orleans, is a harmonizer from barber shop to stage. He starts many a foursome without going to the fairways.

"PODS" PFEIFFER, New Orleans, was searching for a bookie to place his customary wager of 50 cents. "PODS" would go a quarter if the handbook would sanction it, his buddies say.

✣

STAN JACQUES, Cincinnati branch chief, threatens to break off his diet what with the Drake feeding the boys to the king's taste. STAN came through the past year OK with that girlish figure.

✣

Salesman RALPH KINSLER, Cincinnati, had hoped the convention would be set for Indianapolis, where he could get out on the speedway. RALPH is the BARNEY OLDFIELD of Cinci's Film Row.

✣

BOB WOLFF, who fished off Florida this spring, still telling 'em about the big one that didn't get away.

✣

MAX WESTEBBE, crack New York salesman, is reported to be carrying a pocket comb.

✣

BARNEY PITKIN, branch manager; HARRY ZEITELS and BILL CANELLI were three musketeers from New Haven. Like the Yale Bulldog, they can't be held.

✣

"Big Timber" from the Northwest! MARK CORY, with many service stripes up, brought his big three salesmen, B. R. KELLER and CLEVE ADAMS, and Office Manager S. S. MCFADDEN.

✣

Present and accounted for is word from Branch Manager S. W. FITCH, Sioux Falls. E. J. FRACE, FRED HORN and C. N. SNYDER completed the delegation.

✣

Gang from St. Louis blew in with summery clothes. From left to right, the Cardinals are: LOU ELMAN, branch manager; T. C. TOBIN, W. F. DEFRENNE, N. LEVY and R. G. TAYLOR.

✣

HARRY DIXON, big chief at Buffalo, had a colorful crew on tap—L. F. MURPHY, C. BOASBERG, J. G. CHINNELL, salesmen, and P. MAXWELL, office manager.

✣

The veteran branch chief, R. C. PRICE, Charlotte, made it "three for Dixie," with R. F. BRANON, R. S. MITCHELL, salesmen and W. W. LAKE, office manager.

✣

In a cable from FRANK BUCK, who is in the jungles of Malaya more than half the world away, the RKOites were assured that something new in the way of thrills and excitement awaits the fans in his new picture which is nearly completed at this time. Here is one Buck who makes no passes.

✣

Practically everyone at the convention got a chance to show whether or not he could "take it" when a special reel of "Dumb Bell Letters," prepared especially for the occasion was shown at the morning projection. Each one came in for a share of good natured ribbing.

✣

MARTY BARRETT couldn't get the boys up early enough to take them horseback riding, so he decided to take golf lessons from the RKO professional, CRESS SMITH.

✣

A conversation could always be started with DON HANCOCK by mentioning the "Easy Aces" series. It's on the air when DON gets in action.

✣

PAGE BAKER, B. M. at Memphis, has a going-to-town Dodge—trimmed here and there with red, chromium plated wheels and a fog horn that scares them.

✣

Salesman N. J. COLQUHOUN, Memphis, gets the honors for the great unpronounceable name.

✣

Branch Manager A. N. SCHMITZ, Milwaukee, was up for "seconds" on the strawberry shortcake, Drake style.

✣

"MERT" DURANT, Montreal chieftain, carries an appended moniker of "Old Silver."

✣

JOE MYERS, the only newcomer to the Canadian organization, travels the territory between Winnipeg and the Pacific Slope, so jumps are jumps with JOE.

✣

Branch Manager "NICKY" GOLDHAMMER, Minneapolis, is the home town king of the slogan makers. "NICKY" even has a slogan for a slogan.

✣

C. J. (FAYE) DRESSELL, Minneapolis, is the chief mechanic of the office. "Dres" is said to sport a new car every month.

They Talk It Over in Chicago



Left to right: Ned E. Depinet, president of RKO Distributing Corp.; B. B. Kahane, president of RKO Studios, Inc.; J. R. McDonough, president of RKO Radio Pictures, Inc., and John Hay Whitney, president of Pioneer Pictures, Inc., producers of "Becky Sharp."

Radio Signs Three More

HOLLYWOOD, June 19.—New contracts just signed by Radio include Adele Buffington, who will work on the next Richard Dix yarn, "Powdersmoke Range"; Mrs. Pat Campbell, who will appear in "Sylvia Scarlett," and Ralph Forbes for "The Three Musketeers."

UNIVERSAL DAZZLES THE INDUSTRY WITH THE FIRST GEM OF ITS MOST BRILLIANT LINEUP! . . .

Carl Laemmle presents

EDWARD ARNOLD

in

"DIAMOND JIM"

with

JEAN ARTHUR
BINNIE BARNES

Cesar Romero · Eric Blore
Hugh O'Connell · George Sidney
Otis Harlan · Henry Kolker
Robert McWade · Fred Kelsey

An EDMUND GRAINGER Production
Directed by EDWARD SUTHERLAND





RELEASED SEPTEMBER 2ND

More Universal Hits to make 1935 – 1936 your brightest Year !

TWO
MARGARET SULLAVAN
PRODUCTIONS
Universal's great star at her best and in her biggest stories.

THE HUNCHBACK OF NOTRE DAME
Victor Hugo's immortal book. The screen classic of all time!

THE GREAT IMPERSONATION
EDMUND LOWE *in*
E. Phillips Oppenheim's famous best-seller
Directed by Alan Crosland

WHILE THE CROWD CHEERS
Karl Tunberg's sensational football story, tuned for crowds, timed for the box office!

HIS NIGHT OUT
With EDWARD EVERETT HORTON
From Henry Irving Dodge's famous comedy, "Skinner's Dress Suit."

CAROLE LOMBARD
in Faith Baldwin's marvelous Cosmopolitan Magazine story, "Spinster Dinner" (temporary title)

FAST AND FURIOUS
Starring JACK OAKIE
From the auto-racing romance by Paul Sidney . . . Directed by Edward Laemmle.

DRACULA'S DAUGHTER
Carl Laemmle, Jr.'s production of John L. Balderston's unforgettable tale. Screenplay by R. C. Sherriff. Directed by James Whale.

BLUEBEARD
Starring the Great KARLOFF
Story by Bayard Veiller, author of "Within the Law" and "The Trial of Mary Dugan"

THREE KIDS AND A QUEEN
MAY ROBSON *in her greatest role*
Story by Harry Poppe and Chester Beecroft

SONG OF JOY
Starring MARTA EGGERTH, *sensational new singing star, in J. P. McEwen's merry musical romance.*

STRANGERS AT THE FEAST
Screenplay by Gladys Unger from the internationally famous best-seller by Beatrice Lubitz

HER EXCELLENCY, THE GOVERNOR
Nina Wilcox Putnam's powerful Liberty Magazine story. Directed by Stuart Walker.

THE
HANGOVER MURDERS
Another Carl Laemmle, Jr. Production! From Adam Hobhouse's best-selling mystery. Directed by James Whale.

MERRILY WE LIVE
An amazingly new kind of musical farce
By James Edward Grant,
author of "Whipsaw"

STORM OVER THE ANDES
Starring
JACK HOLT *and* CESAR ROMERO
in the first story of the South American wars, by Eliot Gibbons and La Clade Christy. Directed by Christy Cabanne.

DESTROYER
Starring JACK HOLT *in Samuel Johnson's gripping story of a submarine pirate!*

PHANTOM OF THE OPERA
Gaston Leroux's classic wonder—produced as only Universal can!

YELLOWSTONE
Drama as Nature lives it!
From Houston Branch's unusual story. Actually filmed within the scenic wonder.

TALL TIMBER
Starring JACK HOLT *in a drama of the men and women who pit their lives against the last wilderness!*

THE INVISIBLE RAY
By Howard Higgin and Douglas Hodges
Thrilling! Imagination-staggering!

STORMY
Cherry Wilson's breath-taking romance of wild horses and wilder men!

KING SOLOMON OF BROADWAY
The guy who knew a thousand wives!
By Albert J. Cohen and Robert T. Shannon
Directed by Alan Crosland
A Julius Bernheim Production

EAST OF JAVA
Starring CHARLES BICKFORD
From Gouverneur Morris' most popular story, "Tiger Island."
Directed by George Melford

THE FLYING SQUADRON
Fighting eagles who cannot be tamed —reaching a new high in aerial adventure, romance and daring!

AGENT 44
Their story was never told—the man-hunters who trail women to the ends of the earth!

RIVERBOAT GAMBLERS
with JACK HOLT *... Based on Bret Harte's famous story. Screenplay by Gouverneur Morris and Gerald Geraghty*

GIANT PLANE
Human drama paced at 300 miles an hour. James Warner Bellah's sensational story of the world's biggest air liner
Directed by Ernst L. Frank

ZASU PITTS *and* HUGH O'CONNELL
in **ALONE TOGETHER**
The box office's newest scream-mates! How they'll laugh! And that's the payoff!

That's not all! Because the whole Universal line-up is 36 Features, 6 Buck Jones Features, 4 Serials, 27 Two-reelers, 52 One-reelers and 104 Newsreels!

"What Universal promises, it will deliver!" said Carl Laemmle at the Convention, and he meant these CURRENT HITS, TOO!

MARGARET SULLAVAN
With FRANCIS LEDERER *in*
"NEXT TIME WE LOVE"
From Ursula Parrott's latest novel

●

IRENE DUNNE *in* EDNA FERBER'S
"SHOW BOAT"
Music by Jerome Kern *Directed by James Whale*

●

WILLIAM POWELL
in
"MY MAN GODFREY"
{Temporary Title}
From the Liberty Magazine serial by Eric Hatch

●

HOWARD HAWKS' *production of*
"SUTTER'S GOLD"
From the epic novel by Blaise Cendrars
Screenplay by GENE FOWLER

●

IRENE DUNNE *in* JOHN M. STAHL'S
production of
"MAGNIFICENT OBSESSION"
by Lloyd C. Douglas, also author of "Green Light"

"Yale," Show $18,000 High On the Loop

CHICAGO, June 19.—"Hold 'Em Yale," with a stage show headed by Olga Baclanova, reached $18,000, over the line by $3,000, at the Oriental, but business in most spots went into a slump.

"Let 'Em Have It" pulled a good $18,000 at the United Artists. This was up by $1,000.

Total first run business was $119,500. Average is $125,600.

Estimated takings:

Week Ending June 13:

"OIL FOR THE LAMPS OF CHINA" (F. N.)
CHICAGO—(4,000), 25c-50c-68c, 7 days. Stage: Ethel Waters, Cornell & Graff, Grace Du Faye & Co., Evans Ballet. **Gross:** $30,000. (Average, $34,600)

"HOLD 'EM YALE" (Para.)
ORIENTAL—(3,940), 25c-40c, 7 days. Stage: Olga Baclanova and Revue, Hal Sherman, Mark Fisher, Dorothy Hild Girls. **Gross:** $18,000. (Average, $15,000)

"HOORAY FOR LOVE" (Radio)
PALACE—(2,509), 25c-35c-50c, 7 days. Stage: Pickens Sisters, Honey Family, Johnny Burke, Carl Shaw, Peggy Taylor. **Gross:** $17,000. (Average, $22,000)

"DOUBTING THOMAS" (Fox)
ROOSEVELT—(1,591), 25c-35c-50c, 7 days, 2nd Loop week. **Gross:** $9,000. (Average, $11,000)

"LET 'EM HAVE IT" (U. A.)
UNITED ARTISTS—(1,700), 30c-40c-50c, 7 days. **Gross:** $18,000. (Average, $17,000)

"GOIN' TO TOWN" (Para.)
GARRICK—(900), 25c-35c-40c, 7 days, 4th Loop week. **Gross:** $4,500. (Average, $5,000)

"LES MISERABLES" (U. A.)
APOLLO—(1,400), 25c-35c-50c, 7 days, 4th Loop week. **Gross:** $6,000. (Average, $8,000)

"PARTY WIRE" (Col.)
STATE LAKE—(2,776), 20c-25c-35c, 7 days. Stage: Mary McCormic, Haffy and Frank Seaman, Whitey Roberts, Verne Buck, 4 McNallie Sisters, Gresham & Blake, Ballet. **Gross:** $12,000. (Average, $13,000)

"G-Men" Is $11,500 Montreal Standout

MONTREAL, June 19.—"G-Men" was the stand-out. This feature at the Palace accounted for $11,500 for its first run in Canada.

High in the week's local standing was "My Song for You" which topped the bill at the Princess for $7,000, which was also above par. "The "Scoundrel" and "The Glass Key" brought $8,000 to the Capitol, while Loew's tapered off to $5,500 on "Mark of the Vampire" and "Baby Face Harrington." For once in a long time there wasn't a legal holiday of any kind for the week.

Total first run business was $35,000. Average is $40,500.

Estimated takings for the week ending June 15:

"THE SCOUNDREL" (Para.)
"THE GLASS KEY" (Para.)
CAPITOL—(2,547), 25c-35c-40c-50c-60c, 7 days. **Gross:** $8,000. (Average, $9,500)

"JEALOUSY" (Col.)
IMPERIAL—(1,914), 20c-25c-34c, 7 days. Added revival: "One Night of Love." **Gross:** $3,000. (Average, $3,500)

"MARK OF THE VAMPIRE" (M-G-M)
"BABY FACE HARRINGTON" (M-G-M)
LOEW'S — (3,115), 30c-34c-40c-50c-60c, 7 days. **Gross:** $5,500. (Average. $10,500)

"G-MEN" (F. N.)
PALACE — (2,600), 25c-35c-40c-50c-65c, 7 days. **Gross:** $11,500. (Average, $11,000)

"MY SONG FOR YOU" (G. B.)
"MY OLD DUTCH" (British)
PRINCESS — (2,272), 30c-35c-50c-65c, 7 days. **Gross:** $7,000. (Average, $6,000)

"Public Hero" Gets $15,500 In Cleveland

CLEVELAND, June 19.—"Public Hero No. 1" was the biggest first run attraction of the week. It grossed $15,500 at Loew's State, which is $5,500 over average, and was moved to the Stillman for a continued downtown run.

"The Girl from 10th Avenue" jumped $1,100 over average to a $9,100 gross at Warners' Hippodrome and "Werewolf" was over the Allen average by $700 at $3,700.

"Hold 'Em Yale" topped the Stillman $4,000 average by $300 and "One Night of Love," playing a repeat at the Circle, topped the average first run gross by $1,500.

Clear cool weather helped business generally.

Total gross was $44,300. Average is $43,000.

Estimated takings for the week ending June 14:

"WEREWOLF OF LONDON" (Univ.)
ALLEN—(3,300), 30c-35c-42c, 7 days. **Gross:** $3,700. (Average, $3,000)

"THE GIRL FROM 10TH AVE." (F.N.)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $9,100. (Average, $8,000)

"UNDER THE PAMPAS MOON" (Fox)
RKO PALACE—(3,100), 30c-35c-42c, 8 days. **Gross:** $8,200. (Average, $10,000)

"PUBLIC HERO NO. 1" (M-G-M)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $15,500. (Average, $10,000)

'HOLD 'EM YALE" (Para.)
LOEW'S STILLMAN—(1,900), 25c-35c, 7 days. **Gross:** $4,300. (Average, $4,000)

"ONE NIGHT OF LOVE" (Col.)
CIRCLE—(1,925), 15c-25c-30c, 7 days. **Gross:** $4,500. (Average, $3,000)

"Glass Key" Takes Honors in Lincoln

LINCOLN, June 19. — "The Glass Key" was the heavy draw of the week, taking $2,600 at the Lincoln. That's $400 up and plenty nice in the face of a sudden spurt of hot weather which drove everybody golfing or swimming. The Stuart did well over the week-end with "Richelieu," but simmered down with $2,700, which is $400 down.

The Orpheum had a couple of dandies as dual bills go and the letup from vaudeville days on the last halves was not too noticeable. "Hoosier Schoolmaster" and "Headline Woman" led off, followed by "Daring Young Man" and "Strangers All." The gross was $2,000, which is $300 over the straight picture average.

Total first run business was $8,150. Average is $7,850.

Estimated takings:

Week Ending June 12:

"RED BLOOD OF COURAGE" (Reliable)
"FOUR HOURS TO KILL" (Para.)
"ONE FRIGHTENED NIGHT" (Capitol)
COLONIAL—(750), 10c-15c, 7 days, 3 changes. **Gross:** $850. (Average, $850)

"HOOSIER SCHOOLMASTER" (Mono.)
"HEADLINE WOMAN" (Mascot)
"DARING YOUNG MAN" (Fox)
"STRANGERS ALL" (Radio)
ORPHEUM—(1,200), 10c-15c-25c, 7 days. **Gross:** $2,000. (Average, $1,700)

Week Ending June 13:

"GLASS KEY" (Para.)
LINCOLN—(1,600), 10c-20c-25c, 7 days. **Gross:** $2,600. (Average, $1,700)

Week Ending June 14:

"CARDINAL RICHELIEU" (U. A.)
STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $2,700. (Average, $3,100)

Truog Gets Surprise

Kansas City, June 19.—You could have knocked W. E. Truog over with one of Sally Rand's feathers when he read in *Motion Picture Daily* that a salary check due him since 1924 from the old Selznick Distributing Corp. was awaiting him at the office of a New York attorney.

Truog, now United Artists manager here, was employed by Selznick as Kansas City branch manager shortly prior to the company's bankruptcy. He entered his claim for two weeks' salary, totaling $270, and hadn't heard about it, he says, in 11 years.

"Escape Me" Tops Boston; Gets $14,000

BOSTON, June 19.—"Escape Me Never" enlivened a dull week here by getting $14,000, over normal by $2,000, at Keith's Memorial.

The same figures also applied to a dual bill consisting of "Public Hero No. 1" and "The Awakening of Jim Burke." "The Scoundrel" and "Alibi Ike" on a dual bill were strong in two places, the Fenway and the Paramount, going $1,000 over average in each spot.

Total first run business was $69,500. Average is $65,500.

Estimated takings for the week ending June 14:

"THE SCOUNDREL" (Para.)
"ALIBI IKE" (F. N.)
FENWAY—(1,382), 30c-50c, 7 days. **Gross:** $5,500. (Average, $4,500)

"ESCAPE ME NEVER" (U. A.)
KEITH'S MEMORIAL—(2,907), 25c-65c, 7 days. **Gross:** $14,000. (Average, $12,000)

"PUBLIC HERO NO. 1" (M-G-M)
"THE AWAKENING OF JIM BURKE" (Col.)
LOEW'S STATE—(3,537), 25c-55c, 7 days. **Gross:** $14,000. (Average, $12,000)

"IN CALIENTE" (F. N.)
METROPOLITAN — (4,332), 35c-65c, 7 days. Stage: Sixty Stars, including Herman Hyde, in "Round the World Cruise," Elida Ballet, Fabien Sevitzky. **Gross:** $21,000. (Average, $22,000)

"THE SCOUNDREL" (Para.)
"ALIBI IKE" (F. N.)
PARAMOUNT — (1,793), 25c-50c, 7 days. **Gross:** $8,000. (Average, $7,000)

"STRANGERS ALL" (Radio)
"MR. DYNAMITE" (Univ.)
RKO BOSTON—(3,246), 25c-50c, 7 days. **Gross:** $7,000. (Average, $11,000)

Loew's Bijou to Switch

NEW HAVEN, June 19.—Loew's Bijou will switch from first to second run on June 23. The change was originally set for the opening of the College, but recently both houses have been first run. There is some speculation as to whether the Bijou will take over the 11-day clearance formerly held by the College.

Boston Races a Worry

BOSTON, June 19.—Pari-mutuel horse race betting has started in Greater Boston for the first time. It follows the start of dog racing by five days. It is proving heavy competition for theatres.

"Pampas" Gets $4,400, Best Gross in K.C.

KANSAS CITY, June 19.—"Under the Pampas Moon," backed by some heavy pre-showing promotion by Stanley Chambers at the Fox Uptown, made the best comparative showing for a week that fell well below par. The Fox picture grossed $4,400 against an average of $3,500.

"Eight Bells" at the Tower went $400 over a normal of $7,000. "Black Fury" at the Newman was only fair at $6,500, and "In Caliente" made a poor showing with $7,000 gross in 10 days. Manager Lawrence Lehman held over to open "The Informer" with exclusives of the Baer-Braddock bout.

Loew's Midland did a pretty good job with "Public Enemy No. 1," pushing the gross up to within $500 of average.

Total first run business was $36,300. Average is $39,000.

Estimated takings:

Week Ending June 13:

"EIGHT BELLS" (Col.)
TOWER—(2,200), 25c, 7 days. Stage: Jackie Lane, Bernard & Henrie, 3 Payne Bros., Rogers & Wynne, Jack Carson, Tower Adorables, Tower Orchestra. **Gross:** $7,400. (Average, $7,000)

"PUBLIC ENEMY NO. 1" (M-G-M)
MIDLAND—(4,000), 15c-25c-40c, 7 days. **Gross:** $11,000. (Average, $11,500)

"BLACK FURY" (F. N.)
NEWMAN—(1,800), 25c-40c, 7 days. **Gross:** $6,500. (Average, $7,000)

Week Ending June 14:

"UNDER THE PAMPAS MOON" (Fox)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $4,400. (Average, $3,500)

"IN CALIENTE" (F. N.)
MAINSTREET—(3,100), 25c-40c, 10 days. **Gross:** $7,000. (Average, 10 days, $10,000)

"Thomas" Denver Smash at $9,000

DENVER, June 19. — "Doubting Thomas" packed the Denver repeatedly, doing a business of $9,000, 50 per cent above average. It was moved to the Broadway for an extended run.

"The Glass Key," backed by "Platinum Blonde," all-girl stage show, also did a nice business, nearly double average. All other houses were below average.

Total first run business was $21,900. Average is $23,000.

Estimated takings for the week ending June 13:

"THE DARING YOUNG MAN" (Fox)
ALADDIN — (1,500), 25c-35c-50c-60c, 3 days. **Gross:** $300.

$10 RAISE" (Fox)
ALADDIN — (1,500), 25c-35c-50c-60c, 4 days. **Gross:** $900. (Average for week, $2,500)

"BREWSTER'S MILLIONS" (U. A.)
BROADWAY—(1,500), 25c-40c, 3 days. **Gross:** $200.

"I'LL LOVE YOU ALWAYS" (Col.)
"SWELL HEAD" (Col.)
BROADWAY—(1,500), 25c-40c, 4 days. **Gross:** $500. (Average for week, $1,500)

"THE GLASS KEY" (Para.)
DENHAM—(1,500), 25c-35c-50c, 7 days. Stage show. **Gross:** $7,000. (Average, $4,000)

"DOUBTING THOMAS" (Fox)
DENVER — (2,500), 25c-35c-50c, 7 days. Stage show. **Gross:** $9,000. (Average, $6,000)

"THE NITWITS" (Radio)
ORPHEUM—(2,600), 25c-35c-40c. Stage show. **Gross:** $2,000. (Average, $5,000)

"TIMES SQUARE LADY" (M-G-M)
PARAMOUNT — (2,000), 25c-35c-40c, 7 days. **Gross:** $2,000. (Average, $4,000)

Variety Club

Pittsburgh

PITTSBURGH, June 19.—While things are slow at the Variety Club during this period of vacations, conventions, new sales season, etc., plans are now afoot for the seventh annual basket picnic and the second annual golf tournament. J. O. HOOLEY and JOE BLOWITZ are chairmen of the picnic committee and ART LEVY is chairman of the golf tournament.

These are the only real activities during summer for the actual club members, but STEVE COX keeps the club busy with several meetings each week of his blind men (Umpires).

JOHN MALONEY recovering from a severe case of blood poisoning. It all started from a carbuncle.

MALONEY just elected member of the Rotary Club. JOHN H. HARRIS represents theatres.

BERNIE ARMSTRONG and JERRY MAYHALL applying for license for new broadcasting company in Pittsburgh.

JIMMY BALMER practicing mush ball with his two boys—JACK and JIM, JR.—getting in shape for the picnic game.

J. T. MCGREEVEY reports his baby now says "Hockadarematabarlus" as plain as a grown up "proud father."

BILL BENSWANGER attends at least three banquets a week.

Continuous policy of stage shows hampering DAVE BROUDY at the Stanley where he is conductor. Holds him down to 36 holes a day. Nary a performer comes to the Stanley that DAVE doesn't challenge—for the links.

SAM PARKS, JR., of South Hills-U. S. open golf champion member of Pittsburgh Variety Club.

MIKE GALLAGHER every day at the open golf tournament.

Washington

WASHINGTON, June 19.—Because of the annual meeting of the M.P.T.O. of Virginia, the semi-monthly luncheon scheduled for June 17 was cancelled.

The to-have-been kings for a day, ARTHUR GODFREY and NAT GLASSER, will be placed on the steward list later in the season.

JOE GINS and SID LEHMAN, kings for a day at the smoker on June 24, the first formal Variety Club event in a fortnight, have invited nearly 200 exhibitors of Baltimore and Washington to be their guests that evening.

Plans for the first annual Variety Club Show Boat Cruise on July 20 are going forward under the direction of Admiral CARTER T. BARRON.

For the event, the following committees have been named:

Entertainment—GUY WONDERS, NATE STIEFEL, GENE FORD.

Publicity—FRANK LAFALCE, LOU BROWN, RAY BELL.

Ticket Sales—CHARLES KRANZ, W. E. S. WILCOX, HARRY E. LOHMEYER, NAT GLASSER, LOU ROME, HARRY SUMMERVILLE.

Concessions on Boat—HARRY S. BROWN.

Music—C. FREDERICK CLARK, PHIL LAMPKIN.

NORMAN PYLE, exploiteer for M-G-M, has been elected a regular member of Tent No. 11.

Ochs' Condition Low

The condition of Lee Ochs, who was operated upon at the York Hospital last week for appendicitis, was reported "very low" last night.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Make a Million"

(*Monogram*)

HOLLYWOOD, June 19.—Capitalizing on the current interest in various redistribution of wealth plans, this one has plenty of exploitation angles and good comedy to make it count on double bills in spite of no draw names.

Charles Starrett is fired from his position as professor of economics through a complaint of Pauline Brooks, the daughter of a millionaire sponsor, because he teaches, "the wrong people have the money." Starrett is told that he will be welcomed back when he gets his million. Falling in with a gang of professional panhandlers, Starrett gets his million by public subscription, defeats scheming bankers and wins the girl after a series of improbable but very funny incidents.

James Burke is brilliant in a cast that includes George E. Stone, as a two-timing reporter; Guy Usher, Norman Houston, Monte Carter, Jimmy Aubrey, George Cleveland and John Elliott.

The direction by Lewis D. Collins is smooth. Emmett Anthony's story and Charles Logue's screen play are particularly good in comedy. No production code seal. Running time, 67 minutes. "G."

Looking 'Em Over

"Stranded"

(*Warners*)

Crammed with rapid-fire action, romance and smiles, "Stranded" makes the most of the entertainment values offered by its story, and they are not inconsiderable. With the background provided by the new bridge being spun across San Francisco Bay, overlorded by George Brent as a construction engineer, and with the activities of the Travelers' Aid interspersed, the picture has a wide play of happenings to concern itself with.

Kay Francis, as a Travelers' Aid worker in San Francisco, makes a career of helping the stranded and homeless, which she finds no easier to give up after falling in love with Brent, who asks her to do just that before becoming his wife. Their viewpoints on her work lead to an estrangement which is repaired only after Miss Francis has aided in winning back the loyalty of the bridge workers to Brent after labor agitators have imperiled Brent's job and the success of the bridge construction.

The story is thin on credibility in some sequences, but what it sacrifices in the way of realities is more than made up for in punchy action, heart interest, and fast moving incident. Miss Francis fits smoothly into her role. Brent gives a facile performance and a good supporting cast rounds out a picture that offers plenty of exploitation opportunities. Frank Borzage's direction is unerring with this material. Running time, 64 minutes. "G."

"Men Without Names"

(*Paramount*)

Coming as late as it does in the cycle, Paramount's contribution to the "G-Men" series is not without merit. It has all the ingredients which make for an entertaining main dish on any film menu. Albert Lewis produced and Ralph Murphy directed. Fred MacMurray, Madge Evans and Leslie Fenton are the three topnotchers in the cast and their work is capital. Lending admirable support are Herbert Rawlinson, head of the Department of Justice; David Holt, Lynn Overman, Elizabeth Paterson, Grant Mitchell and Dean Jagger. Dale Van Every wrote the original.

Following a bank stickup in Brooklyn, Rawlinson assigns MacMurray to his first important task of running down the gang. A few $5 bills of the stolen serial numbers show up in Delafield, Kan., where MacMurray is sent. He stops at a boarding house where he gets his first clue and also his first chance to formally meet the heroine, Miss Evans, who works for the local newspaper and has her doubts about him.

Mitchell, the town's bank president, is brought into the mess by his brother, one of the gangsters involved. He is given the job of disposing of the "hot coin." Keeping steady contact with the Kansas City office

(*Continued on page* 11)

Short Subjects

"Roaring West"

(*Universal*)

Buck Jones is the star in this serial, something that will give the kids plenty to shout about. The first three chapters, running about 20 minutes each, are packed with excitement every foot of the way. The story has to do with the efforts of a group of no-good fellows to get possession of a map belonging to Jones which contains the location of a piece of gold-bearing land. This serial has been beautifully photographed. Supporting Jones are Muriel Evans, about whom the hero is "that way," Walter Miller, Frank McGlynn, Sr., Harlan Knight and William Desmond, among others. Ray Taylor directed. Production Code Seals on the three initial installments are numbered 796, 797 and 798. "G."

"Along Flirtation Walk"

(*Vitaphone*)

Another in the appealing series of Leon Schlessinger animations. The color tones are attractive and musical effects deserving of applause. The story concerns the big egg laying contest of the season with the losing team coming up from yonder and carrying off the laurels.

It's worth a spot on any program. Code Seal No. 0661. Running time, 7 mins. "G."

"Ski Scrapers"

(*Educational-Fox*)

Panoramic beauty sweeps through every foot of this Treasure Chest Prod. It shows a group of ski-ers in action in Norwegian mountains. Various effective angles have been caught by the photographer. Plus the interesting narrative by Edward Thorgersen, this short is unlimited in its appeal. Production Code Seal 0416. Running time, 8 mins. "G."

"What's the Idea?"

(*Vitaphone*)

Lew Pollack, the composer, in a review of some of his recent hits, which by this time are pretty well dated. He plays the piano while a number of performers sing and dance. Behind the motive for listening to the songs is the idea to sell them to a film producer. Mildly entertaining. Code Seal No. 0254. Running time, 10 mins. "G."

"Town Hall Follies"

(*Universal*)

Oswald is transported back to the gay nineties. We see him as an usher at a theatre who, forgetting that the villain on the stage is just playacting. rushes to the rescue of the heroine. The villain runs for it, while Oswald and the gal go into a clinch. Entertaining. Production Code Seal No. 785. Running time, 7 2/3 mins. "G."

"All for One"

(*Educational-Fox*)

Sylvia Froos sings two numbers in this subject, one with Warren Hull, who falls for her at the first introduction and has a problem on his hands in trying to shoo off four other contenders for the Hull title. It's fair.

Production Code Seal No. 0436. Running time, 17 mins. "G."

"Doubting" Is Philadelphia's High, $18,000

PHILADELPHIA, June 19. — Building from a slow start caused by a rainy weekend, "Doubting Thomas" climbed to $18,000 at the Fox to lead the Philadelphia parade. It was held for a second week.

"Escape Me Never" also enjoyed a build in the latter part of the week and was held for at least three extra days. It got $9,000, which topped the house average by $2,000.

The rest of the town couldn't shake off the doldrums of hot and wet weather.

Total first run business was $74,600. Average is $72,730.

Estimated takings for the week ending June 13:

"ESCAPE ME NEVER" (U. A.)
ALDINE—(1,200), 40c-55c-65c, 6 days, 2nd week. **Gross:** $9,000. (Average, $7,000)
"THE FLAME WITHIN" (M-G-M) (2nd run)
ARCADIA — (600), 25c-40c-50c, 6 days. **Gross:** $1,900. (Average, $2,400)
"GIRL FROM TENTH AVENUE" (Warners)
BOYD — (2,400), 40c-55c, 6 days. **Gross:** $10,000. (Average, $12,000)
"AGE OF INDISCRETION" (M-G-M)
EARLE — (2,000), 25c-40c-50c, 6 days. Stage: "Spices of 1935" with Count Berni Vici revue. **Gross:** $12,000. (Average, $12,000)
"DOUBTING THOMAS" (Fox)
FOX—(3,000), 40c-55c-65c, 6 days. Stage: "California Collegians," Vera Van, Jans and Lynton Revue. **Gross:** $18,000. (Average, $12,000)
"LES MISERABLES" (U. A.) (2nd run)
KARLTON—(1,000), 25c-35c-40c, 8 days. **Gross:** $4.200. (Average, 6 days, $3,500)
"BREAK OF HEARTS" (Radio) (2nd run)
KEITH'S — (2,000), 30c-40c-50c, 7 days. **Gross:** $3,300. (Average, 6 days, $4,000)
"PUBLIC HERO NO. 1" (M-G-M)
STANLEY—(3,700), 40c-55c, 6 days. **Gross:** $10,500. (Average, $12,000)
"THE GLASS KEY" (Para.)
STANTON — (1,700), 30c-40c-50c, 6 days. **Gross:** $5,700. (Average, $6,000)

ITO of Mississippi Not At Allied Meet

JACKSON, MISS., June 19.—A resolution protesting against publicity concerning the representation of Mississippi exhibitors at the recent Allied States national convention at Atlanta, believed to have been authored by Allied, was adopted by the I. T. O. of Miss. at its meeting here this week.

The resolution set forth that no member of the organization, the only exhibitor unit in the state, attended the Allied session. The resolution was followed by another endorsing Ed Kuykendall, M.P.T.O.A. president, who is a resident of the state.

Get Change of Venue

WHITE PLAINS, N. Y., June 19.—Movietone News and Fox Film Corp. were granted a change of venue to New York City in Supreme Court here today in the $100,000 damage suit brought against them by William Stewart Smith, head of the International Flight Corp., as an aftermath of the wrecking of a Sikorsky amphibian in an effort to transfer films of the assassination of King Alexander of Jugoslavia from the liner *Washington* at sea while the plane was in flight. The plaintiff charges the loss of the plane ruined a contemplated flight to Moscow.

Ascap Trial Is Put Over Until Nov. 4

(*Continued from page* 1)

manner in which much of the evidence has been introduced, and with little prospect of a change in tactics indicated.

With stipulations agreed upon, counsel felt, many witnesses can be relieved of testifying and the testimony of others can be shortened.

Burkan asked for postponement of the trial until fall when the case was called before Federal Judge Henry W. Goddard 10 days ago, but when government counsel applied to Washington for consent to an adjournment it was refused and the trial was begun. An adjournment would have had to be taken July 1 in any event as Judge Goddard is scheduled for a new assignment on that date which will occupy him during the following three months.

Again "Anchors Aweigh"

HOLLYWOOD, June 19.—There is still another title change on Warners' Annapolis picture which has been called "Anchors Aweigh," "Classmates" and "Dress Parade." It seems that Columbia has the rights to "Dress Parade," so the film is again shooting as "Anchors Aweigh." One more change is expected.

Wall Street

Trading Irregular on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1)	63⅛	63	63	— ½
Consolidated	3⅝	3⅝	3⅝	.....
Cons. pfd (1¼v)..	15	14⅞	15	+ ⅛
Eastman	147¾	146	146	—1⅜
Fox Film "A"....	15⅛	14¾	15	— ¼
Loew's, Inc.	42	40⅜	40½	— ½
Paramount Publix	4	3⅝	3¾	+ ⅛
Pathe	⅝	½	⅝	+ ⅛
Pathe "A"	9½	9¼	9¼	— ½
RKO	2½	2	2	.....
Warner Bros.	4¼	4	4	.....
Warner, pfd	25	24¼	24¾	—1

Curb Issues Show Gain

	High	Low	Close	Net Change
Technicolor	23	22	23	+1¼
Trans-Lux (.10K).	2¼	2¼	2¼	+ ⅛

Paramount F. L. Bonds Gain 1⅝

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11¼	11¼	11¼	— ¼
Loew's 6s '41 ww deb rights....	104	104	104	.....
Paramount B'way 5½s '51	58	57½	57½	— ¼
Paramount F. L. 6s '47	94¼	94	94¼	+1⅝
Paramount Publix 5½s '50	96	95	96	+1
Warner Bros. 6s '39 wd	65¾	65	65½	+ ½

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 19)

Looking 'Em Over

"Men Without Names"

(*Continued from page* 10)

and Washington, MacMurray finally learns of the gang's hideout. Just as the government men are about to close in on the spot Mitchell, fearful of his life, shirks at the thought of returning to the gang's headquarters, sends Holt in with the brief case. Fenton grabs the kid and uses him for protection, but gets his just the same.

The last reel is replete with action. There is never any doubt that MacMurray and Miss Evans will merge at the end.

Production Code Seal No. 860. Running time, 65 minutes. "G."

"Men on Wings"

(*Amkino*)

This Soviet film, produced by Moscow Kino-Combinat, probably comes closer to being popular entertainment for American audiences than most of the product that has recently found its way here from Russia. Dealing with airplanes and airmen, it touches on a theme familiar to American filmgoers. Those who thrill to the sound of a plane motor will most likely get a kick out of "Men on Wings."

What propaganda there is in this production is almost negligible. The film, a tribute to the air service of the new Russia, reveals life in a Soviet flying school. The story mixes drama with humor and packs some exciting action.

The film contains a romance of a sort in which the principals are E. K. Melnikova and I. I. Koval-Samborsky. The latter, an air squadron commander, is grounded when his disregard for orders causes a crash in which he is injured. The rest of the film details his efforts to regain permission to fly, with the girl, a student at the school, aiding him.

There are English subtitles. The roles are well-enacted. J. Reisman directed. No production code seal. Running time, 85 minutes. "G."

"No More Ladies," tomorrow morning's opener at the Capitol, was previewed by wire from Hollywood on June 3.

"Nell Gwyn," which opened yesterday at the Rivoli, was reviewed on July 11, 1934.

"Charlie Chan in Egypt," to be previewed at the Roxy tonight, was reviewed from Hollywood by wire on June 1.

"Hour," Show Pittsburgh's Bet, $11,000

PITTSBURGH, June 19.—In the case of the two leaders last week, stage shows were generally credited by the managements with boosting grosses. An all-radio revue, including Mary Small and Phil Cook, along with the better known network amateur winners, bolstered "One Hour Late" at the Alvin to $11,000, while Benny Davis and his "Star-Dust" revue helped "Oil for the Lamps of China" collect $18,000 at the Stanley.

The straight picture houses, however, did not fare so well. At the Penn, "Public Hero No. 1" got only around $8,000, while "Stolen Harmony" at the Warner fizzled out to $3,000. Things weren't much better at the Fulton, where "Vagabond Lady," brought in at the last minute when "Women Must Dress" was yanked after two days, did about $2,700.

Total first run grosses were $42,700. Average is $46,500.

Estimated takings for the week ending June 13:

"ONE HOUR LATE" (Para.)
ALVIN—(2,000), 25c-55c, 7 days. Stage: "Radio Revue" with Mary Small, Phil Cook, Larry Taylor, Jack Rubin, Major Bowes-Fred Allen-Gus Edwards-Ray Perkins amateur winners, Streamline Alvinettes and Jerry Mayhall's orchestra. **Gross:** $11,000. (Average for 6 days, $10,000)
"VAGABOND LADY" (M-G-M)
FULTON—(1,750), 25c-40c, 6 days. **Gross:** $2,700. (Average, $4,500.) "Women Must Dress" (Monogram) in two days around $700.
"PUBLIC HERO NO. 1" (M-G-M)
PENN—(3,300), 25c-40c, 6 days. **Gross:** $8,000. (Average, $9,000)
"OIL FOR THE LAMPS OF CHINA" (Warners)
STANLEY—(3,600), 25c-55c, 6 days. Stage: Benny Davis and his "Star-Dust" revue. **Gross:** $18,000. (Average, $18,000)
"STOLEN HARMONY" (Para.)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $3,000. (Average, $5,000)

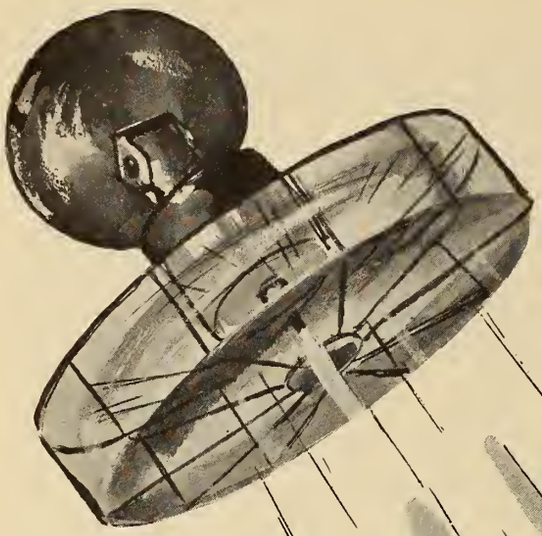
"Hero," "Thin Man" Hit in Providence

PROVIDENCE, June 19.—Loew's State thought the U. S. mint had flooded last week when $15,000 rolled in on the dual bill of "Public Hero No. 1" and a revival of "The Thin Man" which packed 'em to the rafters. This is more money than any house in town has seen in some time. The show was held over.

Total first run business was $39,600. Average is $40,500.

Estimated takings for the week ending June 13:

"PEOPLE WILL TALK" (Para.)
"THE HEADLINE WOMAN" (Mascot)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $6,500. (Average, $6,500)
"IN CALIENTE" (F. N.)
"WHILE THE PATIENT SLEPT" (F. N.)
MAJESTIC—(2,400, 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)
"PUBLIC HERO NO. 1" (MGM)
"THE THIN MAN" (MGM)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $15.000. (Average, $12,000)
"WEREWOLF OF LONDON" (Univ.)
"NIGHT LIFE OF THE GODS" (Univ.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $3,500. (Average, $7,000)
"BRIDE OF FRANKENSTEIN" (Univ.)
FAY'S—(1,600), 15c-40c, 7 days, 2nd week. Stage: "Dance Capers." **Gross:** $6,500 (Average, $7,000)
"MR. DYNAMITE" (Univ.)
"JUSTICE OF THE RANGE" (Col.)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $1,100. (Average, $1,000)



BETTER THAN A COOLING PLANT

N. Y. TIMES—"The sort of gay and lively comedy that seems singularly suited for exhibition at this time of the year... Frank Butler, who wrote the story, deserves a few hot-weather cheers for converting the plot into a frothy, bubbling and sparkling farce. And no small credit must go to a cast which seems to have been in a happily comic mood . . . The tale is told swiftly and amusingly and seemed to find deserved favor with yesterday's Roxy audiences . . ."

DAILY NEWS—"Happily presented by a good cast 'Vagabond Lady' is just the kind of thing that will take your mind off the heat. Robert Young is his gay young self! To the fan who likes his entertainment light and fluffy, this peace ought to afford him his money's worth . . ."

DAILY MIRROR—"Light airy comedy with excellent cast . . ."

N. Y. POST—"Cheerful little picture which should provide laughs and giggles . . ."

N. Y. HERALD-TRIBUNE—"Light and diverting summer entertainment . . . The dialogue is breezy, the setting novel and the laughs frequent . . ."

N. Y. SUN—"Captures a welcome lightness of spirit . . . A pleasant hot-weather film . . ."

N. Y. JOURNAL—"Good hot-weather entertainment . . . Film is a pleasant mixture of amiably goofy situations, brisk direction and deftly farcical performances . . . Genuinely amusing comedy . . ."

N. Y. WORLD-TELEGRAM—"Frisky slapstick farce . . . Gaily written, bright and amusing with lively acting, 'Vagabond Lady' is to be recommended as satisfactory summer entertainment . . ."

N. Y. TELEGRAPH—"Light farce, deftly and understandingly written . . . One of the most amusing films this reviewer has seen in quite some time. Most of its amusement is derived from the fact that everyone concerned with it has done a fine piece of work . . . Salutation to Robert Young! Story manages to be fresh, clean, entertaining and better-than-average... Entire cast is excellent..."

B'LYN TIMES-UNION—"Is better equipped to uphold its claim of hilarity than any film we have seen in some time . . . Cast keeps the fun moving briskly to a captivating climax . . . Nicely directed from a viewpoint of action and more action by Sam Taylor . . . A fine hot-weather entertainment . . ."

Doing nicely at the ROXY (N. Y.) thank you!



GET IT WHILE IT'S HOT!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 145 NEW YORK, FRIDAY, JUNE 21, 1935 TEN CENTS

NRA to Take Over Federal Trade Rulings

Aim to Avert Danger of Unequal Advantages

By BERTRAM F. LINZ

WASHINGTON, June 20.—Abandonment by the Federal Trade Commission of its trade practice submittal policy has been decided upon in order that all voluntary agreements entered into by industry may be handled by the revised National Recovery Administration.

Decision to confine the handling of such agreements to the NRA was reached upon a showing that if the Trade Commission continued to handle them business organizations might

(*Continued on page 2*)

Ten Campi Members To Discuss Outlook

Ten members of Campi will meet Monday to discuss the industry from the time the code ceased to the present. When Campi met the last time it was decided to call another session in three weeks, during which time the members would take cognizance of

(*Continued on page 2*)

Roach to Make More Full Feature Films

Production of comedies of feature length will be a regular policy at the Hal Roach studios in the future, it was said yesterday by the producer before returning west after conferences with Nicholas M. Schenck, head of M-G-M. In the past Roach has

(*Continued on page 14*)

That Man Again

Chicago, June 20.—Drake lobby reports insist that Lou Goldberg, RKO theatre division manager who handles the circuit's east side. theatres in New York City, plans to change the title of "Becky Sharp" to "Becky Shapiro" when it plays the Franklin and Apollo.

Goldberg is the same chap who converted "Hold 'Em Yale" to "Sam, the Goniff" when it ran at the latter house. Jules Levy, however, is on his trail.

Openings Gain Over Closings In Many Spots

New Houses Numerous; Racing Causes Worry

Openings continue to outrun closings in many sections in spite of the increasing competition of outdoor sports as summer advances. This is especially true in New England, and is also marked in some parts of the south.

There has been no letup in incorporations of new firms. Vancouver and northwestern points in the United States are getting new houses.

The principal dark spot on the theatre horizon at the moment seems to be an increase in horse and dog racing with pari-mutuel betting.

N. E. Openings Gaining

BOSTON, June 20.—Theatre openings in New England continue to outweigh

(*Continued on page 4*)

See Possible Cut In Admission Tax

WASHINGTON, June 20.—Possibilities of an increase in the admission tax exemption next year were today held out by the Senate Finance Committee in reducing from two years to 12 months the period for which the emergency taxes are to be continued.

Reporting to the Senate the measure passed last week by the House, the committee indicated that the shorter

(*Continued on page 14*)

Cohn-Goldwyn

Hollywood, June 20.—Harry Cohn, Columbia representative, has resigned from the Producers' Ass'n, thus joining the exclusive rank of members of the association which has been occupied solely by Samuel Goldwyn.

Hollywood has not yet brought itself seriously to the point of speculating on whether Cohn and Goldwyn will form a new association of their own—the idea of an association dominated by Cohn and Goldwyn being something that would bring a high bid for serial rights.

Fox Name Is To Be Kept, Says Schenck

Fox - 20th Century definitely will be the name of the merged Fox and 20th Century companies, Joseph M. Schenck stated last night, scouting reports that the Fox name would be sent into oblivion. He also denied that a new stock issue for public subscription was planned.

Schenck arrived on the *Normandie* accompanied by Maurice Silverstone, chairman of the U.A. board in England. The latter is vacationing and will spend several weeks here and will go to Hollywood for the convention next month.

Asked how many pictures 20th Century would make, Schenck replied that the merged companies will make between 55 to 60. Questioned on reports that another big name was to join the

(*Continued on page 4*)

Kuhn, Loeb Para. Profit On Market Was $334,995

By CLARENCE LINZ

WASHINGTON, June 20.—Profits of $334,995 were made by Kuhn, Loeb & Co. through trading in Paramount securities during the period Sir William Wiseman, a partner in the banking firm, was serving as a member of the Kuhn, Loeb selected bondholders' protective committee headed by Frank A. Vanderlip, former head of the National City Bank, it was revealed today at the Securities and Exchange Commission hearing on the Paramount reorganization.

Under insistent questioning by Commission counsel as to the ethical aspects of trades by committee members in the securities of the company which they were trying to protect, Wiseman protested that were it not for the "high moral" attitude of Kuhn, Loeb the company could have made $1,000,000.

Digging into the trading operations of committee members after showing yesterday that Vanderlip had been

(*Continued on page 11*)

U. A. to Have 24 Features, Says Lichtman

May Get Four More, with 18 Disney Shorts

United Artists will have a minimum of 24 features and 18 Walt Disney subjects on its new season schedule, with a possibility of an additional four or more features from a producer with whom negotiations are now in progress, Al Lichtman, U. A. president, said yesterday.

U. A.'s new season schedule as it now shapes up calls for six pictures from Samuel Goldwyn; four to six from Alexander Korda; four from a producing unit to be developed by Mary Pickford with a prominent producer in charge; four from David O. Selznick; three from Reliance Pictures; two from Charles Chaplin; one or two from British & Dominion Pic-

(*Continued on page 4*)

RKO Leaders Head East as Meet Ends

CHICAGO, June 20.—Individual sales conferences today followed the closing of the three-day RKO Radio sales convention here last night.

A big delegation headed east on the 20th Century this afternoon. In the group were: J. R. McDonough, president of RKO Radio Pictures; B. B. Kahane, president of RKO Studios,

(*Continued on page 11*)

W. E. Will Retire $35,000,000 Bonds

Directors of Western Electric voted yesterday to redeem on Oct. 1 at 105 and accrued interest the entire issue of $35,000,000 five per cent gold debenture bonds outstanding.

In the meantime the company will accept these bonds at this price with accrued interest to date of presentation. It was explained that the company found itself with sufficient funds to retire the bonds and that no new financing was involved.

Penn. Senate Passes 4% Ticket Tax Bill

HARRISBURG, Pa., June 20.—The Pennsylvania Senate today passed by a vote of 37 to 12 the Eberharter House bill placing a four per cent

(*Continued on page 14*)

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Expect Fall Trial Of St. Louis Cases

ST. LOUIS, June 20.—An early ruling on whether or not the government must supply a bill of particulars in the anti-trust action against Warners, RKO, Paramount and several individuals connected with these companies is expected, but chances for a trial of the charges before next fall are regarded as remote.

Before taking the bill of particulars request under advisement Judge George Moore allowed four days for the filing of briefs and indicated he would hand down an early decision.

During the course of the argument he intimated that he would not depart from the custom of the court, which is to avoid lengthy trials during July and August.

Plan Negro Star Films

International Road Shows, Inc., has made arrangements to produce four features starring outstanding negro talent. Ethel Waters, Bill Robinson, the Mill Brothers, Paul Robeson, Cab Calloway and Duke Ellington are being sought, according to H. W. Reiter. Financing is to be done through Saverio Gugliotta.

Acquire Falaise Film

DuWorld Pictures, Inc., has taken over distribution of the Technicolor feature produced on the island of Bali by the Marquis Henri de la Falaise de la Coudraye. It is called "Legong, the Dance of the Virgins."

Purely Personal

AL LICHTMAN, HARRY GOLD, JOE MOSKOWITZ, PAUL BURGER, PAUL LAZARUS, ARTHUR KELLY, HARRY D. BUCKLEY and HAL HORNE attended a welcome home luncheon for the new U. A. president at the M. P. Club yesterday. Others at the club, but not in on the Lichtman party, included BEN JUDELL, DON JACOCKS, SIDNEY JUSTIN, CHARLES ROSENZWEIG, JOE HORNSTEIN, JACK SHAPIRO, HARRY BRANDT and SAM KRELLBERG.

•

ALBERTO MONROY of the *Mundo Cinematographico* and *Empresa Cinematagraphica Mexicana* is in town and plans to spend three weeks looking over the independent market for pictures for his Mexican exchange.

•

JOE E. BROWN, who left the coast for New York yesterday, will be featured on the Lux program over the NBC network June 30 in a scene from "Elmer the Great."

•

LEWIS MAISELL, general manager of Ultramares Films, left yesterday for New Bedford to arrange for locations and a cast of a Portugese language film he intends to produce.

•

QUEENIE SMITH has been signed by J. L. SACHS to appear in his London production, "All the King's Horses." The deal was handled by the William Morris Agency.

•

REG WILSON, special sales representative for G. B., is in Atlanta, and SAUL KRUGMAN of the home office staff has gone to Philadelphia and Washington.

•

JAKE WILK, Warner story editor, and JOHN FARRAR, who was an advisor on the production of "Anthony Adverse," arrive here today.

•

JOSEPH DOWNING, Broadway actor, has been engaged by Warners for a role in "Doctor Socrates." He heads west Sunday or Monday.

•

E. R. GOUDREAU leaves tomorrow by plane for the coast on a quick technical survey of the studios.

•

HOWARD STRICKLING, HOWARD DIETZ and SI SEADLER made an M-G-M threesome at "21" yesterday.

•

HARRY PRICE, Canadian independent exchange man, is in town for a few days.

•

ERNO RAPEE, GUS EYSSELL and FRED KORNER have been made members of the M. P. Club.

•

BEN JUDELL of Chicago and SAM DECKER of Detroit are visiting here for several days.

•

TOM BRENAN, Atlanta independent exchange operator, is in town. He's at the Edison.

•

FRANK MELFORD plans to head for the western studios shortly.

•

LOUIS PHILLIPS is due back from St. Louis Sunday.

•

DARRYL ZANUCK was on the visitors' list at United Artists yesterday.

•

JOEL SWENSEN is dividing the vacation between Maine and Canada.

•

IRVING BERLIN is back after attending the RKO convention in Chicago.

•

. . . San Francisco

WILLIAM B. WAGNON, who introduced talking pictures to San Francisco, has been married to ESTELLE CAMPBELL.

JOE LEO has been in town from Los Angeles conferring with HENRY GOLDENBERG regarding a possible change of policy at the Fox which GOLDENBERG manages.

HARRY EVERETT, owner of a circuit in the Philippines, is here on his way to New York.

J. J. FRANKLIN is due to arrive here this week from Honolulu to confer with WILLIAM CITRON over a new theatre which FRANKLIN is planning to erect in Honolulu. CITRON is FRANKLIN's representative here. FRANKLIN already runs two theatres in Honolulu.

DON KRULL, who handles the amusement advertising classification for the *Call-Bulletin*, is away on a two-weeks vacation.

FLOYD ST. JOHN is preparing to move his Republic exchange into newer and larger quarters on Golden Gate Ave.

Conference Set Upon Ohio Playdate Trial

CINCINNATI, June 20.—Paxton & Seasongood, local attorneys for RKO Distributing Corp. in the action against the state to test the validity of the law banning designated playdates, have a tentative appointment with Judge Charles H. Moorman, of the U. S. District Court for June 29 to determine whether the case can be heard by that court and when.

The papers specify that three U. S. District judges shall preside. This is impossible at present because of injuries sustained by Judges Nevin and Hough of the Cincinnati and Columbus courts, respectively, in a recent automobile accident. An effort, therefore, is being made to transfer the case to the U. S. Circuit Court of Appeals, although that docket is crowded, which may delay proceedings for quite some time.

Meanwhile, it is understood that defendants have agreed to take no action in trying to enforce the law until final determination of the case.

The law becomes effective July 6, although it was declared unconstitutional by Attorney General John W. Bricker after the bill had passed both branches of the legislature, "because it would interfere with the rights and property of copyright owners under the Federal laws and would be an unwarranted interference with the rights of private contract of the owners of film."

F. L. Newman Injured

SEATTLE, June 20.—Frank L. Newman, Sr., head of Evergreen State theatres (F. W. C.) in this territory, was painfully but not seriously injured here this week in an automobile accident.

The mishap occurred as Newman was driving over the Naches Pass in eastern Washington. After receiving first aid treatment en route, he proceeded back to local headquarters where he is now recuperating.

NRA to Take Over Federal Trade Rulings

(*Continued from page* 1)

play one agency against the other in an effort to secure greater advantages, and might abandon NRA agreements to get under the wing of the commission if the former's administration proved too harsh.

It was also represented that unless NRA was given sole control of agreements there would be little or nothing for it to do outside of the compilation of statistics.

Ten Campi Members To Discuss Outlook

(*Continued from page* 1)

what was going on within the industry. The meet will be held in the RKO board room in the RKO Building.

J. Robert Rubin will be chairman. Attending will be Ed Kuykendall, Nathan Yamins, Harold S. Bareford, Charles L. O'Reilly, W. C. Michel, Leslie E. Thompson, Austin C. Keough, Edward Golden, John C. Flinn and Tyree Dillard, Jr. Flinn will act as secretary and Dillard will act in a legal capacity.

Wis. Arbitration Moves Start

MILWAUKEE, June 20. — The I.E.P.A. has named a committee to contact the Fox and Warner circuits here for the purpose of working out some plan of local government in cooperation with the exchanges. It is hoped to be able to draft an arbitration board which would function to iron out problems of zoning and clearance and other grievances.

Reports are also current that the Film Board of Trade, which has been inactive during the operation of the code boards, will be revived. It is doubtful, however, whether anything definite along this line will be accomplished for another month or more.

Hornstein Elected Dealers' Chairman

CHICAGO, June 20.—Joe Hornstein of New York was elected chairman of the board of Independent Theatre Supply Dealers Ass'n. Benjamin Shearer of Chicago was elected president to replace J. E. Robin, who, under the new setup, becomes secretary.

Other directors are Arthur Marrone, George MacArthur and Joseph Graham. K. R. Douglas is vice-president and Clem Rizzo treasurer.

Famous Music Will Remain with Ascap

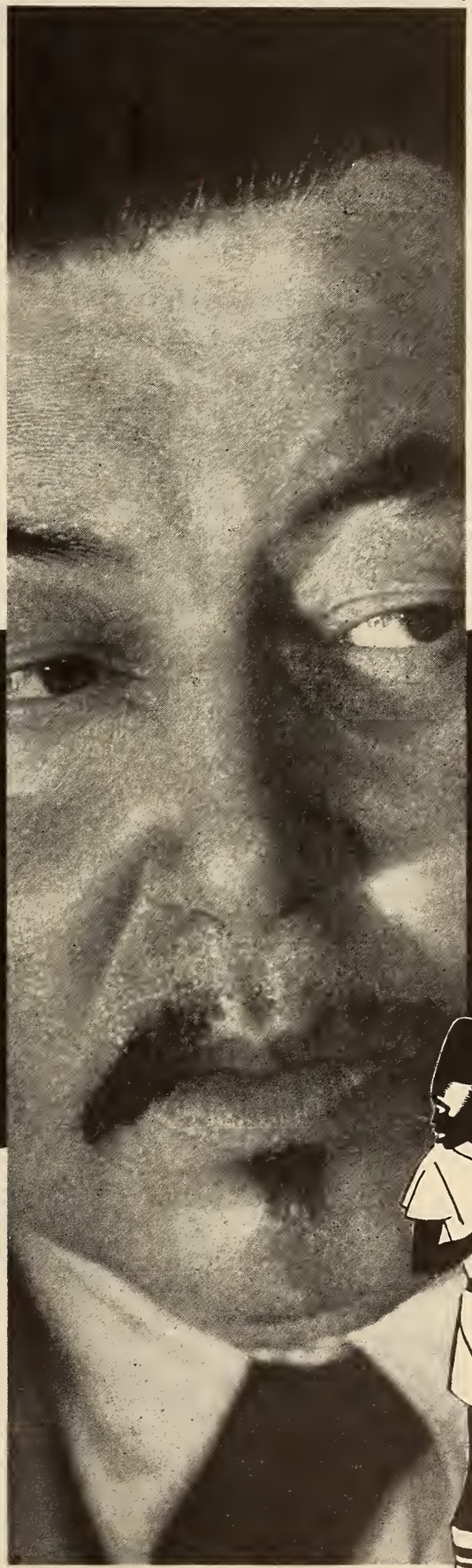
Famous Music Co., Paramount subsidiary, will make a new five-year agreement with the American Society of Composers, Authors & Publishers on the expiration of its present contract next Dec. 31, Lou Diamond, president of Famous, said yesterday.

The new five-year agreement may be signed within the next month or two, he said.

Your favorite trade paper reviewers report:

IT'S THE MOST ENTERTAINING OF THE WHOLE CHAN SERIES!

Audiences will shiver with suspense . . . and shake with laughter . . . as Charlie Chan defies the weird curse that guards a ghostly Egyptian tomb . . . with Stepin Fetchit as his reluctant aide. *It's an exploitation honey!*



CHARLIE CHAN IN EGYPT



WARNER OLAND

"Pat" PATERSON • THOMAS BECK • RITA CANSINO

STEPIN FETCHIT

Produced by Edward T. Lowe. Directed by Louis King. Original screen play by Robert Ellis and Helen Logan. Based on the character "Charlie Chan" created by Earl Derr Biggers.

YOU HAVEN'T A SHOW WITHOUT FOX

Openings Gain Over Closings In Many Spots

(*Continued from page 1*)

closings in spite of heavy competition from horse pari-mutuels, dance resorts, beaches and other seasonal attractions in this vacation spot. The Casino at Hampton Beach, N. H., goes into lights under the banner of John J. Flynn of Lawrence, Mass. The Barn, in Hampton, N. H., opened June 15.

The Park, operated by the Park Amusements Corp. and managed by Max Michaels, has darkened for the time being, probably until fall. The Broadway, in South Boston, is dark. The Opera House, in Ashland, Me., has opened.

Dallas Sale Is Approved

DALLAS, June 20.—Sale at auction of the Melba, downtown first run, and reorganization plans for the property, which has been in Federal receivership, have been approved by Judge William H. Atwell in Federal Court. Karl Hoblitzelle, who has a lease on the property, will manage both the theatre and the office building.

The sale was made to a committee representing bondholders, who bid $141,000. It was the only bid. John Erhard, special commissioner, said the property was worth more, but due to present conditions the price was the best he expected. He explained that Hoblitzelle had bought up many of the bonds and leased the property because of its "nuisance value."

Ohio Houses Open, Close

CANTON, O., June 20.—Two houses have closed, another will go dark next month and three have been opened in this territory.

The Opera House here and the Princess at Youngstown are already dark and the Columbia at Alliance will be closed July 1.

M. B. Horwitz has opened the Falls at Cuyahoga Falls to take care of the bank night overflow from the Alhambra. A. M. Brown has opened a new house seating several hundred at Buckeye Lake Park. A third house opened recently is the Park, at Conneaut Lake Park, operated by Harry Lewis.

Menards Take Another

LOS ANGELES, June 20.—Jack Menard and Mrs. Menard have taken over the Arrow from James Randall and will continue it as a last run grind house. They also operate the Showshop and the Burbank at Burbank.

P. G. Camerson, former Dallas exhibitor, has acquired the subsequent run Metro from E. L. Thompson, who has returned to Portland, Ore.

Edward Manson has been named manager of the Rosemary at Ocean Park by F.W.C. The house has been dark for several months.

Cincy Orpheum Is Closed

CINCINNATI, June 20.—The Orpheum, 2,100-seat independent neighborhood house located opposite the RKO Paramount, has closed, and future plans are understood to be indefinite. The house has been operated by M. Chester Martin, part owner, since reopening last fall. It previously was an RKO operation, the circuit having given up the lease about a year ago.

Wall Street

Paramount Gains ⅛ on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1)	62	61¼	62	—1
Consolidated	3⅝	3½	3⅝	.....
Cons., pfd (1¼v)	14⅞	14½	14¾	— ¼
Eastman	145	143½	145	—1
Fox "A"	14⅞	14¼	14¾	— ½
Loew's	40⅜	39¾	40⅜	— ⅛
Paramount	3⅞	3¾	3⅞	+ ⅛
Pathe	⅝	⅝	⅝	.....
Pathe "A"	9	9	9	— ¼
RKO	2	2	2	.....
Universal, pfd	31⅝	31⅝	31⅝	— ⅛
Warner	4⅛	3⅞	4	.....
Warner, pfd	24½	23½	24	— ¾

Technicolor Off on Curb

	High	Low	Close	Net Change
Technicolor	23¼	21½	21¾	—1¼
Trans-Lux (.10K)	2¼	2¼	2¼	.....

Para. B'way Bond Up ½

	High	Low	Close	Net. Change
General Theatre Equip. 6s '40 ctf	10¼	10¼	10¼	—1
Keith B. F. 6s '46	80¾	80¾	80¾	— ¼
Loew's 6s '41 ww deb rights	104	104	104	.....
Paramount B'way 5½s '51	58	58	58	+ ½
Paramount F. L. 6s '47	93½	93½	93½	— ¾
Paramount Publix 5½s '50	95	94⅝	95	—1
Warner Bros. 6s '39 wd	64¾	64	64¼	—1¼

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 20)

Reopen at Flagstaff

FLAGSTAFF, Ariz., June 20.—E. B. Sturdivant has opened the Flagstaff in opposition to A. Maxemin's Orpheum. Maxemin has countered by reopening a long dark house.

George Mauk is building a new house at Coolidge, Ariz.

The Tempe, at Tempe, Ariz., has been closed for the summer.

Peskays Take Norwalk

NORWALK, Cal., June 20.—Ben and Hi Peskay have taken over the Norwalk from O. A. Olsen and will operate it at 25 cents top. The Peskay brothers operate the Banner and the Daly in Los Angeles, and are planning to add two more theatres shortly.

To Build at Gastonia

STATESVILLE, N. C., June 20.—Ervin-West Construction Co. of Statesville has been awarded a contract for the erection of a theatre building in Gastonia for J. E. Simpson of Gastonia, to cost $33,000. Work will be started June 24.

Open at Buckeye Lake

COLUMBUS, June 20.—A first run theatre has been opened at Buckeye Lake Park, near here, by A. M. Brown, who manages the resort for the Carlin interests of Philadelphia.

Newcomb on Part Time

NEW ORLEANS, June 20.—The Newcomb, owned by Henry Lazarus, has closed for the summer with the exception of Saturdays, Sundays and Mondays.

Reopen London, O., House

LONDON, O., June 20.—Virgil Price is reopening the Princess, downtown first run, which has been dark for the past two years.

Fox Name Is to Be Kept, Says Schenck

(*Continued from page 1*)

new company, Schenck said this is not so.

"There are just three of us: S. R. Kent, who is president, myself as chairman of the board and Darryl Zanuck, who is vice-president." What part William Goetz and Joe Moskowitz will play in Fox-20th Century has not yet been decided, he said.

Schenck confirmed the three-picture deals with Elisabeth Bergner and Paul Czinner, who will produce the films in London. He also added that the theatre deal with Oscar Deutsch and C. J. Donada had fallen through.

The reception committee at the dock included Nicholas M. and Mrs. Schenck, Al Lichtman, Zanuck, Sid Grauman, Charles and Joe Moskowitz; Harry, William and Ben Goetz; William Phillips, Col. Harry Wardell; George Cohen of Loeb, Walker & Loeb; Bert S. Nayfack, Schenck's personal attorney; Arthur Stebbins, Arthur W. Kelly, Harry D. Buckley and A. C. Blumenthal.

There were many other film people on the same liner. Laudy Lawrence, head of M-G-M activities in Europe, said he planned to spend just a week here on business. Silverstone declared conditions in England are "very fine." Kay Francis rushed off the pier in a hurry and intends to depart for the coast today. Hester Deane, who made tests in London for G.B., Korda and Czinner, but turned down offers to try her luck in Hollywood, was also on board. She said she is from New York and is the most photographed brunette in the world.

Kay Kamen Also Aboard

Jack Kirkland, writer, and Kay Kamen, general manager of Walt Disney Enterprises, who said he left on May 11 and the trip was really a honeymoon, were other arrivals. Kamen added that Walt and Roy Disney and their wives were recently given a reception on their 10th wedding anniversaries. He said he made no changes abroad and closed no deals. Walt Disney plans to return about Aug. 1.

E. B. (Ted) Curtis, sales manager of the government motion picture division, returned from three weeks in England, France and Germany. He said business was booming in the first country, but was not so good in the other two. Curtis asserted the main purpose of his trip was to contact the foreign offices. He left for Rochester last night and is due back in New York Monday, planning to go to the coast next month.

Sam W. Smith of British Lion Films stated he brought over six films which he planned to sell here and in Canada. He intends to buy about 12 pictures for English distribution during his several weeks here. Marquis Henry de la Falaise said he had returned from Paris, where he exhibited "Kliou" to the French government and the International Big Game Hunters' Ass'n. He said that it is the first animal picture made completely in Technicolor and that a deal was on with Paramount to handle distribution. The marquis plans to make another expedition, probably to the Orient, in a few months, for another all-color film. He plans to leave either today or tomorrow.

U. A. to Have 24 Features, Says Lichtman

(*Continued from page 1*)

tures, and a final picture to be delivered by 20th Century.

In addition to these, Lichtman said U. A. would be in the market, as always, for exceptional pictures from outside producers. Miss Pickford, he said, is now in negotiation with a producer who must first work out a settlement of a contract he holds with another company. Separate negotiations are being conducted by U. A., he said, with another prominent producer whom Lichtman said he was unable to name at this time. Selznick, although delivering four pictures for next season, has been given a contract calling for 10 pictures during a two-and-one-half-year period.

Lichtman said that no change in the company's sales policy was contemplated. He added that U. A. "could have had 100 pictures" for next season, but that the choice was either to maintain the company's established policies and standards or revising the organization completely in order to handle 50 or more pictures a year.

Appointments to fill vacancies created by the executive realignment in the company are in prospect, Lichtman said, but added that no outsiders would be brought into the company.

U. A.'s sales convention in Los Angeles will run for the entire week of July 8 to 13, Lichtman said.

Lichtman Pact for 5 Years

Al Lichtman's new contract as president of United Artists is for five years. The pact is up for ratification by the U. A. board at a meeting today.

The board will also pass upon David Selznick's contract, under which he is to make 10 pictures for U. A. within a two and one-half-year period.

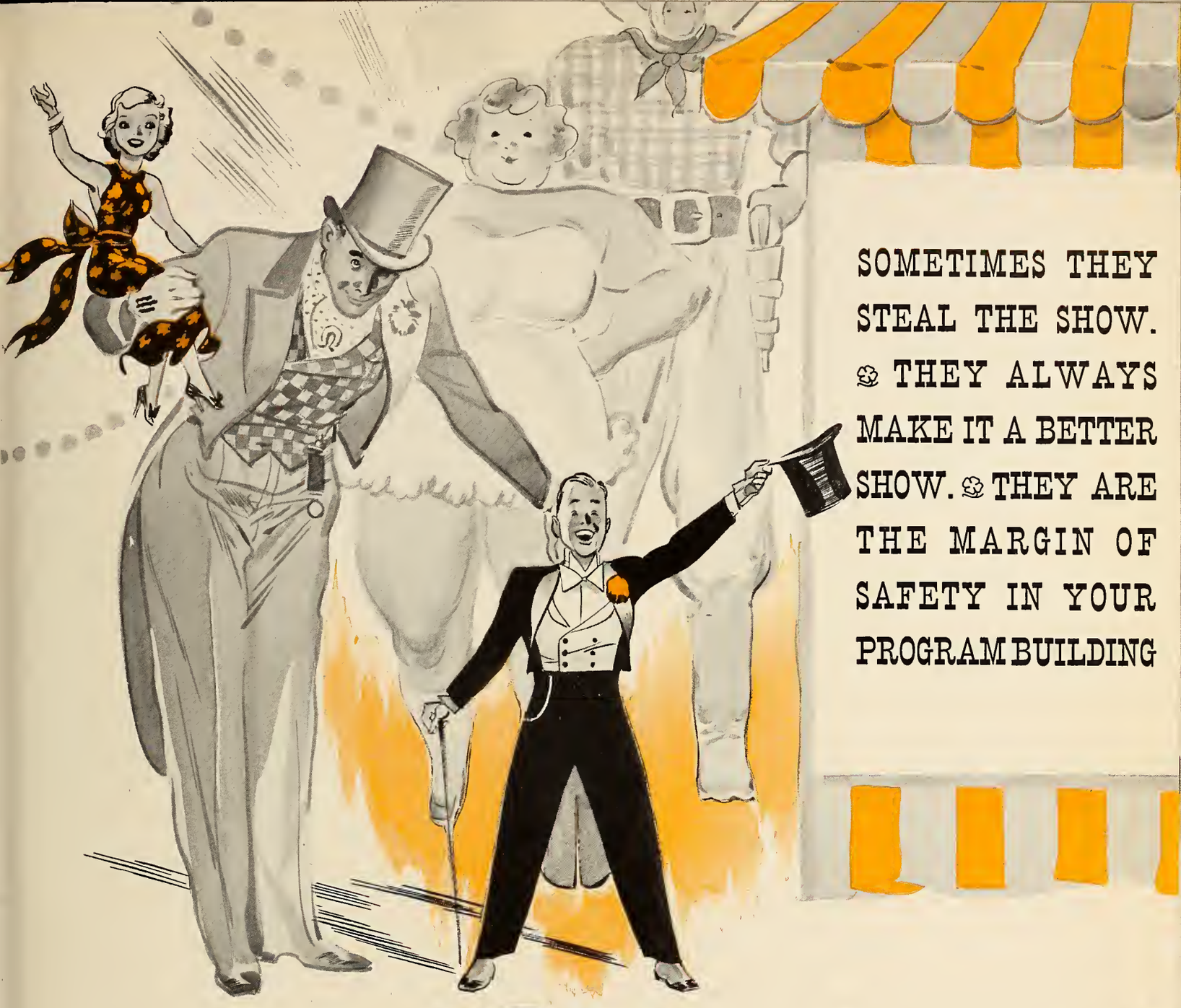
The board is also scheduled to ratify the purchase of Joseph M. Schenck's stock holdings in United Artists, which will complete the severance of Schenck's interest in the company. Ratification by the board of the purchase by U. A. of the Art Cinema stock is also scheduled.

The U. A. stockholders' meeting, which was scheduled to be held here June 25, will be held in Los Angeles, July 1, instead.

Bernhard Hits Move For Phila. Doubles

Warners will have nothing to do with the proposed opening of double feature houses in Philadelphia, asserts Joseph Bernhard, general manager of Warner theatres. His statement is prompted by a report that Arthur Siegel, stepson of Albert L. Warner and his partner are to open two dual houses in Philadelphia.

"If this gossip is true," says Bernhard, "I want to say emphatically that these men have no relation whatsoever with our theatre setup. I am unalterably opposed to the introduction of such a policy in Philadelphia and we will regard them as unfair competition."



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Value is the watchword of the day, no matter what product you are buying. This is as true of motion pictures as it is of clothes or automobiles. • There is not a better value to be had in the film market than Fox-Educational Short Subjects. Dollar for dollar, they give your patrons as much entertainment, and you as much box-office value, as your money can buy. • The product of the industry's leading short subject specialists, ***Educational Pictures*** and **Movietone News, Inc.,** these one and two-reel attractions take highest place in star name power, and from every other standard of value.

ALWAYS THE BIG NEWS OF THE YEAR IN SHORT SUBJECTS

Educational's TWO-REEL COMEDIES



Buster KEATON

Joe COOK

BUSTER WEST an

TOM PATRICOL

You'd think they were features judging from the brilliant line-up of big stars. But you'll get all these and many more marquee names in Educational's two-reel comedies for 1935-1936.

Educational's Comedies shattered all records for name values last year. And this is just a starter for the new season.

Presented by **E.W. HAMMONS**

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52 RELEASES in SIX SERIES



Ernest TRUEX

12 STAR PERSONALITY COMEDIES

They'll be again the peak of all short subjects in star power. Such names as Joe Cook, Buster Keaton and Ernest Truex. Every Star Personality Comedy is a box-office attraction.

☆

12 MUSICAL COMEDIES

The most lavish of short musical productions. And as full of fun as of melody. Remember "She's My Lily", "The Girl From Paradise" and "Nifty Nurses."

☆

8 CORONET COMEDIES

Tom Howard and George Shelton and other popular stars to be announced later in a series that never fails for good rollicking fun.

☆

8 FROLICS OF YOUTH

Few comedies have been more universally popular than "Frolics of Youth", for light hearts of any age always respond to the foibles and frolics of adolescent youth.

☆

ADDITIONAL SERIES OF TWO-REEL COMEDIES ON NEXT PAGE



Warren HULL



TOM HOWARD and GEORGE SHELTO

tures

THE INDUSTRY'S BIGGEST COMEDY VALUE——
BIG NAMES-BIG LAUGHS-BIG BOX OFFICE PULL

6 TUXEDO COMEDIES

Reviving a long popular series of comedies with production class as well as big laughs. Buster West and Tom Patricola and a bevy of beautiful girls will introduce this new series.

☆

6 YOUNG ROMANCE

There's love in their hearts and a song on their lips . . . and always vigorous life and laughter. All the world . . . and all your customers... must love a "Young Romance." With Warren Hull and other popular singing stars.

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Presented by
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"THE SPICE OF THE PROGRAM"

58 FOX-Educational ONE-REEL PICTURES

Bring You Everything You Want in Single-Reel Entertainment . . .



26 PAUL TERRY TOONS

By Frank Moser and Paul Terry
Music by Philip A. Scheib

A good cartoon is the perfect entertainment for 100 per cent of your audience. Put Paul Terry-Toons at the top of your list in planning your one-reel bookings.

Educational Pictures



6 ADVENTURES of the NEWSREEL CAMERAMAN

Produced by Truman Talley
Edited by Lew Lehr

Foot by foot, they pack the most thrills and excitement you can put on your screen. Still steadily growing in popularity.

FOX

ADDITIONAL SERIES OF ONE-REEL SUBJECTS ON NEXT PAGE

There's a FOX-Educational ONE-REEL PICTURE

For Every Program Need!

MUSIC FUN NOVELTY SONGS BEAUTY TRAVEL CARTOONS THRILLS



10 SONG AND COMEDY HITS

Popular stars of the stage, radio and screen in a unique series of mirth and melody. Pictures of pleasing novelty, merry laughter and beautiful music.

Educational Pictures



6 Along the ROAD to ROMANCE on the MAGIC CARPET of Movietone

Produced by Truman Talley
Edited by Lew Lehr
Narrated by Ed Thorgersen

Each one a travel adventure that gives your program a touch of beauty you cannot beat.

FOX



10 GEMS from the TREASURE CHEST

The widest variety of novelty entertainment in the single-reel class. There's always a surprise, and a thrill, in a Treasure Chest production.

Educational Pictures

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Educational Pictures
"THE SPICE OF THE PROGRAM"

Printed in U. S. A.

RKO Leaders Head East as Meet Ends

(Continued from page 1)

Inc.; Ned E. Depinet, president of RKO Distributing Corp.; Jules Levy, general sales manager of RKO Distributing; Phil Reisman, vice-president of RKO Export Corp.; Barret McCormick, advertising and publicity director; Howard S. Benedict, in charge of the studio publicity department, and members of the foreign contingent, who will sail for their posts June 29.

With few exceptions all the delegates were on their way home today. Fred S. Gulbranson returns to his Panama post via the Pacific Coast. Reginald Armour, India, and Douglas Lotherington, Australia, also go via San Francisco.

Lily Pons, who appeared at the closing session of the convention yesterday, has left for the coast with her mother, Madame Marie Pons; Alberti De Garostiga, her vocal teacher, and Margheriti Tivindelli.

The sales organization was still enthused today over McDonough's announcement that the company has developed the "acme of manpower" and within the next month will have a dozen of the new season's lineup in work.

Kahane predicted that the company's flexible production policy would permit the company to be on the alert to acquire new and timely stories and the best talent available at the time of production. Major L. E. Thompson, head of RKO Theatres, said that the proved assets in stars, stories and production personnel insure the future of the company and guarantee the 1935-36 season.

RKO Foreign Trade Gains

CHICAGO, June 20.—RKO's foreign business is in good shape, conventioneers were told by the overseas contingent at the closing session of the sales convention Wednesday. Phil Reisman, vice-president of RKO Export Corp., introduced them.

E. D. Leishman, managing director in the United Kingdom, reported continued healthy improvement. Harry W. Leasim, general sales manager of Radio Pictures International with headquarters in Paris, declared that "Roberta" promises to do better than "The Gay Divorcee" on the continent. It is now in its third week in Paris. "Divorcee" ran 13. He said that RKO had played a "phenomenal 26 pictures" in Paris last year, "a number no other American company accomplished."

Ralph Hanbury, general manager of Radio Pictures, Ltd., described conditions in England and pointed out that England has only 4,500 wired houses against 14,500 for the United States.

Reginald Armour, managing director of RKO's India branch, said that despite difficult conditions the company was forging steadily ahead. Douglas Lotherington, general sales manager for Australia and New Zealand, asserted that the promise he made the previous year's convention of a 25 per cent increase in business had been bettered. The increase was 30 per cent.

Fred S. Gulbranson, manager of the Panama exchange, detailed the taxation and transportation problems of the 12 countries under his jurisdiction, but said that in spite of these sales had increased 22 per cent over last year. Luis Lezama, manager of the Mexican exchange, urged more action and less dialogue.

Jacobo Gluckmann, New York representative of Via Commercial Radiolux S. A., RKO distributor in the Argentine, Uruguay and Chile, said he had made a personal bet last November with Argentine distributors that he would match hit for hit with his competitors. So far he has one picture to spare, he declared.

Reisman translated the speech of Charles LeLong, manager of Compagnie Radio Cinema Paris, and quoted him as saying that RKO's association with RCA had been of great value in France.

Fall of the Belgian franc had enabled him to increase rentals and playing time in that country by 35 per cent to 40 per cent, declared Max Bosman, partner in Bosmon, Bourland of Belgium. Star names mean something in Rumania, declared Nicholas Cahasis.

Because there are only 300 theatres in Holland it is imperative to concentrate on spectacular features for that market, said Joost Smit, part owner of Remancos Film Bedrijf. Carl Wallman, sales representative in Scandinavian countries, received a hand when he said he had sold his possibilities 100 per cent.

Kuhn, Loeb Para. Profit On Market Was $334,995

(Continued from page 1)

kept in ignorance of their activities for more than 18 months, counsel for the commission today laid before Wiseman a complete record of Kuhn, Loeb purchases and sales of Paramount securities and requested an exposition of his ethical philosophy.

Wiseman attempted to explain that the trades, which he insisted yesterday were purchases purely for investment, the bonds being sold when it became apparent Kuhn, Loeb would be called upon to draft a reorganization plan, were for the purpose of maintaining an "orderly" market and not for speculation.

Although questions of commission counsel indicated the banking house was getting detailed information from the trustees and employed a corps of experts to analyze Paramount securities, Wiseman denied using "inside" information and insisted there was no significance in the firm's trading activities. The simultaneous purchases and sales shown by the record were designed, he said, "to prevent an artificial market" and stabilize Paramount security prices, although he admitted an improper appearance could be attached.

"The inside information was that the situation was very bad," he said. "I was one of the few people who had confidence in the old management."

Is Questioned on Ethics

Taking the witness into the field of ethics which was explored with Vanderlip yesterday, counsel for the commission secured Wiseman's acknowledgment that protective committees should be independent and not dominated by either bankers or mandominated by either bankers or management. He argued, however, that committees "composed of responsible people" would be impossible if the bankers were barred and that from the "practical point of view" no group could have dominated the Vanderlip committee despite the fact three of its five members were bankers.

Admitting Morris Ernst, who was a member of the committee, had protested his serving on the body, Wiseman declared Ernst had offered no adequate reason why he should resign, asserting if the bondholders did not think him a proper member they did not have to deposit their securities with the Vanderlip group.

Explaining his personal activities in Paramount securities, Wiseman testified they covered less than two weeks and ended when his holdings were turned over to Kuhn, Loeb and the firm started wholesale operations.

Wiseman explained he had never previously held any financial interest in Paramount, but bought the securities because "in spite of the apparently mad situation of the company, I felt the great danger had passed. I said at every meeting bankers should advise clients not to sell. I estimated the bonds would be worth $80 to $90 after reorganization."

New York financial experts present expressed surprise when Harold A. Fortington, chairman of the executive committee of the revamped Paramount, testified that the group he represented held only about $9,000,000 worth of the company's indebtedness of some $55,000,000, privately stating that it had generally been believed the group represented a much larger interest.

Fortington asserted the various interests he represented had sought him out and that there was no discussion of contract or remuneration for his services. Counsel for the commission, however, flashed a memorandum prepared long before he got into the picture, which Fortington admitted he had drawn and which contained a number of charges against the company, including the following:

Bad Management Is Charged

Mismanagement, it being alleged excessive salaries and bonuses were paid to a favored group of officials and that several officers received "grotesque" bonuses in stock and that excessive salaries were the general practice. The president and one or two vice-presidents, he said, received salaries which had "no relation to what they should be."

Improper distribution of several million dollars to common stockholders out of capital.

Wrongful disbursement of millions in the repurchase of stock.

Assets wrongfully hypothecated with bankers as collateral, this being in connection with the production corporation.

Large sums wasted in purchasing real estate at unjustly high prices.

Padding of payrolls with unnecessary employes and relatives.

The witness also charged collusion between the management and bankers and alleged that they had designated "paid" committees and arranged with the courts for the bankruptcy. He explained that by "paid" committees he referred to the Vanderlip bond and Holmes stockholders' committees, and declared he had been invited in 1932 to become a member of the protective committee for the Paramount Broadway Corp. with intimations that he would be paid.

Ludington Backs Six For Para. Release

HOLLYWOOD, June 20.—Nicholas Ludington of First Division Prod., is financing Harry Sherman in the production of six "Hop Along Cassidy" films for Paramount release. The first is now in work at the Prudential studios. Ludington flies to New York Friday afternoon.

Mayor Signs Sunday Bill

The bill authorizing Sunday legitimate shows, passed by the Board of Aldermen Tuesday, was signed yesterday by Mayor La Guardia.

Selling Prizes Awarded

CHICAGO, June 20.—Winners of a week's salary in the RKO sales drive were employes of the following exchanges: Jacksonville, St. Louis, Salt Lake City, and Winnipeg; winners of a half week, Minneapolis and Toronto.

Consolation prizes went to the bookers in the following branches: Indianapolis, $125; Oklahoma City, $75; Washington, $50. Accessory prizes went to the poster clerks at Chicago, Des Moines and Memphis. Bookers' awards from the Van Beuren Corp. went to Denver, $125; Dallas, $75; San Francisco, $50.

Nat Levy, Detroit manager, won the Van Beuren special shorts prize, and Herbert Greenblatt, Cleveland, came in second. Other special prizes were awarded by Pathe News.

Kennedy to Far East

CHICAGO, June 20.—Before departing for New York after the close of the RKO sales convention Phil Reisman, vice-president of RKO Export Corp., announced the appointment of Frank Kennedy, formerly of the RKO distributing Corp. home office staff, as company representative in China and Japan.

Kennedy will leave San Francisco June 28 on the *President Wilson*.

M. Gerassy was put in charge of the Paris sales office, and Michael Havas was made sales representative for Central Europe.

Radio Signs North, Gow

HOLLYWOOD, June 20.—Radio has given term contracts to Edmund North and James Gow. The pair are currently working on the Lily Pons picture, tentatively called "Love Song." John Cromwell will direct under the supervision of Pandro S. Berman.

Three Added to Barton Cast

HOLLYWOOD, June 20.—Margaret Callahan, William Harrigan and Maureen Delaney are additions to the cast of Radio's new James Barton picture, still untitled.

Radio Buys Two Stories

HOLLYWOOD, June 20.—A farce with music called "Believe It, Beloved," by Bert Granite and Phil Epstein, has been acquired by Radio. Leigh Jason will direct. "Plan 16," Douglas D. Brown mystery, has also been bought.

Wallace Fox Becomes Director

HOLLYWOOD, June 20.—Radio has promoted Wallace Fox from unit manager to director. "Powdersmoke Range" will be his first.

For 1935-36

UNITED ARTISTS WILL RELEASE NOT LESS THAN

24

Important MOTION PICTURE FEATURES





and 18

Walt Disney Productions

ALL IN TECHNICOLOR

CONTRACTING WILL BEGIN
JULY 15th IMMEDIATELY AFTER
OUR SALES CONVENTION

See Possible Cut In Admission Tax

(Continued from page 1)

extension had been adopted in the expectation that enactment of new tax legislation along the lines recommended in the President's message yesterday would make possible the elimination of the so-called nuisance taxes.

If the plan works out, it is possible the exemption from admission tax may be returned to its pre-depression figure of $3.

Ticket Tax Revenue Up

WASHINGTON, June 20.—Improvement in theatrical conditions is disclosed by figures made public today by the Bureau of Internal Revenue, placing admission tax collections in May at $1,343,876, as against $1,157,970 in April and $1,164,598 in May of last year.

Penn. Senate Passes 4% Ticket Tax Bill

(Continued from page 1)

tax on admissions to theatres and other places of amusement in the State. The House must concur in the amendments made in the Senate to the original measure before it can be sent out to Gov. Earle for his signature. Concurrence is practically assured before final adjournment of the session tomorrow.

The proposed act is estimated to yield $5,500,000 in taxes in the next two years. The original plan to tax amusement 10 per cent of their gross earnings has been abandoned. Adoption of the four per cent bill will increase to $100,000,000 for the biennium the total new revenue embodied in bills thus far approved by both branches of the Legislature.

Roach to Make More Full Feature Films

(Continued from page 1)

turned out a feature comedy only occasionally. His first film under the new plan will be "The Honesty Racket," written and directed by himself.

New talent will be signed by Roach to take care of the necessity for larger casts.

"While in no sense are we abandoning the short picture," he said, "it is our feeling that the length of a comedy should be determined by the footage necessary to tell the story. Too much choppiness and condensation have often killed a potentially good subject. It is our plan to overcome restrictions of length by making pictures from two reels to feature size, thus providing sufficient product for our present market and satisfying theatre requests in the matter of comedy features."

Concentrate on Westerns

KANSAS CITY, June 20.—Consolidated Film Distributors is changing its policy, effective with the new season, to the exclusive handling of westerns and actions, according to W. P. Humston, secretary-treasurer.

"Westerns have been coming back strongly the past two years, and this demand, instead of growing less, is growing stronger," commented Humston.

Looking 'Em Over

"Sans Famille"

(DuWorld)

In "Sans Famille" ("Without Family") intelligent treatment makes an old story seem almost fresh. Here again is the tale of the long-lost child who is returned to his mother in the end. But it is told with such fidelity to detail, so much warmth of feeling that it stamps itself as fine entertainment for those who know their French. As the film is without English subtitles, American audiences may not esteem it as highly.

At the death of Robert Lynen's father his uncle has the youth kidnapped in the hope of succeeding to the title. The abandoned child is taken in by a French peasant family. Later he is saved from an orphanage by a wandering performer. When the latter dies the boy takes up the wandering life alone until he meets his real mother.

The waif is played by Lynen in highly sensitive manner. His performance helps the film tremendously. He is surrounded by a fine cast including Vanni-Marcoux, Dorville, Madeleine Guitty, Bérengère, and another youngster named Serge Grave. The photography captures some beautiful scenes of the French countryside.

Andre Mouezy Eon directed this Pierre Braunberger production. No production code seal. Running time, 90 minutes. "G."

"Adventurous Knights"

(Ajax)

Exhibitors will probably have adventurous nights and days if they play this picture. The kids will probably like it, but not so with adults, for this is the type film that will cause audiences to express their opinions audibly.

If Director C. Edward Roberts was aiming at puerile audiences, then he hit his mark. The camera work of Robert Cline is fair, but there appears to have been inserted too many stock shots.

The yarn concerns an American-raised boy taken back to a Balkan country to ascend the throne. His early training and democratic ideas don't fit in well with his new surroundings. All the usual plots and counter-plots to keep him from being crowned are brought into play and these all help the hero, David Sharpe, to display his athletic prowess. All ends well, however, and Sharpe is crowned king and takes Gertrude Messinger, his true love, for his queen. Others in the cast are Mary Kornman and Mickey Daniels.

Production Code Seal No. 552. Running time, 56 minutes. "G."

"Speed Devils"

(J. H. Hoffberg)

Produced and directed by Joseph Henabery, this independent romantic adventure is designed for neighborhood trade where duals are the order of the day.

The story has Russell Hardee and Paul Kelly, two auto racers, vying for Marguerite Churchill, a local news sleuth busy uncovering the designs of local politicians. Maimed in one of the big races, the two pals go into the auto repair business. Everything goes along swell until the politicians try to influence Hardee. Kelly doesn't go for their plan.

Although she has been going around with Hardee, Miss Churchill falls hard for his partner. Kelly and the girl are framed by the politicians in an effort to split the partners. It works out as planned. Later when the plot is unraveled, Kelly is declared the winner for Miss Churchill's honors with Hardee a good loser.

Reviewed without production code seal. Running time, 61 minutes. "G."

Charter Two N. Y. Firms

ALBANY, June 20.—Seiden Sound Library, Inc., capital $10,000, has been chartered by Samuel Rosen, Murray Dichter and Esther Perlow.

Park Slope Trans-Lux, Inc., has been incorporated to exhibit pictures by John J. Maxwell, William A. Kolbert and Helen Schweitzer.

Kuykendall to Speak

KANSAS CITY, June 20.—Ed Kuykendall, president of the M.P.T.O.A., will address the K.M.T.A. convention at the President Hotel here June 26 and 27.

Location of the meeting has been reset from the Variety Club headquarters to the President.

Form Cincy Film Club

CINCINNATI, June 20.—The Cincinnati Cine Club has been organized here for the purpose of producing amateur pictures, with the hope that at least one each year will rate participation in the annual amateur contest in Hollywood. The company also expects to make a feature of sufficient merit to be shown in local theatres.

Dr. J. M. Steen is president.

Dissolve Paschall-Texas

DOVER, Del., June 20.—Paschall-Texas Theatres, Inc., of Dallas, has dissolved. A certificate of dissolution has been issued by the Secretary of State with the consent of all the stockholders.

Photo Color Officers Are Guilty of Fraud

Justice Edgar J. Lauer handed down a verdict of guilty in Supreme Court here yesterday against the Photo Color Corp., Photo Color Pictures, Inc., and four of their officers and directors, charged with violation of the laws prohibiting the fraudulent sale of securities.

The individuals convicted were John A. Bolles, Frank E. Nemee, Henry A. Tupper and Arthur Waddingham. They were accused of issuing false prospectuses, falsifying their books and misrepresenting securities offered for sale by agents of the companies.

The defendants were permanently enjoined from dealing in securities in this State.

Carr States Mascot Will Lose Identity

HOLLYWOOD, June 20.—Following completion of Mascot's five-picture commitment the firm will lose its trade name in becoming part of Republic with Nat Levine as vice-president and producing under the Republic banner, it was said tonight by Trem Carr of Republic at the windup of his company's regional here. Other independents allied with Republic will also lose their trade identities, Carr asserted.

This statement somewhat conflicts with Levine's announcement on his arrival here, which read: "Our merger with Republic doesn't mean this organization in any way will lose its individuality."

Levine could not be reached for comment last night.

Bank Night Actions Started in Midwest

KANSAS CITY, June 20.—Emmett Thurman, general counsel of Affiliated Enterprises, Inc., Denver; Claude Ezell, general sales manager, and Ray Coffin of Affiliated Distributors, Inc., Des Moines, have started three copyright and trademark infringement actions against exhibitors in the western Missouri and Kansas territory, according to R. W. McEwan, bank night distributor in this area.

S. P. Halpern, Minneapolis attorney, retained recently by Affiliated Enterprises to act as general counsel for such action nationally, will work with local attorneys.

Can't Show "Shower"

ALBANY, June 20.—A license to exhibit "Spring Shower," an Hungarian production, in New York State was denied today by the State Department of Education, which held the film "makes a mockery of religion, the administration of justice and the action of respectable society generally."

Ochs Reported Dying

Lee Ochs, local circuit operator, who was operated on for appendicitis last week, was reported near death late last night at the York Hospital.

Karl Kitchen Critical

The condition of Karl Kitchen, the columnist and writer, was said to be critical last night at St. Luke's Hospital, where he is confined with an infection of the skin of the neck.

BOOKED SOLID BY HOWARD S. CULLMAN · FOR ROXY, N. Y.

16 STAR SPANGLED SPECIALS

WILL MAKE THE BOX-OFFICE THRIVE IN '35 AND DO TRICKS IN '36 . . .

- THE 39 STEPS
- THE CLAIRVOYANT
- TRANSATLANTIC TUNNEL
- THE KING OF THE DAMNED
- THE MORALS OF MARCUS
- RHODES, THE EMPIRE BUILDER
- KIPLING'S SOLDIERS THREE
- PASSING OF THE 3RD FLOOR BACK
- MODERN MASQUERADE
- SECRET AGENT
- DR. NIKOLA
- KING SOLOMON'S MINES
- FIRST A GIRL
- BORN FOR GLORY
- ALIAS BULLDOG DRUMMOND

A GEORGE ARLISS SPECIAL


Robt. Donat-Madeleine Carroll


Jessie Matthews


Claude Rains - Fay Wray


Conrad Veidt Helen Vinson


Boris Karloff


Lupe Velez Ian Hunter


Kipling's Soldiers Three


Richard Dix Madge Evans - Conrad Veidt


Jessie Matthews


King Solomon's Mines


Conrad Veidt


Madeleine Carroll - Peter Lorre


Jack Hulbert - Fay Wray


Barry Mackay - John Mills


George Arliss


Walter Huston

*By courtesy of Metro-Goldwyn-Mayer

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IF IT'S A PARAMOUNT PICTURE IT'S THE BEST SHOW

PARAMOUN

"ANYTHING GOES"

The No. 1 musical comedy of the year. 260 performances to date and still S. R. O. Cole Porter's score, with such songs as "You're The Top" and "I Get A Kick Out of You", is the sensation of the nation.

"SO RED THE ROSE"

The No. 1 best-selling novel of 1934. Over 100,000 copies sold to date. Over 1,000,000 readers. Publicized by newspapers, magazines, and word-of-mouth to additional millions.

"NATIONAL VELVET"

The No. 1 best-selling novel of 1935. The "Book of the Month" for May with advance sale of 50,000. Every company in the business tried to buy this great story of the famous Grand National Race.

"CARMEN"

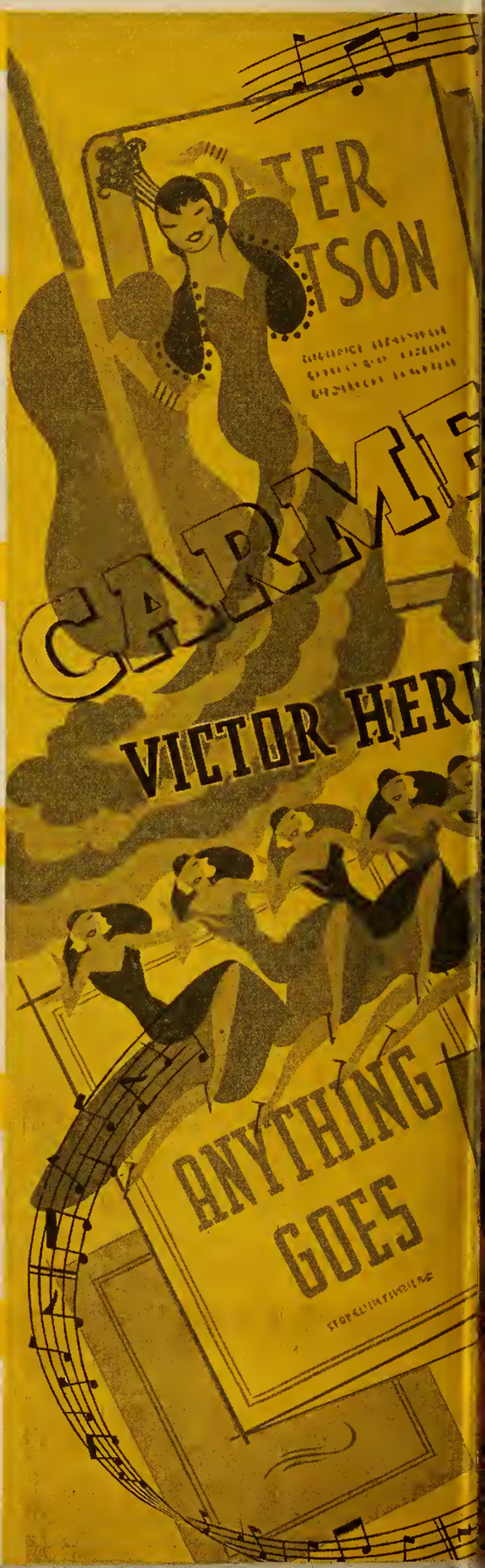
The No. 1 opera. For many years the most popular operatic attraction on the boards, Bizet's flaming and tempestuous "Carmen" should make a musical entertainment of gigantic box-office proportions.

VICTOR HERBERT

The No. 1 operettas. Paramount, in possessing these great properties, owns romances that all the world wants to see—music that all the world loves.

"ROSE OF THE RANCHO"

The No. 1 David Belasco stage hit. So many requests have been made to turn this famous Belasco stage hit into a motion picture that Paramount now produces it as the first "big outdoor musical."



IN STORIES



"PETER IBBETSON"

The No. 1 classic. Read by millions as Du Maurier's novel. Seen by millions as the celebrated stage play. Heard by thousands more as Deems Taylor's magnificent opera . . . this is sure to be a big hit.

"THE LIGHT THAT FAILED"

Rudyard Kipling's No. 1 writing achievement in pathos. A novel of world-wide fame—a dramatic love story of universal heart appeal. A No. 1 property from which to make a No. 1 picture.

"THE CRUSADES"

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The No. 1 magazine story of 1934. The 5,000,000 people who read this story in Collier's last year found it so exciting they could scarcely wait a week for the next installment.

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The No. 1 Western fiction of all time. These popular novels are the favorite stories of millions the world over. For years they have made the best "Westerns."

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The No. 2 Western fiction . . . Clarence Mulford's famous and exciting novels have sold in excess of 3,000,000 and have delighted more than 20,000,000 readers.

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PANCHROMATIC NEGATIVE

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 147 NEW YORK, MONDAY, JUNE 24, 1935 TEN CENTS

Films Escape California's Legal Turmoil

Legislature Quits with Producers Satisfied

SACRAMENTO, June 23. — After months of agitation during which the industry threatened to move to Florida or elsewhere if proposed taxes were imposed, the legislative record shows nothing more disturbing than an income tax. Even this was compromised to a point where little protest is expected.

Since the adjournment of the Legislature a few days ago the record has been studied. About 200 measures were introduced that would have af-

(*Continued on page 4*)

Five of Wisconsin Bills Go on Shelf

MADISON, Wis., June 23.—Five bills in the state legislature which have held the attention of Wisconsin exhibitors have been definitely postponed.

Among the measures is the Foley bill, which would subject outdoor advertisers to a placement permit and an annual permit fee of $1 for each 25 square feet of area of the placement face; a bill relating to the licensing of electricians and the supervision and inspection of electrical work; a meas-

(*Continued on page 4*)

Two Theatres May Go On Loew's N. Y. Site

One, and possibly two, new theatres with a large restaurant are being considered for the site of the Criterion and Loew's New York Theatres. A two-story building with stores will front Broadway. Whether there will be two theatres seating 600 each or one seating 1,200 is now being studied.

Wood, Dolson & Co., real estate firm, is handling the proposition for the 1515 Broadway Corp., representing the City Bank Farmers' Trust Co.

Seattle Races Add To Theatre Worries

SEATTLE, June 23.—A 12-week season of horseracing opening recently added further dismay to theatre managers who worry about poor matinee business.

Races are being held every afternoon for 59 days, except Monday and Tuesday of each week with pari-mutuel betting. Last summer's attendance averaged from 5,000 to 18,000 daily.

Name UA Sales Head in July; Harry Gold Up

Al Lichtman, However, Will Supervise

Appointment of a general sales manager for United Artists is expected to be made by Al Lichtman, president-to-be, at the convention in Hollywood July 8-13. No outsider will be brought in, the promotion to be made from within the ranks.

Harry L. Gold, eastern sales manager, is understood to be first in line for the post. His record with the company is viewed by its officials as excellent.

Lichtman, however, has no intention of dropping out of the selling picture. A salesman by training and experience, the understanding is he will continue to maintain close vigilance over

(*Continued on page 2*)

Bank Night Action Lined Up in Boston

BOSTON, June 23.—The tracer bullet that may precede the volley of court actions here for alleged infringements of the bank night patent in New England will be fired this week in Federal Court. George Ryan, attorney for E. M. Loew in his anti-trust suits and lawyer for the bank night organization, is inaugurating his first action against James Kennedy, former Educational-World Wide man here, who originally sold bank night throughout much of this territory.

Kennedy recently quit the suing firm to sponsor a premium plan of his own, known as gold mine. An attempt to secure an injunction against Kennedy to prevent his marketing gold mine until the present action has been decided was denied last week.

Reason Enough

Maurice Silverstone, U. A. chief in from London, explains:

"The only reason I came to the United States was to taste a good piece of herring."

Production Tilts Upward on Coast

HOLLYWOOD, June 23.—Production, which has been seesawing for the past few weeks, tilted skyward again last week, according to the weekly checkup which showed 44 features and two shorts before the cameras as compared with 37 features and eight shorts for the preceding week.

M-G-M was the busiest among the majors, registering 10 features before the cameras, one in preparation and scheduled to shoot within two weeks and 12 in the cutting room. Paramount held second place with eight, one and three; Fox, seven, three and

(*Continued on page 4*)

Local 306 Back on 5-Day Week Basis

ST. LOUIS, June 23.—Rescinding a former order that employes of Local 306 in New York must take off one day to bring relief to the unemployment situation, the general executive board of the I.A.T.S.E. in session here has notified the local that all working

(*Continued on page 2*)

Rain Aids Grosses; "Sharp" the Leader

Several days' rain last week aided grosses considerably after they had been in the doldrums for the first few days.

Leader of the week was "Becky Sharp" with a $95,000 tally at the

(*Continued on page 4*)

Key City Grosses Fall Off Slowly; Some Houses Close

Key city grosses continued to decline during May to a point near the low reached Christmas week. This decline, with the exception of the week ending April 25-26, has been steady since the last week in March.

The total for 22 key cities during the week ending May 30-June 1 was $1,152,200. Only once since last September has the total been lower than this. That was for the week ending

(*Continued on page 21*)

Reliance May Quit U. A. Release Deal

Reliance may withdraw from United Artists after its current contract for three pictures expires.

Harry Goetz, president, is in New York but is not talking over distribution plans after the trio for U.A. are made. He plans to leave for the coast in about a week.

Campi's Texas Records Sent To Capital

Pressure Reported Used To Get Transfer

By BERTRAM F. LINZ

WASHINGTON, June 23. — Campi records relating to certain film controversies in Texas are understood now to be in the possession of the Department of Justice as a result of a very strongly worded letter sent by the department a few days ago to John C. Flinn, Code Authority secretary, in New York.

While neither department officials nor film men are willing to talk about the situation, the understanding is that the department was in communication with Flinn some days ago with respect to the records, which members of Code Authority were reluctant to surrender. The letter which the department is said finally to have written is reported

(*Continued on page 4*)

Campi Meets Today To Review Industry

Campi members today will convene at the RKO board rooms in the RKO Building to review the industry during the last three weeks since the code ceased operation. Each member will voice his own opinion.

John C. Flinn, secretary of Campi, will act in a similar capacity at the meeting and give an accounting of the funds on hand and a report on the closing of the 31 offices. Tyree Dillard, Jr., legal Code Authority head, will also sit in. He plans to wind up his association with Campi this week, while Flinn will continue until all books are closed and records filed in a storage house.

Fail to Agree Upon G.T.-Fox Hearing

KANSAS CITY, June 23.—Lawyers involved in the General Theatres suit here against the Fox setup attempted to agree on June 24 as the date of hearing on the amended petition, but owing to absences it had to be postponed. Agreement on a hearing some time within the next two or three weeks is expected, however, according to C. A. Randolph, who, with R. R. Brewster, represents General Theatres bondholders.

The three new bondholders—Ray D. Jones, Anna Kupper and Katherine D. Mosher—who are included in the amended petition, hike the amount involved from $89,000 to $100,000.

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Local 306 Back on 5-Day Week Basis

(*Continued from page* 1)

card men are to be put back on a five-day week starting Monday.

The four-day week has been a bone of contention in the New York union since the order was put into effect, and with restoration of the extra working day harmony and peace are expected. Local 306 has 1,800 members and between 250 and 300 are out of work. Another means of taking care of the unemployed will be devised, it is stated.

Although the meeting at the Statler was expected to last five days, the sessions have been extended three extra days, until Monday, so that all accumulated business can be cleared. George E. Browne, president of the I.A.T.S.E., is acting as chairman of the conclave.

Letters were sent out Saturday by Local 306 to the entire membership announcing the international decision at St. Louis to revert to a five-day week.

Mayor LaGuardia has appointed Frank Tichenor, editor of *Outlook,* as his representative to bring the 42nd St. picketing situation to an end. Within the last three weeks 125 Local 306 men have been arrested.

On Friday Judge Jonah J. Goldstein dismissed 16 pickets in the West Side Court. The men were arrested for creating disorder, but this could not be substantiated. Theatres being picketed are the Liberty and Times Square.

Insiders' Outlook

By RED KANN

CAMPI meets today here in New York. Big and important on its scheduled program is the troublesome issue of a voluntary code for this business with the odds already stacked against any action looking toward recommendations for its adoption. Thus, there crystalizes a curious situation. Much substantial and clear-thinking opinion is for a code, voluntarily conceived and operated. But the case of having their cake with no desire to eat it is neatly blocked by advice of counsel. The lawyers are afraid. . . .

▼

They are afraid because of the anti-trust laws which they view as too great a problem to hurdle. It is their analysis that formulation and functioning of a voluntary code will make its signatories themselves responsible in the event conspiracy suits are launched. These suits are anticipated. One authority who knows the ins and outs of this industry and much about the brain processes which are part of it refuses to waiver in his prediction that a deluge of legal actions is about to descend upon the heads of major producers and distributors, with or without code. This being at all true, the reluctance on the part of lawyers to recommend a move along lines of voluntary codification, carrying with it the perils they foresee, becomes understandable and at once regrettable. . . .

▼

The day when no control except through legalistic redress prevailed would mark a deplorable return to archaic methods. Voluntary arbitration may furnish the answer; many there are who believe so. Perhaps the Film Board system, in its old, or in revised form, may turn the trick; Charlie Pettijohn is sure of it, which we are not. Sentiment in the field is decidedly mixed, some viewpoints arguing strongly for a voluntary method of solving difficulties, others preferring the wide open era of some years back when might, which is buying power in this industry, ruled dictatorially and ruthlessly from its throne on high. Those who subscribe to the latter theory, it might be remarked, are remiss in their newspaper reading. Apparently they have not yet learned from developments in Washington that they can no longer grind objects of their disfavor into dust without paying for that privilege. Iron are among the heels which are losing their popularity. . . .

QUOTATION marks of interest, the words coming from the lips of John E. Otterson, Paramount's new president:

> "And no move (referring to production) is to be made without Mr. Zukor's approval, for we want the benefit of his long experience and sound judgment."

Certainly this clearly implies who is to be Paramount's general production overseer.

On the kind of an administration which will be his, Otterson, in a message to the company's sales force:

> "I am proud of my Paramount association. I am retaining no connection whatsoever with the telephone industry and I come here a Paramount man, free of mind and committed to no previous understandings. I am free to judge every situation on its merits, unprejudiced for or against any individual and bound by no political policies. I expect to make no hasty decisions about anything. I shall just try to do my job, fairly judging every man and every department on their merits. I am a believer in what is known as executive management. By that I mean the placing of a man in a position of responsibility and expecting him to handle it alone, without interference, to the best of his ability. I want to feel that every man in the organization is my associate rather than my subordinate."

▼

The swing—and one that bespeaks better things to come in the industry—which was skyrocketed into full bloom by Grace Moore in "One Night of Love," now embraces practically all major companies. The Lily Pons deal with Radio, for instance, merely starts with "Love Song" and runs for two years beyond at the rate of one picture a year. Paramount has Gladys Swarthout, Helen Jepson and Jan Kiepura; 20th Century, Lawrence Tibbett; Fox, Nino Martini and Titto Ruffo; M-G-M, Nelson Eddy and Miss Moore (for one); Warners, Marion Talley. Revived every now and then is the report Maria Jeritza has been signed. If she has, the producer is still hiding behind the news. . . .

Ossining Cameo Dark

OSSINING, N. Y., June 23.—The Cameo has been darkened by Fagen and Rosenschlag. Skouras Theatres Corp., which operates the Victoria, is negotiating with the landlord of the Cameo on a deal which will keep the house closed indefinitely.

Name UA Sales Head in July; Harry Gold Up

(*Continued from page* 1)

U. A. sales after he assumes his higher duties as president.

The proximity of the convention date does not allow sufficient time for any large contingent of foreign representatives to attend this year. Therefore, Arthur W. Kelly, vice-president in charge of overseas distribution, will have on hand only two representatives from abroad. They are Maurice Silverstone, for years managing director of the British company and now about to become its chairman, and Sam Seidelman, manager of the Mexico office. Walter Gould, Kelly's assistant, will round out the foursome of foreign men at the coast sessions.

The first three days will be devoted to straight business sessions. The last two will be largely social.

Services for Ochs

Funeral services were held at the Riverside Memorial Chapel yesterday for Lee A. Ochs, widely known New York exhibitor, who died at the York Hospital early Friday morning at the age of 55.

Honorary pallbearers included James Ryan, Sol Rosenblatt, B. S. Moss, Harry Schiffman, Nathan Burkan, Irving Chidnoff, Sam E. Morris, William Jacobs, Laurence Bolognino, Jack Alicoate, Harry and William Brandt, Sam Stern, Emil Jensen, Ed Davidow, Arnold Van Leer, Joe Bernat, Louis Geller, Morris Kutisker, Moe Siegel and Tom Wiley.

Interment was at the Mount Hope Cemetery, Westchester.

Green in New Paltz

Fred Green, associate of Mike Hughes in the operation of the Washington, Washington, N. J., has taken over the Colonial Hall, New Paltz, N. Y., from the landlord. The local church formerly operated.

Wall Street

Slight Gains Mark Big Board

	High	Low	Close	Net Change
Columbia vtc (cl)	65	65	65	+ ¼
Consolidated	3½	3½	3½	.....
Cons. pfd (1¼v)	15	14⅞	14⅞	— ¼
Eastman	147	147	147	— ⅝
Fox Film "A"	15¼	15	15	+ ¼
Loew's	41⅞	41⅝	41⅞	+ ¼
Loew's pfd	107	107	107	— ¾
Paramount	4⅝	4¼	4⅝	+ ⅜
Warner	37½	37½	37½	— ½
Warner pfd	26	26	26	.....

Technicolor Gains on Curb

	High	Low	Close	Net Change
Technicolor	22½	22	22¼	+ ¼

RKO Bonds Gain 1

	High	Low	Close	Net Change
Paramount F. L. 6s '47	96	95¾	96	.....
Paramount Publix 5½s, 50	97¾	97⅛	97¾	+ ⅝
RKO 6s '41 pp	41	41	41	+1
Warner Bros. 6s '39 wd	65½	65¼	65¼	— ¾

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 22)

Missouri, Kansas Portables Gaining

KANSAS CITY, June 23.—A number of portable circuits, sometimes designated "road" shows, are being operated in the small Kansas and Western Missouri towns, and are on the increase. Practically all of them operate one night stands, and specialize in free merchants' shows.

Some film men feel the portable operators are obstacles to the permanent opening of dark towns; others that they are only occupying the picture until business justifies permanent openings. Some towns probably would not otherwise ever have shows. When business justifies, some of the portable operators probably will become exhibitors.

Among those who have purchased portables recently are Irene Arndt, who will operate in Netawaka, Goff and two or three other Kansas towns, and Raymond F. Lett and Kyle T. Graham, who will operate at the CCC Camp at Excelsior Springs, Mo., and at Liberty, Kearney and two or three other Western Missouri towns.

One exchange here, Consolidated Film Distributors, is serving more than 11 of these circuits. Among them are Lee S. Allen, Browning, Mo., who roadshows Chula, Green City, Meadville, Osgood, Lavonia, and Purdin in Northern Missouri.

Carl Bohanon handles Perry, Lyndon, Hoyt, and Emmett, Kans., from Topeka.

From Newton, Kans., Farris Oxford serves a group of six Kansas towns, and from Wichita supplies another group of five.

H. A. Parker serves six from Clarkdale, Mo., and six from Gower, Mo. H. L. Butterfield handles six in Missouri from Osborn. Beginning at Drexel, Mo., Floyd Hill has six. S. A. Myers has five towns he serves from Rockville, Mo. Bob Egender serves five from Kearney, Mo. Glen Vessey, at Clayton, Kans., serves six.

Wisconsin Theatres Gain; Jobs Increase

MILWAUKEE, June 23.—There's good news for local exhibitors in the report of the Wisconsin Industrial Commission, which declares that the number of employed workers here has reached the highest level in years and the relief load is becoming lighter.

According to the commission's reports, April employment in manufacturing industries in Milwaukee was 93.1 per cent of normal, figured on a 1925-'27 base of 100. This compared with an index position of 97 in the corresponding month of 1929.

The commission's figures show that 465 of Milwaukee's manufacturing plants increased their employment from January, 1934, to the end of March, 1935, by 9,684 persons. A preliminary report indicates a greater increase for April, with 397 of the reporting plants showing a rise of 345 in the number employed during that month.

The improvement is further reflected in construction of two new theatres, the first in several years, as well as remodeling and renovation to a number of neighborhood houses. Of the new houses, both neighborhood theatres, the Time is slated for early opening, while the Sherman is expected to be ready some time in September.

Throttle Pushing

by H.E.N.

DETROIT—Well, I have been out of circulation for the past few weeks due to a very momentous occasion, namely, the building and equipping of a field office car trailer for *Quigley Publications*. We are indebted to the builders of the "Roll-A-Home" coaches for their many suggestions, along with R. J. Mork, manager of the Twin City Scenic Co. branch here; George McArthur of the McArthur Theatre Supply Co.; Herman H. Hunt, manager of National Theatre Supply Co., and George Schutz and Ray Gallo of Better Theatres. We won't go into lengthy details about the trailer now, but if you see something which looks like the M-G-M "Leo, the Lion" ballyhoo, pull up in front of your marquee some night, you will know it's I.

Sam Ackerman, who favors spot booking and doesn't pull his punches in talking about same, told us he will remodel his Eastside this summer. New marquee with all the modern trimmings. Al, Sam's son, is still doing the heavy work around his dad's theatre, and Teddy, Sam's dog, has gone in training so that when his boss goes to Florida next winter he can lick that Chattanooga hound that pretty nearly ruined a perfect vacation for Teddy last winter.

George McArthur, president of the McArthur Theatre Supply Co., is busy these days teaching his new daughter, Cherie, the fundamentals of the theatrical business. This little lady, who is now eight weeks old, comes down twice a week, in the last word in perambulators, accompanied by her charming mother. Mac has been passing around some real good cigars. Business is very good.

Harold C. Robinson, owner of the Film Truck Service, is down at his office early each morning, in the Film Building, as he is now holding down two jobs. Besides being the head of a large film trucking service, Harold is under-sheriff for the second largest county in the country—namely, Wayne. William Pasanen is managing the office of the truck service under Robinson's direction. Lee Paris of Hopkinsville, Ky., continues as secretary. Herb Fowser and Herb Rumler, former Detroit exhibitors, are also working in the sheriff's office.

Charley Komer, directing genius of the Royal Oak, Whittier, the Redford and Colony, told us about a new air conditioning plant installed in the Royal Oak. They are using an artesian well drilled adjacent to the theatre, which gives water at a temperature of 52 when circulated through the theatre. A great many theatres, here in Detroit, are putting in this system. Irving Goldberg is managing the Royal Oak; Harry Komer, the Whittier; Adolph Goldberg at the Redford and Dave Wilson has the Colony.

Tom Moule, a big leaguer in Detroit's exhibitor circles, is now operating one of his own. Tom has taken over the Plaza and has remodeled it. The front has been redecorated with Burriss chrome metal frames and looks like a million dollars. Business is good and getting better.

Herman H. Hunt, local manager of the National Theatre Supply Co. and formerly in the supply business at St. Louis, Memphis, New Orleans and Atlanta, has returned from the Methodist Hospital at Indianapolis, where a plaster cast, which he has been carrying around with him for the past 20 weeks, was removed. Herman says his arm will be as good as new again after he learns to use it. It was an auto accident. Fred Boyd, Arkansas traveler, is handling city sales with Monroe Carmichael doing the state work. Clarence Williamson, assistant manager, and W. P. Dawson are handling service.

Ernie Forbes has started up a new supply and equipment exchange, called Theatre Equipment Co., and has recently installed complete equipment in the Norglow, Detroit. This supply company are distributors for the Teco blower for smaller theatres in the medium price range.

Max Krim is busy playing polo at Beverly Hills and Pacific Palisades in California, and is stopping, while there, at the Riviera Country Club, meeting the stars in person, as it were. Roy Campbell is managing the Park; Max Krim, the Laskey; Morris Stramer, the Granada; Earl Krum, the Kramer; Ben Washnancy, the Sun, and Joe Kessler, the Buchanan.

Out Hollywood Way

HOLLYWOOD, June 23.—JEAN ARTHUR back from New York vacation. . . . FRANCIS BATEMAN, M-G-M salesman, to the hospital for minor operation. . . . PAT O'BRIEN and MRS. O'BRIEN to Vancouver, Banff and Lake Louise on motor vacation. . . . ISABEL STEIN, JACK HESS' secretary at Mascot, working with an arm in a sling—a minor fracture. . . . RAY BOLGER back home after an appendicitis operation. . . . Through arrangement with M-G-M NELSON EDDY to sing for San Francisco Opera opening Nov. 11 . . . Vacation in meantime. . . . SPANKY MCFARLAND moved over to "Here Comes the Band" set at M-G-M as soon as he finished in "O'Shaughnessy's Boy."

✣

Casting—WALTER CONNOLLY to Paramount for lead with MARGARET SULLAVAN in "So Red the Rose." . . . H. B. WARNER and CHARLOTTE GRANVILLE signed by Paramount for "Rose of the Rancho." . . . BETTY FURNESS gets romantic lead in Paramount's "Soup to Nuts" with GEORGE BURNS and GRACIE ALLEN.

✣

JACK BENNY to do another for M-G-M, "In the Bag." . . . DONALD MEEK, J. M. KERRIGAN and ROLLO LLOYD in SAMUEL GOLDWYN'S "Barbary Coast." . . . GRACE MOORE and NELSON EDDY to be teamed by M-G-M. . . .

STERLING HALLOWAY set in M-G-M's "Black Chamber." . . . J. CARROL NAISH, WILLIAM B. DAVIDSON and JOSEPH SAUERS added to Warners' "Special Agent." . . . GILBERT EMERY and JOSEPH NORTH in Paramount's "Without Regret."

✣

Directors—BUSBY BERKELEY to direct DOLORES DEL RIO and EVERETT MARSHALL in "Romance in a Glass House" for Warners. . . . ROBERT Z. LEONARD set to direct JOAN CRAWFORD'S next, tentatively titled "Elegance." . . . MICHAEL CURTIZ has signed a new seven-year pact with Warners. . . . J. WALTER RUBIN to direct "Riff Raff" for M-G-M with IRVING THALBERG producing.

✣

Writers—ANTHONY VEILLER, Radio writer, to take 18-week vacation in Europe, sailing from New York July 13.

✣

Story Buys—DOUGLAS D. BROWN'S "Plan 16" acquired by Radio. . . . "Believe It," a farce with music by BERT GRANITE and PHIL EPSTEIN, also acquired by Radio.

Take Waterbury House

WATERBURY, June 23. — Hamilton Theatre Corp. has been formed here to operate the Hamilton. Officers are Frederick O. Schutska of Hamden, Ethel M. Van Doren and Frederick J. Van Doren, the latter two of this city.

Paramount Buffalo Meet Opens Sunday

BUFFALO, June 23.—Paramount will hold its local two-day regional next Sunday and Monday. J. J. Unger will preside. Milt Kusell, New York State district manager, plans to fly in from New York next Saturday, for the sessions.

BOSTON, June 23.—Wednesday and Thursday are the dates set for the local Paramount regional. J. J. Unger, eastern and southern division head, will come on from Buffalo to attend.

Federal Engineers Study W. E. Output

WASHINGTON, June 23.—Engineering experts of the Federal Communications Commission are engaged in a study of sound apparatus developed by Western Electric, it was learned here yesterday. The inquiry is in connection with the commission's study of the A. T. & T.

Officials of the commission, in discussing the inquiry, explained they desired to learn what effect the cost and expense of sound apparatus development had on the telephone industry.

Films Escape California's Legal Turmoil

(*Continued from page* 1)

fected production, distribution or exhibition in some way.

Of these, the following were killed: Regulation of hours of women's work, two men in a booth, censorship, footage taxes, ticket tax.

Amendments were made to a bill regulating the working hours of children so that studios are not affected. The chain stores tax was changed to eliminate theatres. In the sales tax admissions were exempted. The bill authorizing amusements in veterans' buildings was amended to eliminate competition with theatres. The state recovery act was tabled. Walkathons were banned.

The only bill directly opposed by the industry which passed was the one permitting dog races, and this may be vetoed.

Five of Wisconsin Bills Go on Shelf

(*Continued from page* 1)

ure to provide for two operators in a booth; a bill to permit daylight saving time in Wisconsin, and the Beggs-Grobschmidt-Harper bill to legalize pari-mutuel betting at race tracks.

Measures still pending include the Carow bill which would levy three per cent tax on gross receipts of all amusements and the Mulder bill, seeking to prohibit marathons in Wisconsin.

Delay N. H. Sunday Move

CONCORD, N. H., June 23.—Efforts to have the Sunday opening law changed so theatres can open at 4 o'clock instead of 6 o'clock are beginning to look hopeless. The House has postponed action on a petition for the change.

Production Tilts Upward on Coast

(*Continued from page* 1)

six; Radio, five, two and five; Warners, five, zero and nine; Columbia, three, three and two; Universal, two, one and one; Goldwyn, one, zero and zero; Roach, zero, zero and one, with the independents chalking up three, zero and zero.

Short subject production dropped off. M-G-M had one in work, none preparing and six in the cutting room. Radio had one, one and three; Roach, zero, zero and three; Universal, zero, zero and one; Columbia, zero, zero and three. The independents were dark on short production.

Omaha Competition Keen

OMAHA, June 23.—Non-theatrical competition is getting keen hereabouts. Racing has opened at the Ak-Sar-Ben track, and preparations are being made to handle from 15,000 to 20,000 persons at the alternate-day performances of a Passion Play at the Capitol, Grand Island, the week of June 16.

Purely Personal

SIR WILLIAM WISEMAN, EDWARD EVERETT HORTON, his mother and brother were passengers on the *Normandie* which sailed Saturday for England and France.

•

JOE GOULD has been signed to handle JAMES J. BRADDOCK'S forthcoming theatrical career. The William Morris office handled the deal.

•

HOWARD S. BENEDICT, new Radio studio publicity head, likes Hollywood, but knows now he'll miss the fall theatre season in New York.

•

RUTGERS NIELSON is breathing more comfortably now that the Radio convention is behind him. There was no busier person in Chicago than "RUT."

•

RICK RICKETSON and ELMER C. RHODEN expect to leave for Denver and Kansas City, respectively, the end of the week.

•

HARLAN HOLMDEN, in charge of Local 306 under I.A.T.S.E. supervision, is due from St. Louis tomorrow.

•

HELEN MACK and her husband, CHARLES IRWIN, the latter formerly a trustee of Fox West Coast, left for Hollywood Saturday.

•

KAY FRANCIS, who returned on the *Normandie*, leaves for the west coast tomorrow preparatory to starting work in "I Found Stella Parrish."

•

CASSANDRA, the psychic, has been booked for the Paramount, Plainfield, N. J., starting June 27.

•

JACK KAPLAN, who operates the Rivoli, Fallsburg, will open the new theatre in Loch Sheldrake on July 1.

•

JULES LEVY will summer at Atlantic Beach. It's a penthouse hanging high over the ocean.

•

JACOBO GLUCKSMANN resumes the bridge soirees at the M. P. Club any night now.

•

AL ZIMBALIST heads toward St. Louis again in a day or so. He's been here vacationing.

•

BEN GOETZ returns to the coast Wednesday after the Carnera-Louis fight.

•

ARTHUR DENT says he plans to spend a few more weeks in New York before returning to London.

•

JOE E. BROWN arrives from the coast today on his first eastern trip in two years.

•

HARRY RICE has arrived in Columbus to exploit the opening of "Sanders of the River" at the Ohio.

•

HOWARD STRICKLING spent the week-end away from the city.

•

. . . *Denver*

J. B. MELTON has returned from several months in Florida. He owns the Victory.

LON T. FIDLER of Distinctive Screen Attractions, after spending 10 days in Hollywood, will stop off at Salt Lake City on his way home.

J. J. MORGAN, manager of the Denver branch of National Theatre Supply, has returned from a selling trip in the Arkansas valley.

BESS THORP is opening a 160-seat house in Ouray, Col. The theatre is the first in that town since sound.

Among out of town exhibitors seen recently on film row are: EDWARD WARD, Silver City, N. M.; TOM MURPHY, Raton, N. M.; ED SCHULTE, Casper, Wyo.; NATHAN SALMON, Santa Fe, N. M.; MRS. LEE MOTE, Riverton, Wyo.; C. F. MAZANEK, Holly, Col.; CARL MCCABE, Rocky Ford, Col.

More Mailbag

Editor, MOTION PICTURE DAILY:

Having just read the vicious, purely personal, attack on me, by Ali Baba in your "personally pure" column, I come to the conclusion that this gagger must be the "Ali Baba with the Forty Wives," (please don't change the subject)—I know, I mean Ali Baba with his Forty Thieves.

Ali can't be an exhibitor, because exhibitors stick apart and hang together, whether on the fringe of Hollywood or on the rim of a volcano.

Sure I carp. We exhibitors got what we got, by carping. Look at Lightman, Steffes, Kuykendall and Skouras! Carpers all, but not a piker among 'em.

We exhibitors rose to our present pinochle despite Ali Babas. Sure, it "toochus" a long time. We had "tzooras" with Skouras.

I'm trying to pigeon-hole Ali. He don't talk like an exhibitor—so he must be a sales manager, whose press agent, thinks up the place-cards for him, I think. Maybe Ali's a booker—so why does he need forty Jessie Jimmies to help him.

Maybe Ali's just a lousy basketball player.

On third thought, Ali must be a Nazi. Why else should he sign himself "Yours for the sweet and gentile."

For my part, I'm happy you print his cryptic cracks. Even your paper should have pathos.

Sure, run his ga-ga. Be as fair and square as you can. As fair as a "Red" Kann can—to him.

Remember Ali started this Winchell-Bernie hazenfeffer. Let him keep it up. Today, I only own one theatre—but after Ali gets through with me, I'll have a circuit.

My deepest wish is that Ali, with all his Babas, should be my competition. My face would be my fortune, out of the red.

So please give Ali Bey, some primary facts about life. And I ask you, is my space read in Abbysinnia or Gagylvannia?

Yours for more sallies from all kinds of alleys,

(Signed MOX SHABBUS, (who promises Ga-ga a job as "stand in" for Drekula anytime, or shall I send him a hand-painted "teppeleh.")

Campi's Texas Records Sent To Capital

(*Continued from page* 1)

to have been little less than a subpoena and indicated that the Government would not hesitate to resort to formal action if necessary.

The department is understood to be interested in the film situation in a number of exchange territories, and it is reported that the studies now being made may later lead to the filing of cases similar to that brought several months ago in St. Louis.

Last Tuesday John C. Flinn denied Washington had asked him for the Texas records. He could not be reached Saturday.

Myers Advises Lime Men to Adopt Code

HOT SPRINGS, Va., June 23.—The adoption of a voluntary industry code under the President's new recovery legislation to preserve the advantages gained under the NRA code was urged upon members of the lime industry by Abram F. Myers, counsel to the National Lime Ass'n and general counsel of Allied States Exhibitors' Ass'n. Myers is one of two attorneys named by the lime industry trade board to draft its voluntary code.

Pointing out the temporary nature of the Administration's new recovery legislation and emphasizing the need for immediate action, Myers said:

"You must carry on now or all the benefits you have gained will be lost. The government is no longer a wet nurse. You are on your own from now on. You are on trial. You must demonstrate that you have the character to curb your own cupidity to the extent necessary to make a success of this undertaking (a voluntary industry code). You must cease calling for the 'cops' and police your own industry. If you again call on the government it will move in and stay, and you will have something very much worse than you have ever had in the past."

Myers and Allied States are advocates of the Pettengill bill which would move the government in on the film industry. They were also among the leading opponents of the film code.

Rain Aids Grosses; "Sharp" the Leader

(*Continued from page* 1)

Music Hall. The first day of the second week was off only $2,000 from the opening day's receipts.

The first week of "The Glass Key" at the Paramount was very much in the black at $23,750. Both the Roxy and the Capitol hit very close to $25,000, the former with "Vagabond Lady" and the latter on the second week of "Public Hero No. 1." The Palace with "People Will Talk" garnered $10,500, while the second week of "Oil for the Lamps of China" at the Strand ended with $15,770. "Let 'Em Have It" for the third week at the Rivoli grossed $13,600. "Sanders of the River" opens Wednesday.

PARAMOUNT



The acknowledged leader in 1934-35 will be PARAMOUNT in 1935-36 as the following pages show . . .

1934-35

"SHE LOVES ME NOT"

"NOW AND FOREVER"

"BELLE of the NINETIES"

"WAGON WHEELS"

"CLEOPATRA"

"MRS. WIGGS"

"COLLEGE RHYTHM"

"LIMEHOUSE BLUES"

"HERE IS MY HEART"

"BEHOLD MY WIFE"

"LIVES OF A BENGAL LANCER"

"GILDED LILY"

"WINGS IN THE DARK"

"RUMBA"

"RUGGLES OF RED GAP"

"MISSISSIPPI"

"PRIVATE WORLDS"

"STOLEN HARMONY"

"GOIN' TO TOWN"

"THE SCOUNDREL"

"ACCENT ON YOUTH"

"SHANGHAI"

PARAMOUNT LEADS

PARAMOUNT, every month during 1934-35 has delivered at least two outstanding box-office attractions per month . . . a record not equaled by any other company . . . PARAMOUNT was able to do this because PARAMOUNT, in every sense of the word was PARAMOUNT in players, stories and directors. PARAMOUNT will again lead in 1935-36..and the following pages bear witness to this fact.



GARY COOPER



BING CROSBY



CLAUDETTE COLBERT

PARAMOUNT IN PLAYERS

Paramount presents an unrivaled list of "name" players headed by The Big Five . . . Colbert, Cooper, Crosby, Dietrich and West . . . five box-office names unmatched in drawing power by any similar group in any other company . . .



MARLENE DIETRICH



MAE WEST



HAROLD LLOYD



W. C. FIELDS

FUNNIER, and recognized as such by the box offices of the world . . . than any other group of five comedians in any other company, are Harold Lloyd, W. C. Fields, Joe Penner, Mary Boland and Charlie Ruggles.



JOE PENNER



BOLAND & RUGGLES



CAROLE LOMBARD



GEORGE RAFT

A RISING STAR is often the brightest. These will be particularly brilliant at the box-office in 1935-36 . . . Margaret Sullavan in "So Red the Rose", George Raft in "Every Night at Eight", Carole Lombard in "Hands Across the Table", and Fred MacMurray again with Claudette Colbert . . .

Margaret Sullavan—By arrangement with Universal



SYLVIA SIDNEY



FRED MacMURRAY



MARGARET SULLAVAN



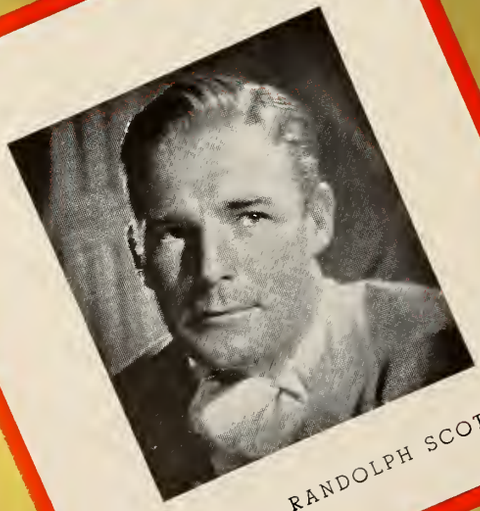
ANN HARDING



JOAN BENNETT

GENTLEMEN PREFER BLONDES and there are none more attractive to gentlemen and box-offices than Ann Harding, who will play in "Peter Ibbetson"... Joan Bennett in "Two for Tonight"... Alice Faye in "Every Night at Eight". Blonde, tall and handsome, Randolph Scott stars in "So Red the Rose".

Ann Harding—By arrangement with R.K.O.



RANDOLPH SCOTT



ALICE FAYE



GLADYS SWARTHOUT



JOHN BOLES

SONG AND STORY... John Boles blends his fine voice with Gladys Swarthout's gorgeous contralto in "Rose of the Rancho". Lovely Loretta Young is co-starred with Henry Wilcoxon in that magnificent screen story and spectacle, Cecil B. DeMille's "The Crusades".

John Boles—By arrangement with Fox
Loretta Young—By arrangement with Twentieth Century



LORETTA YOUNG



HERBERT MARSHALL



BARBARA STANWYCK



CARY GRANT

GOLDEN . . . Golden for the box office are the throats of Jan Kiepura, singing star of seven continents, and Mary Ellis, whose talent as an actress equals her gorgeous voice. Barbara Stanwyck will star in one picture . . . Cary Grant wins laurels in "The Last Outpost".



MARY ELLIS



JAN KIEPURA



HENRY WILCOXON



SIR GUY STANDING

ACT FOUR . . . Four who should be named as the greatest performers on the screen today . . . Pauline Lord for "Mrs. Wiggs", Sir Guy for "Bengal Lancers", Claude Rains for "Crime Without Passion", Henry Wilcoxon for his Antony to Colbert's "Cleopatra."



PAULINE LORD



CLAUDE RAINS



JACK OAKIE



BURNS & ALLEN

SWEET AND HOT . . . Sweet Kitty Carlisle for lyric song . . . Lyda Roberti for rhythm that is hot . . . and hotter than ever for laugh-getting, Jack Oakie, George Burns and Gracie Allen.



KITTY CARLISLE



LYDA ROBERTI

31 STAR PICTURES FROM 28 STARS

- 2 WEST
- 1 DIETRICH-COOPER
- 1 DIETRICH
- 1 COLBERT-MacMURRAY
- 2 COLBERT
- 1 COOPER-HARDING
- 1 COOPER
- 1 CROSBY
- 1 CROSBY-J. BENNETT MARY BOLAND
- 2 CROSBY
- 1 HAROLD LLOYD
- 3 LOMBARD
- 1 RAFT-ALICE FAYE
- 3 FIELDS
- 1 PENNER-OAKIE
- 1 SULLAVAN-LORD-SCOTT
- 1 BOLES-SWARTHOUT
- 1 SWARTHOUT
- 1 LORETTA YOUNG HENRY WILCOXON
- 1 SIDNEY-MARSHALL
- 1 JAN KIEPURA
- 1 BARBARA STANWYCK
- 2 MARY ELLIS

PARAMOUNT IN DIRECTORS

23 outstanding directors who have guided to box-office success such great attractions as "The Sign of the Cross", "Cleopatra", "A Farewell to Arms", "Seventh Heaven", "Little Miss Marker", "Now and Forever", "Lives of a Bengal Lancer", "Ruggles of Red Gap", "Belle of the Nineties", "Horse Feathers", "Scarface", "Front Page", "She Loves Me Not", "I'm No Angel", "College Rhythm", "Mrs. Wiggs", "Big Broadcast of 1933", "The Big Parade", "Street Scene", "The Cockeyed World", "House of Rothschild",

23 OUTSTANDING DIRECTORS

ROSTER of DIRECTORS

CHARLES BARTON

CLYDE BRUCKMAN

FRANK BORZAGE

[*Courtesy of Warner Bros.*]

HECHT-MacARTHUR

CECIL B. DeMILLE

MARION GERING

ALEXANDER HALL

HENRY HATHAWAY

ARTHUR JACOBSON

MITCHELL LEISEN

LEO McCAREY

NORMAN McLEOD

LEWIS MILESTONE

RALPH MURPHY

ELLIOTT NUGENT

WESLEY RUGGLES

ALFRED SANTELL

NORMAN TAUROG

FRANK TUTTLE

KING VIDOR

RAOUL WALSH

ALFRED WERKER

HAROLD YOUNG

PARAMOUNT IN STORIES

It is a well-known fact that Paramount possesses the largest library of motion picture properties of any company in the industry. Some of these great properties from which Paramount will produce pictures during the coming year are as follows:



"ANYTHING GOES"—The No. 1 musical comedy of the year. 260 performances to date and still S.R.O. Cole Porter's score, with such songs as "You're the Top" and "I Get A Kick Out of You", is the sensation of the nation.



"SO RED THE ROSE"—The No. 1 best-selling novel of 1934. Over 100,000 copies sold to date. Over 1,000,000 readers. Publicized by newspapers, magazines, and word-of-mouth to additional millions.



"NATIONAL VELVET"—The No. 1 best-selling novel of 1935. The "Book of the Month" for May with advance sale of 50,000. Every company in the business tried to buy this great story of the famous Grand National Race.



"CARMEN"—The No. 1 opera. For many years the most popular operatic attraction on the boards. Bizet's flaming and tempestuous "Carmen" should make a musical entertainment of gigantic box-office proportions.



VICTOR HERBERT OPERETTAS—The No. 1 operettas. Paramount, in possessing these great properties, owns romances that all the world wants to see—music that all the world loves.



"ROSE OF THE RANCHO"—The No. 1 David Belasco stage hit. So many requests have been made to turn this famous Belasco stage hit into a motion picture that Paramount now produces it as the first "big outdoor musical."



"PETER IBBETSON"—The No. 1 classic. Read by millions as Du Maurier's novel. Seen by millions as the celebrated stage play. Heard by thousands more as Deems Taylor's magnificent opera. This is sure to be a big hit.



"THE LIGHT THAT FAILED"—Rudyard Kipling's No. 1 writing achievement in pathos. A novel of world-wide fame—a dramatic love story of universal heart appeal. A No. 1 property from which to make a No. 1 picture.



"THE CRUSADES"—The No. 1 historical romance . . . from Harold Lamb's famous books . . . the magnificent adventures of Richard, the Lion-Hearted . . . set against the spectacular background of the world's first great war.



"CASE vs. MRS. AMES"—The No. 1 magazine story of 1934. The 5,000,000 people who read this story in Collier's last year found it so exciting they could scarcely wait a week for the next installment.



ZANE GREY NOVELS—The No. 1 Western fiction of all time. These popular novels are the favorite stories of millions the world over. For years they have made the best "Westerns."



"HOPALONG CASSIDY"—The No. 2 Western fiction. Clarence Mulford's famous and exciting novels have sold in excess of 3,000,000 and have delighted more than 20,000,000 readers.



If it's a

Paramount Picture

it's the best show

in town!



"Ladies" Gets Philadelphia Top, $14,000

PHILADELPHIA, June 23.—"No More Ladies," "Doubting Thomas" and "The Informer" were the only pictures to overcome the storm and hot-weather jinx last week.

"No More Ladies" grabbed a nice $14,000 at the Boyd and was held a second week. Playing a second week at the Fox, "Doubting Thomas" upped the average another thousand by taking $13,000. "The Informer," receiving rave notices locally, booked the house figure to $6,700 and almost persuaded Warners to hold it over.

Total first run business was $66,300. Average is $72,060.

Estimated takings for the week ending June 20:

"ESCAPE ME NEVER" (U. A.)
ALDINE—(1,200), 40c-55c-65c, 7 days, 3rd week. **Gross:** $4,500. (Average, 6 days, $7,000)

"GOIN' TO TOWN" (Para.) (Second Run)
ARCADIA—(600), 25c-40c-50c, 6 days. **Gross:** $1,800. (Average, $2,400)

"NO MORE LADIES" (M-G-M)
BOYD—(2,400), 40c-55c, 6 days. **Gross:** $14,000. (Average, $12,000)

"NIT WITS" (Radio)
EARLE—(2,000), 25c-40c-50c, 6 days. Stage: Eddie White, Harris and Howell. Five Wonder Girls, Domatella Brothers and Carmen, Arthur and Morton Havel. **Gross:** $12,000. (Average, $12,000)

"DOUBTING THOMAS" (Fox)
FOX—(3,000), 40c-55c-65c, 6 days, 2nd week. Stage: Mary Small, Jimmy Hadreas. Wilbur Hall and Loretta Dennison, Long Brothers and Lawler. **Gross:** $13,000. (Average, $12,000)

"THE VIRGINIAN" (Para.) (Reissue)
KARLTON—(1,000), 25c-35c-40c, 6 days. **Gross:** $2,500. (Average, $3,500)

"PUBLIC HERO NO. 1" (M-G-M) (Second Run)
KEITH'S—(2,000), 30c-40c-50c, 6 days. **Gross:** $2,800. (Average, $4,000)

"OIL FOR THE LAMPS OF CHINA" (F. N.)
STANLEY—(3,700), 40c-55c, 6 days. **Gross:** $9,000. (Average, $12,000)

"THE INFORMER" (Radio)
STANTON—(1,700), 30c-40c-50c, 6 days. **Gross:** $6,700. (Average, $6,000)

Curley Hits College For War Film Stand

BOSTON, June 23.—Charging the viewing of a film depicting war-like maneuvers had been banned by college authorities, Gov. James M. Curley has criticized Williams College officials for an alleged pacifist attitude. Recently Calvin King, manager of the Walden, Williamstown, Mass., which depends on student patronage, was threatened by Williams students with a boycott if he continued to show a "March of Time" issue containing Army Day scenes. King removed the scenes.

Bernardi Prod. Casting

Bernardi Productions, producers of dance sequences for pictures and revues, are casting for talent to send out of town. At present there are 12 Bernardi companies working in New York and vicinity.

Fulton Joins Republic

ATLANTA, June 23. — Arthur C. Bromberg, Republic executive head in the southeast has named W. B. Fulton to handle sales in the Atlanta territory. He replaces E. A. Rambonnet.

Key City Grosses Fall Off Slowly; Some Houses Close

(*Continued from page 1*)

April 18-19 when it was $1,115,386. Key city first runs have dropped from 147 to 137 in recent weeks.

Only seven of the 22 cities reporting failed to register a decline for the week ending May 30-June 1 under the previous week. These were Buffalo, Chicago, Minneapolis, Montreal, Portland, San Francisco and St. Paul.

Comparative grosses for the last available periods:

	Week Ending May 30-June 1		*Week Ending May 23-24*	
	No. Theatres	*Gross*	*No. Theatres*	*Gross*
Boston	6	$60,000	6	$83,000
Buffalo	5	42,400	5	39,600
Chicago	8	126,500	8	119,000
Cleveland	6	47,000	6	48,650
Denver	6	24,500	6	33,000
Detroit	7	85,300	7	86,300
Indianapolis	4	20,500	4	23,000
Kansas City	5	36,600	5	48,000
Los Angeles	8	59,150	9	75,900
Minneapolis	7	30,600	8	29,500
Montreal	5	39,500	5	36,500
New York	8	197,900	8	206,200
Oklahoma City	4	14,800	4	16,000
Omaha	3	16,250	3	21,100
Philadelphia	9	58,900	9	71,500
Pittsburgh	5	35,700	5	51,800
Portland	6	28,400	5	20,200
Providence	6	29,750	6	41,900
San Francisco	9	80,500	9	80,000
St. Paul	5	18,000	5	17,500
Seattle	6	30,550	6	32,800
Washington	8	69,400	8	74,400
	137	$1,152,200	137	$1,235,650

Comparative grosses for the latest available periods:

Week Ending	*Theatres*	*Grosses*
Sept. 27-28	132	$1,419,815
Oct. 4- 5	132	1,412,844
Oct. 11-12	132	1,344,137
Oct. 18-19	131	1,385,533
Oct. 25-26	133	1,386,935
Nov. 1- 2	135	1,288,992
Nov. 8- 9	134	1,386,736
Nov. 15-16	133	1,389,743
Nov. 22-23	136	1,305,450
Nov. 29-30	137	1,369,570
Dec. 6- 7	136	1,401,989
Dec. 13-14	135	1,244,610
Dec. 20-21	135	1,070,800
Dec. 27-28	139	1,408,788
Jan. 3- 4	141	1,719,887
Jan. 10-11	138	1,361,450
Jan. 17-18	138	1,251,130
Jan. 24-25	138	1,251,130
Jan. 31-Feb. 1	137	1,354,350
Feb. 7- 8	135	1,332,415
Feb. 14-15	136	1,381,960
Feb. 21-22	137	1,318,630
Feb. 18-29	140	1,405,417
March 7- 8	139	1,295,650
March 14-15	137	1,358,384
March 21-22	135	1,325,360
March 28-29	137	1,334,375
April 4- 5	139	1,242,487
April 11-12	140	1,205,456
April 18-19	139	1,115,386
April 25-26	142	1,421,800
May 2-3	140	1,250,132
May 9-10	145	1,417,888
May 16-17	138	1,236,100
May 23-24	137	1,235,650
May 30-June 1	137	1,152,200

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To Roadshow "Crusades"

Paramount has definitely decided to roadshow, "The Crusades," latest Cecil B. DeMille production. No New York date or theatre has been set, but it is understood the picture will not be ready until after the summer.

Award to Pathe News

ATLANTIC CITY, June 23.—At a dinner at the Ritz Saturday night, Pathe News was awarded the honor spot in newsreel coverage last year for its clips on the Dionne quintuplets. Jack Connolly accepted for his company.

"Public Hero" Leads Detroit With $22,300

DETROIT, June 23.—"Public Hero No. 1" was the heavy money-maker of the week here with most of the first runs suffering. It went $2,300 over par on a take of $22,300 at the Michigan, with five acts of vaudeville on the stage.

The only other attraction on the profit side of the line was "Under the Pampas Moon" at the Fox, which garnered $16,200.

Total first run business was $61,200. Average is $60,000.

Estimated takings for the week ending June 14:

"EVERGREEN" (G-B.)
"CHASING YESTERDAY" (Radio)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $4,300. (Average, $5,000)

"UNDER THE PAMPAS MOON" (Fox)
FOX—(5,100), 15c-55c, 7 days. Stage, 5 acts vaude. **Gross:** $16,200. (Average, $15,000)

"G-MEN" (F. N.)
"A NIGHT AT THE RITZ" (Warners) (Second Run)
FISHER—(2,975), 10c-40c, 7 days. **Gross:** $4,300. (Average, $5,000)

"PUBLIC HERO NO. 1" (M-G-M)
MICHIGAN—(4,100), 15c-55c, 7 days. Stage, 5 acts vaude. **Gross:** $22,300. (Average, $20,000)

"GOIN' TO TOWN" (Para.)
STATE—(3,000), 10c-40c, 7 days, 3rd week. **Gross:** $5,000. (Average, $5,000)

"BLACK FURY" (F. N.)
UNITED ARTISTS—(2,070), 15c-55c, 7 days. **Gross:** $9,100. (Average, $10,000)

"Key" and "Bells" Lead Providence

PROVIDENCE, June 23.—The Strand and the Majestic were the only houses to reach par for the week, the former catching $7,000, up by $500, with "Glass Key" and "Eight Bells," while the Majestic also hit the same figure with "Doubting Thomas" and "Black Sheep." Loew's managed to pull out $8,000 with the second week of "Public Hero No. 1" and "The Thin Man."

Fay's, which folded for the summer, was $1,000 under with vaudeville and films and the RKO Albee was down, with "The Man Who Knew Too Much" and "Brewster's Millions."

Total first run business was $33,800. Average is $40,500.

Estimated takings for the week ending June 20:

"DOUBTING THOMAS" (Fox)
"BLACK SHEEP" (Fox)
MAJESTIC—(2,400), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"BY APPOINTMENT ONLY" (Chesterfield)
FAYS—(1,600), 15c-40c, 7 days. Stage: "Dance Dreams" revue. **Gross:** $6,000. (Average, $7,000)

"PUBLIC HERO NO. 1" (M-G-M)
"THE THIN MAN" (M-G-M)
LOEW'S STATE—(3,800), 15c-40c, 7 days. **Gross:** $8,000. (Average, $12,000)

"MAN WHO KNEW TOO MUCH" (G. B.)
"BREWSTER'S MILLIONS" (G. B.)
RKO ALBEE—(2,300), 15c-40c, 7 days. **Gross:** $5,000. (Average, $7,000)

"THE GLASS KEY" (Para.)
"EIGHT BELLS" (Col.)
STRAND—(2,300), 15c-40c, 7 days. **Gross:** $7,000. (Average, $6,500)

"BIG CALIBER" (State Rights)
"VILLAGE TALE" (Radio)
RKO VICTORY—(1,600), 10c-25c, 4 days. **Gross:** $800. (Average, $1,000)

Joe Wolf a Father

ALBANY, June 23.—Joe Wolf, local Paramount salesman, became the father of a nine-pound boy over the week-end.

"Ladies" Big In Denver on $8,000 Gross

DENVER, June 23.—With holdouts for the first five days "No More Ladies" was by far the best attraction of the week here. It ran up to $8,000, over normal by $2,000, and was moved to the Broadway for an extended run.

"Doubting Thomas" at the Broadway following a week at the Denver took $2,000, which was $500 over a first week normal for the house. "The Virginian" grossed a par $4,000 at the Denham. "My Heart Is Calling" was weak at the Aladdin with $400 on three days. It went in after "Nell Gwyn" had been pulled at the end of four days.

Total first run business was $22,600. Average is $23,000.

Estimated takings for the week ending June 20:

"NELL GWYN" (U.A.)
ALADDIN — (1,500), 25c-35c-50c-60c, 3 days. **Gross:** $200.

"MY HEART IS CALLING" (G.B.)
ALADDIN — (1,500), 25c-35c-50c-60c, 3 days. **Gross:** $400. (Average for week, $2,500)

"DOUBTING THOMAS" (Fox)
BROADWAY—(1,500), 25c-40c, 7 days, following a week at thte Denver. **Gross:** $2,000. (Average, $1,500)

"THE VIRGINIAN" (Para.)
DENHAM—(1,500), 25c-35c-50c, 7 days. **Gross:** $4,000. (Average, $4,000)

"NO MORE LADIES" (M-G-M)
DENVER—(2,500), 25c-35c-50c, 7 days. **Gross:** $8,000. (Average, $6,000)

"MARK OF THE VAMPIRE" (M-G-M)
ORPHEUM—(2,600), 25c-35c-50c, 7 days. **Gross:** $5,000. (Average, $5,000)

"THE FLAME WITHIN" (M-G-M)
PARAMOUNT—(2,000), 25c-40c, 7 days. **Gross:** $3,000. (Average, $4,000)

Fight Film Helps Buffalo Dual Bill

BUFFALO, June 23.—Dull as the Baer-Braddock fight was on the radio, it proved a strong drawing card on film, helping the Lafayette to within $100 of normal in a week when business was tough. Apparently a lot of dissatisfied bettors had to see for themselves. "Chinatown Squad" and "Alias Mary Dow" were the features, which drew $6,500.

Total first run business was $38,500. Normal is $42,800.

Estimated takings for the week ending June 21:

"NO MORE LADIES" (M-G-M)
BUFFALO—(3,500), 30c-55c, 7 days. Stage: Gus Van, Melissa Mason, Liazeed Arabs, Libonati Trio. **Gross:** $13,900. (Average, $14,300)

"THE DARING YOUNG MAN" (Fox)
"DINKY" (Warners)
CENTURY—(3,000), 25c, 7 days. **Gross:** $4,800. (Average, $6,000)

"ALIBI IKE" (F.N.)
"THE AGE OF INDISCRETION" (M-G-M)
GREAT LAKES—(3,000), 25c-40c, 7 days. **Gross:** $6,300. (Average, $8,000)

"ESCAPE ME NEVER" (U.A.)
HIPPODROME—(2,100), 25c-40c, 7 days. **Gross:** $7,100. (Average, $8,000)

"CHINATOWN SQUAD" (Univ.)
"ALIAS MARY DOW" (Univ.)
LAFAYETTE — (3,300), 25c, 7 days. Added attraction: Braddock-Baer fight films. **Gross:** $6,400. (Average, $6,500)

Gumbiners Drop House

LOS ANGELES, June 23.—The Gumbiners have turned over their Tower, subsequent run, to F. W. C.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Going Highbrow"

(Warners)

HOLLYWOOD, June 23.—A pleasing comedy melodrama featuring Guy Kibbee and ZaSu Pitts as the society-struck Kansans who come into a fortune when their broker sells mining stock instead of buying some as ordered by Kibbee.

The nouveau riche go abroad and buy some paintings which nets them publicity on their return. Kibbee is not strong for the idea of breaking into the "400," but his kittenish wife persuades him to change his mind.

Edward Everett Horton, a promoter, becomes the manager of the Kansas farmers. Kibbee arranges with June Martel, a former vaudevillian and now a waitress, to pose as his daughter so that they can stage a party for her debut in society. She falls in love with Ross Alexander, Horton's partner, but just as the match is nearing its climax the girl's husband shows up after three years and almost crimps the affair. Horton is about to compromise Gordon Westcott into taking $10,000 for a divorce when he discovers the villain has another wife. That clinches the deal for the lovers. The performances generallly are good.

Reviewed without production code seal. Running time, 66 minutes. "G."

Looking 'Em Over

"The Thirty-Nine Steps"

(Gaumont British)

LONDON, June 14.—This has the speed, suspense and imagination in detail characteristic of a director with an American sense of box-office values and the humorous values, emphasized, nicely balance the melodrama.

It's a spy story, opening with a mysterious girl seeking the protection, during a riot in a music hall, of a young Canadian. She tells him she is in danger of her life from a gang trying to get details of a new aeroplane engine, a secret of the British Government. Later, staggering wounded into his room, she dies before she can do more than show him a map of Scotland, with a small village marked.

Hannay makes for Scotland, but the police are after him for murder and board the train. He pretends to make love to Pamela, a girl travelling along, but she denounces him. He gets out of the moving train and swarms down a bridge and reaches the Highlands only to encounter Professor Jordan, the chief of the enemy gang. Follow a series of rapid escapes, police pursuits and finally Hannay's capture after he is recognized by Pamela and handed over to "detectives" who are really members of the gang.

Realizing Pamela to be a danger, they handcuff her to Hannay. In a mountain mist the couple make a getaway and, still manacled, spend the night together in a country hotel. This situation is handled with tact and a sense of fun. In the morning the girl, who has wriggled out of her handcuff, learns Hannay is not a murderer. Allies, they make a dash for London, where with the London Palladium as background, comes the exposure of the gang's plans, which have been to teach "Mr. Memory," a stage act of the "human encyclopaedia" variety the formula of the British invention so that it can be taken out of England without being committed to paper. Hannay tricks the performer into reciting it from the stage; the "professor," from a box, shoots his accomplice but is captured.

The selling angles are Robert Donat's debonair performance, the speed of the pursuit scenes, the attractiveness of Scottish backgrounds and the effective climax. Madaleine Carroll's role is definitely secondary but she plays the comedy, especially, excellently. Comparatively small parts are played by such good players as Godfrey Tearle, Helen Haye, Frank Cellier, Peggy Ashcroft and John Laurie.

Running time, 85 minutes. "G."

ALLAN

Termer for Butterworth

HOLLYWOOD, June 23.—M-G-M has signed Charles Butterworth to a term contract. Ethel Borden, writer, has also been given a contract.

Bennett to Act Again

HOLLYWOOD, June 23.—Richard Bennett returns to the screen, after an absence of almost a year, in "This Woman Is Mine," an English made picture which Paramount will release.

Short Subjects

"Amateur Night"

(Educational-Terry-Toons-Fox)

Frank Moser and Paul Terry have turned out an amusing animation with the various animals of the farm giving interpretations of Ed Wynn, Rudy Vallee, Stepin Fetchit and the Quintuplets. The music is inviting. All together, it's a swell number. Production Code Seal 0505. Running time, 6 mins. "G."

"Stranger Than Fiction"

(Universal)

No. 10 of the series. An American town run by women, a girl shoemaker, a wishing well, a fellow who captures alligators bare-handed, a woman who operates a tugboat, these and a number of other realities that run counter to the usual order of things are pictured here. Highly worthwhile. No production code seal. Running time, 9½ mins. "G."

"Time Out"

(Educational-Fox)

Routine Tom Howard and George Shelton stuff and in all probability will get by with radio followers of the two. Most of the time is spent by Howard and Shelton dealing out a deck full of gags which don't seem to click. The two principals are on a cruise and both try to make Marie Alvarez, the captain's wife, who has a habit of walking in her sleep at the sound of a bell. It's no go.

The idea is ragged with age and as for the gags, the creaky cedar chest has been pilfered again. Production Code Seal 0445. Running time, 19 mins. "G."

"Mary's Little Lamb"

(Celebrity)

Here is a modernized version of the nursery rhyme, "Mary Had a Little Lamb," done in color and in an entertaining and interesting manner. It should do well anywhere.

The old rhyme has been changed but little in the story here. The lamb follows Mary to school and when the children start reciting, singing and dancing it joins in, much to the consternation of the teacher. Its antics should produce many laughs.

Highly recommended. Production Code Seal No. 803. Running time, 7 mins. "G."

'The Chinese Nightingale'

(Harmon-Ising-M-G-M)

"The Chinese Nightingale," Harmon-Ising color cartoon, tells the familiar tale of the Chinese emperor who turned his attention to the canned song of a mechanical bird, breaking the heart of the nightingale who returned when the toy bird was broken to soothe the sick monarch with its faithful song.

Technically, this short is superb, but it falls a little short of the former brilliant Harmon-Ising offerings, due to the fact that most cartoons have greatest appeal when creatures of pure fantasy are used rather than drawings of human beings. It suffers only by comparison with other films of this unit, and deserves special billing.

Cincinnati Keith Cuts

CINCINNATI, June 23.—Keith's has shaved five cents from the matinee price, which now is 30 cents.

British KRS Keeping Tabs Upon Booking

By BRUCE ALLAN

LONDON, June 14.—The Kinematograph Renters' Society will in future, in the case of any change in the booking arrangements of any theatre, make detailed enquiries to ascertain whether the new proprietor books for any other theatres. Full details of the exact nature of the investment made by a new theatre proprietor may also be demanded.

The step is seen as a further move in the society's campaign against "booking circuits," in which so big a success was recently scored at the expense of G.B.

A scrutiny of all existing booking arrangements is a possible further step. "Booking managements" which were accepted before the G.B. row may now come under ban, it is thought.

* * *

Leeds exhibitors have instructed their representative on the General Purposes Committee of the C.E.A. to vote for the complete abolition of the clause in the Films Act imposing a 20 per cent exhibition quota. The quality of many British films registered under the act is such, it was declared, that theatres will have to show 20 per cent of British films with only 10 per cent of usable material. The committee is considering the whole situation with a view to representations to the government. It is believed they will blame quickie production by American companies for the exhibitors' troubles and recommend to the General Council agitation for the imposition of a quality test. * * *

C.E.A. General Council will discuss the effects of the new carbon duties at its next meeting, at which it will have before it a suggestion that the exhibitors' association cooperate with importers in a campaign for revision. Recent legislation raised the original 33 1/3 per cent duties to a prohibitive figure, but there was an undertaking that British manufacturers would not increase prices.

In the meantime, the secretary of the C.E.A. has issued an official warning to members not to sign a petition form, circulated by a firm of carbon importers, in which the phrase occurs: "We are still compelled to use an inferior carbon." Legal action by British carbon makers against signatories is threatened.

SETOA Meeting Planned

ATLANTA, June 23.—Affiliated and independent theatre men of the southeast will hold a get-together August 11-13 at Jacksonville Beach, says H. V. Manning, of Etowah, Tenn., president of Southeastern Theatre Owners' Ass'n.

The committee in charge is composed of R. B. Wilby, Atlanta, affiliate; Sam Borisky, Chattanooga, independent; Oscar Lam, Rome, affiliate. M. C. Moore, Jacksonville, independent, is general chairman of arrangements. Nat Williams, Thomasville, Ga., former president of S.E.T.O.A., is chairman of the publicity committee, and Mitchell Wolfson, Miami, an independent, is vice-chairman.

Charter Three Concerns

DOVER, June 23.—Cascade Theatres Corp., Rainier Theatres Corp. and Multnomah Theatres Corp. have been formed here. Cascade listed a capital of $60,000, while Rainier and Multnomah each listed $1,000. The incorporators were Raymond J. Gorman, Charles N. Caldwell, Jr. and David H. Jackman, all of New York.

Glen W. Dickinson Theatres, Inc., of Lawrence, Kan., has increased its capital from $220,000 to $320,000.

More Vaudeville in West

LINCOLN, June 23.—Vaudeville units will be added to the regular picture routines for two months in Iowa and Minnesota theatres shortly, according to Wilbur Cushman, agency head in Albuquerque, N. M.

Warners Sign Three

HOLLYWOOD, June 23.—Jack Oakie, Charles Ruggles and Mary Boland have been signed by Warners. Each will make at least one film for the company for the new season.

Rains Prove Help

Oklahoma City, June 23.—Jimmy Adams, operator of the Folly, is quite cheerful about all recent rains. They've been a big help, he says.

"We saved money on the cooling system. Only twice has the temperature gone to 90 and people had no place to go except the theatre," he declares.

Building Hague Studio

THE HAGUE, June 23.—Loet C. Barnstyn, Dutch producer, exhibitor and distributor, will build his own studio at Oosterbeek near here. He has acquired a 30-acre estate on which stands an old mansion which will be kept intact. He plans to confine his producing activities primarily to Dutch talkers.

As a parallel enterprise, it is his intention to develop his theatre holdings to embrace 50 theatres in The Netherlands. Loet C. is a brother of Jack Barnstyn.

Variety Club Chatter

Cincinnati

CINCINNATI, June 23.—JOE KOLLING, property master of the local tent, has been elected worthy president of the Norwood Aerie of Eagles. The affair made the local dailies accompanied with personal art.

E. HOTCHSLIM, member of Albany Tent No. 9, was a visitor here recently. Others whose names appear on the local register are: C. D. JACKMAN, New York; J. C. ALLEN, Dallas; E. T. WEART, Chicago, and F. E. WOLCOTT, Tulsa, Okla.

AL SHMITKIN, Vitagraph head, is back from the coast convention.

JOE OULAHAN, Paramount manager, back from his company's convention.

Kansas City

KANSAS CITY, June 23. — "Our papers, instead of wanting less, want more from Hollywood, even though some of it is acknowledged hokum," commented PAUL MILLER, news editor of the Associated Press to 40 members of Variety Club.

"For that reason we have to maintain a large bureau at Los Angeles. Three men and one woman on styles devote their entire time to covering Hollywood. Their activities are coordinated with persons in New York who cover films from that end. We now have to have a regular daily feature from Hollywood with a weekly review."

Asked to tell the difference between publicity and news, MILLER commented that "even if what comes out of Hollywood is hokum it still is good because people want to read it."

Kings for a Day June 24 will be the Erpi crew—J. H. CAMERON, L. C. LEEVES, W. E. GREGORY, who, working overtime, were forced to doff the crown June 17.

Kings for a Day July 1, will be a couple of JOES—MANFRE of Paramount and MAGUIRE of M-G-M—and HAROLD LUX. Following luncheon, Variety will give a golf tournament and outing for members at Hillcrest, with prizes for everyone.

Milwaukee

MILWAUKEE, June 23.—Variety Club succeeded in raising $1,204.61 through its first milk fund benefit show staged in all Milwaukee county theatres. President George Fischer announced that the fund will be increased from time to time with other functions with the aim of maintaining a permanent sum to supply over 1,400 needy children with milk throughout the year.

The committee was headed by H. J. FITZGERALD and included CHARLES TRAMPE, BEN MILLER, E. J. WEISFELDT and OSCAR OLSON.

Minneapolis

MINNEAPOLIS, June 23.—All plans are set for the Variety Club golf tournament to be held at the Oak Ridge Country Club, Hopkins, Minn., June 28. All club members and others in the industry are to be welcomed.

BOB WORKMAN is in charge of registrations. Other members of the committee are BEN FRIEDMAN and DON WOODS.

Philadelphia

PHILADELPHIA, June 23. — Oscar NEUFELD has been elected assistant to the property man and manager of Tent No. 13. He resigned from I.E.P.A. to take the job.

The first annual pool tournament begins July 9, with a big entry list. HERB ELLIOTT, BASIL ZIEGLER, JACK KRAKER, CHARLES ZAGRANS are in charge as handicappers.

Conventions have kept many members away from the club, but the roster is full once again.

Luncheons are now on a monthly basis with the next scheduled for July.

While no definite plans have been made, it is probable that a golf tournament will be held in September.

August luncheon will be held in the form of a clambake and shore meeting at Toms River, N. J., courtesy IS HIRSCHBLOND, Toms River member. BEN BLUMBERG will be the other king for the day.

Mexico Has 19 Film Producers on Lists

By JAMES LOCKHART

MEXICO CITY, June 23.—Mexico producers numbered 19 companies on June 1, all in the Federal District. Only one of these has American backing. This company is partially backed by local American residents. It is the Cia. Impulsadora de Peliculas, S. A., the president of which is Paul H. Bush, an automobile dealer.

These companies have two regularly equipped studios to serve them. Most of the pictures made in this country by Mexican interests are handled at the National M. P. Production Co. studios. A smaller studio is operated by George Stahl.

Virginia Fees Up; Censor Cuts Down

RICHMOND, June 23.—State censorship revenues show a substantial gain this year, according to Edward S. Reid, director. The total of films has increased, he says, and at the same time the quality has improved, so that fewer cuts have been necessary.

Receipts are expected to exceed $15,000. In the past they have ranged from $10,000 to $12,000.

Within the past six months three films have been rejected in toto. One was a feature and two were shorts. There were 112 deletions in 57 films, about half the total for the previous year.

Charter Indiana Allied

INDIANAPOLIS, June 23.—Incorporation papers for Allied Theatre Owners of Indiana, Inc., have been filed by leaders of Associated Theatre Owners of Indiana.

The act does not mean that the local group is planning any affiliation with national Allied, Charles R. Metzger, attorney for the A.T.O.I., said. He explained the incorporation as merely a means of setting aside the name so that it cannot be used by any other group.

Incorporators are Roy R. Bair, A. C. Zaring, Harry Markus, Frank Sanders and Metzger.

Order Bucyrus Spot Sold

BUCYRUS, O., June 23.—The Common Pleas Court has ordered sale of the partially completed building started nearly six years ago by the Moose Lodge as a picture house, and subsequently taken over by John Hoover, Cincinnati contractor, to satisfy a judgment. This is the house which Schines are expected to take over as one of the five in the addition to their Ohio circuit.

Evergreen Men Shifted

PORTLAND, June 23.—Al Finkelstein has been named supervisor of Evergreen theatres here.

Al Rosenberg has taken over supervision of the circuit's houses in the Washington territory and will maintain offices at Spokane.

Frank L. Newman, Sr., will continue to handle the houses in the Seattle sector.

Alliance House to Close

ALLIANCE, O., June 23.—The Columbia, a unit of Triangle Theatres, Inc., which has been playing stage shows and pictures, will be shuttered July 1, and relighted Sept. 1, according to Ray Wallace.

"WHOA!" . . . .

HELD OVER!



"NO MORE LADIES"
Engagements Extended!

Harrisburg	Kansas City
Wilmington	Dayton
Rochester	Toledo
Boston	Houston
New Orleans	Reading
Louisville	Cleveland
St. Louis	Columbus

Just the start! Hold time open, boys! It's the season's life-saver!



Nice Going—

JOAN CRAWFORD
BOB MONTGOMERY
Charlie Ruggles
Franchot Tone
Edna May Oliver
Director: E. H. Griffith

and

Leo, the proud Papa!

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 146 NEW YORK, SATURDAY, JUNE 22, 1935 TEN CENTS

Opinions Vary In Frisco on Code Prospect

Some Oppose a Voluntary Pact as Valueless

SAN FRANCISCO, June 21.—Exhibitors here are split over the issue of establishing a voluntary code for the industry.

While spokesman for the major exhibitors favor establishment of such a code, representatives of independents appear to be either on the fence or else in favor of abolishing all codes, voluntary or compulsory. Still others among the independents feel that a voluntary code is possible if some method is adopted which would prevent reversion to litigation. Court suits frequently followed decisions under the NRA code.

Typically representative of this attitude is the following telegram sent by

(*Continued on page 3*)

Schiller Will Push Loew Chicago Moves

CHICAGO, June 21.—Col. E. A. Schiller will arrive here from New York Monday to assume active charge of Loew's theatre invasion. He plans to spend several months here closing some of the pending deals for sites and also supervising construction for the 1,600-seat theatre slated for Oak Park.

Robert Lynch of Philadelphia is continuing on the job and will work with Schiller in an effort to speed up the Loew program.

Adjourn Hearings in Action Against Fox

Hearings of testimony in the Chicago Title & Trust Co.'s suit to recover $1,000,000 from William Fox for alleged defaults in the guaranteed redemption of Roxy Theatre stock, which have been in progress for the past five weeks in closed sessions before Sol Stroock, attorney, as referee for the state supreme court, were adjourned yesterday for the summer. A fall date for the resumption of the hearings will be set by Stroock within the next few days.

RKO Trustees Fight Rockefeller Claims

Allowance of Rockefeller Center's claim against RKO at approximately $8,700,000, as recommended in a report submitted recently by Special

(*Continued on page 3*)

Assert Europe Wants Half Action; Rest Talk, Music

By RED KANN

ABOARD THE EASTBOUND 20TH CENTURY LIMITED, June 21.—Fifty per cent action, 25 per cent dialogue and a like percentage of music make the 100 per cent ideal picture for England and the Continent.

RKO executives and sales agents returning from the company's three-day sales convention at the Drake today agreed on the breakdown. They were interviewed individually.

These men representing a substantial portion of Radio's return from overseas market had their inning in the Windy City. They told J. R. McDonough, B. B. Kahane and Robert F. Sisk, who comprised a trio of

(*Continued on page 4*)

Film Leaders Mourn Death Of Lee Ochs

The death of Lee A. Ochs early yesterday morning at the York Hospital is mourned by the industry. Many of his friends recounted Ochs' history in the business and deeply regretted his passing. He was 55 and is survived by a widow, Mrs. Nana Ochs; his mother, Mrs. Carrie Ochs; a son, Millard, and Willa, a daughter. Funeral services will be held tomorrow at 11:30 A. M. at Riverside Memorial Chapel with interment at Mt. Hope Cemetery, Westchester.

Ochs was born in Cincinnati in 1880, opened the first nickelodeon on 8th Ave. at the age of 25 and in later years acquired other theatres until the circuit totaled 10. Six of the theatres in the West Bronx were turned over to Consolidated Amusements

(*Continued on page 2*)

Karl Kitchen Dies After an Operation

Karl K. Kitchen, author and well known columnist, died early yesterday morning in St. Luke's Hospital where he had been operated upon early in the week for a neck infection. Pneumonia developed.

Funeral services will be held Monday at 2 o'clock at the Little Church Around the Corner.

One of the first columnists to write on New York night life, Kitchen became well known on the old *Morning World*. Later he conducted a similar column on the *Evening Sun*. He traveled extensively and wrote several books.

Kitchen was born in Cleveland March 2, 1885, and was graduated from Cornell University in 1906. He began his newspaper career shortly afterwards. His widow, formerly Miss Dorothy Follis of the Chicago Opera Co., survives.

Australia's Quota Stirs British Move

By BRUCE ALLAN

LONDON, June 12.—The Film Producers Group of the Federation of British Industries is taking emergency action regarding the New South Wales Quota Act, the full terms of which became available by the last mail.

In a circular letter to its film members the F. B. I. draws attention to the grave danger arising from the fact that, while Australian films rank as British for quota purposes in U. K., British films in Australia are classified on the same basis as American and other imported subjects, and need Australian made films as cover.

The danger in this situation for the British industry is that American producers might make cheap films in Aus-

(*Continued on page 3*)

Form Company Here For French Product

France-Film, Inc., has been formed by Robert Hurel, president of France-Film Corp. of Canada, for distribution of French films in this country. A tieup has been made with the Fifth Avenue Playhouse. It will be renamed Cinema de Paris after being redecorated.

According to Hurel, the company with its parent company in France, owns the Saint Denis and Cinema de Paris in Montreal, the Cinema de Paris in Quebec and theatres in Sherbrooke and Three Rivers. It handled 80 per cent of the French films distributed in Canada last year.

The company intends to import at least 25 French pictures with newsreels next year to insure a continuous supply of product for art theatres and schools.

It will also handle distribution of American product in France.

U. A. Votes to Take Schenck, Cinema Stock

Will Pay $1,300,000 for Blocks and Retire It

The purchase of 2,000 shares of United Artists' stock from Joseph M. Schenck and Art Cinema Corp. for $1,300,000 was approved yesterday by the U. A. board at a proxy meeting here.

The stock was held in units of 1,000 shares each by Schenck and Art Cinema, with an approved purchase price of $650,000 to be paid for each unit. Sale of the stock held by Art Cinema must be approved by the Chancery Court at Wilmington, Del., and a hearing on the proposal to make the sale to U. A. has been set for June 26. The stock to be purchased will be retired by U. A. after its acquisition, leaving control of the company equally divided among Mary Pickford, Douglas Fairbanks, Charles

(*Continued on page 3*)

Expect Pathe Case To Go Over to Fall

No trial of the charges of mismanagement brought against officers and directors of Pathe Exchange, Inc., by Pat Casey, labor representative for major studios, and a Pathe stockholder, can be held until next fall at the earliest, it was learned yesterday.

In a ruling handed down yesterday by State Supreme Court Justice Edward A. Dore, Casey's original appli-

(*Continued on page 3*)

Grauman Talking of Becoming Producer

Sid Grauman plans to enter film production shortly. His idea is to produce from three to four a year. He says he has not discussed his film plans with any companies, but if he does produce it will be for a major company.

Grauman came east with Darryl Zanuck to meet Joseph M. Schenck, arriving from England. He intends to leave June 26 for the coast.

Goldreyer Reported After 11 Near Hub

BOSTON, June 21.—A deal is understood to be under way here for Charles A. Goldreyer to take over 11 theatres

(*Continued on page 2*)

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Warner Men Return From Coast Session

Gradwell Sears, western sales manager; A. W. Smith, eastern sales manager; Carl Leserman, assistant to Sears; Harold S. Bareford, attorney; Sam E. Morris, foreign head; S. Charles Einfeld, director of publicity, advertising and exploitation; Stanley Shuford, his assistant; Jake Wilk, story editor; John Farrar of Farrar and Reinhart, publishers of "Anthony Adverse," returned yesterday from Los Angeles after attending the Warner convention.

Albert L. Warner returned Thursday. Robert Schless, Max Milder and D. E. Griffiths of the foreign offices, return today while Norman H. Moray will arrive Monday. Wilk next week will sail for Europe in search of material. He will be gone several weeks.

Settlement Near on Chicago Astor Suit

CHICAGO, June 21.—Federal court action of the Astor Theatre Co. against B. & K. and major distributors charging a conspiracy to deprive the Astor of product is heading for an out-of-court settlement before Monday. If not, the action will come to trial.

Remodel Opera House

The old Grand Opera House at 23rd St. and 8th Ave. is to be remodeled at an estimated cost of $50,000 by the F. H. T. Holding Corp. New lobbies and new dressing rooms are to be included.

Purely Personal

DON DEAN, American band leader who has been in the Argentine on a concert tour and also appeared in a Spanish film, "Idolos de La Radio," has flown back to New York from Buenos Aires. He is on his way to California.

•

EDDIE PESKAY was the tops for sartorial honors yesterday in that symphony in brown. He is raving mad about "The Farmer Takes a Wife," one of the four Fox films he saw while on the coast.

•

MONROE GREENTHAL leaves by plane today for Hollywood to arrange for the U. A. convention at the Ambassador. BILLY WILKERSON of the *Hollywood Reporter* on the same plane.

•

EDWARD EVERETT HORTON, with his mother and brother, are scheduled to sail on the *Normandie* today. Also on this ship will be RADIE HARRIS and THERESE BONNEY.

•

BILL ROBINSON, dancer, who has just finished work in Radio's "Hooray for Love," came in yesterday on the 20th Century.

•

ARTHUR LOEW on Monday will take a week's cruise in his yacht *Funnyface.* He will sail the Hudson to Lake Champlain and back.

•

CLARENCE BROWN, M-G-M director, will arrive in town this morning by plane.

•

MAY ROBSON visited the old actors' home in Englewood Thursday and renewed acquaintances.

•

NILS T. GRANLUND and his troupe of 52 sail today on the *American Legion* for Buenos Aires.

•

IRVING BERLIN left for the coast yesterday to finish the score on "Follow the Fleet" for Radio.

•

JOSEPH BRANDT and MRS. BRANDT and their son, JERROLD, sail today for San Francisco on the *Santa Elena.*

•

AUSTIN C. KEOUGH has returned from Washington where he attended SEC hearings on Paramount.

•

DARRYL ZANUCK and SID GRAUMAN strutting down the avenue.

•

HARRY C. ARTHUR gets back from St. Louis on Monday.

•

LOUIS PHILLIPS returned from St. Louis late Thursday night.

Bay State Pays Suspects

BOSTON, June 21.—Gov. Curley today signed the bill authorizing payment of $2,500 each to Louis Berrett and Clement Milway as recompense for their being wrongly accused and tried for the murder of an employe of the Paramount, Lynn. Irving and Murton Millen and Abraham Faber, who confessed to the murder when the Berrett-Milway case was about to go to the jury, which favored conviction, were electrocuted for the crime recently.

Wall Street

Gains Mark Day on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1) 65	63	64¾	+2¾
Consolidated	3½	3½	3½	— ⅛
Cons., pfd (1¼v)	15⅜	15⅛	15⅜	+ ⅜
Eastman 148¼	146	147⅝	+2⅜
Fox "A"	15⅜	14¾	14¾	.....
Loew's	41¾	40¾	41⅝	+1¼
Paramount	4⅜	3⅞	4¼	+ ⅜
Pathe	⅝	½	⅝	.....
Pathe "A"	10¼	9½	9½	+ ½
RKO	2¼	2⅛	2¼	+ ¼
Warner	4⅜	4	4¼	+ ¼
Warner, pfd	27	23¾	26	+2

Technicolor Up ¼ on Curb

	High	Low	Close	Net Change
Technicolor	22¾	21½	22	+ ¼
Trans-Lux (.10K).	2¼	2¼	2¼	.....

Most Bond Issues Show Gain

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11¾	11¾	11¾	+1½
Keith B. F. 6s '46	80½	80½	80½	— ¼
Loew's 6s '41 ww deb rights..104	104	104	.....
Paramount B'way 5½s '51	58	58	58	.....
Paramount F. L. 6s '47	96	94½	96	+2½
Paramount Publix 5½s '50	97	96	97	+2
Warner Bros. 6s '39 wd	66	65¼	66	+1¾

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 21)

Goldreyer Reported After 11 Near Hub

(*Continued from page* 1)

north of Boston now operated for Paramount by M. & P.

This may mark the return of Goldreyer to circuit operation. In recent years he has had the subsequent run Rialto in Salem. At one time he was head of the Goldreyer Theatre Corp., which controlled a number of houses in New York.

H. H. Paul, operator of the State, Waterville, Me., has taken over the City Opera House there. This was formerly an M. & P.-Publix spot. The circuit has closed the Federal at Salem, leaving the Paramount the only circuit house there.

The circuit's State, at Portland, has gone to a split week policy. In Northampton the Plaza has been closed.

The Howard Atheneum here has gone dark.

Mona O'Rourke's New Job

NEW ORLEANS, June 21. — Mona O'Rourke, until recently code board secretary, is managing the Commercial Employment Agency while the proprietor is on a vacation. When he returns she expects to go back to her old post as secretary of the Film Board of Trade.

Lee Tracy Found

HOLLYWOOD, June 21.—Lee Tracy and two companions who were on a fishing and hunting trip on Tracy's boat and had been missing since Sunday, have been located by the Coast Guard and found to be shipshape and proceeding to San Pedro under their own power.

Italian Film to Open

"The Rich Uncle," an Italian musical being handled in this country by Metropolis Pictures Corp., opens next Friday at the Westminster.

Film Leaders Mourn Death Of Lee Ochs

(*Continued from page* 1)

under an operating deal and four others, the Uptown, Yorktown, Midtown and Costello to RKO under a long term arrangement. The Costello, incidentally, was named after Maurice Costello of silent film fame.

Interested in producing, Ochs was one of the pioneer producers at Fort Lee. He also made "Road to London" in London. In addition to this he acted as business manager for Theda Bara and Bryant Washburn in their heyday. For two years he was president of M.P. Exhibitors' League of the City of New York and later served two terms as head of National Exhibitors' League of America. He fought exhibitor combines for years.

Builder of the Piccadilly, Ochs operated the Broadway house for a number of years and then sold it to Warners. The house is now known as the Warner and marked the inception of the Warner circuit. He was one of the founders of the M. P. Club and retained his membership at the time of his death. He was also a 32nd degree Mason and an Elk.

Ochs recently lost 40 pounds as a result of dieting and was feeling well until the time of the *Film Daily* golf tournament at the Purchase Country Club. After a hearty breakfast, he started on the morning round and collapsed shortly after. He refused to be taken to a hospital. The following day, Ochs was ordered to York Hospital for an appendicitis operation. He progressed satisfactorily until Tuesday when he began to sink and his family was called to the bedside.

Pallbearers will include Nathan Burkan, Irving Chidnoff, Sam E. Morris, William Jacobs, Laurence Bolognino, Tom Wiley, William and Harry Brandt, Joe Brandt, Sam Stern, Emil Jensen, Arnold Van Leer, Ed Davidow and several of his close friends.

Morris Meyerfeld Dead

SAN FRANCISCO, June 21.—Morris Meyerfeld, Jr., 80, and head of the old Orpheum Circuit for 23 years, is dead at his home here. He retired in 1920.

He was born in Beverlunger, Westphalia, Germany, in 1855, and went to school at Cologne. He is survived by his widow, Mrs. Nannie Friedman Meyerfeld, and a daughter, Mrs. Leon Roos of San Francisco.

Eureka Trial June 25

The U. S. Government suit against Eureka Prod. for forfeiture of "Extase," European film about which there has been considerable controversy, has been put down for trial before Judge Knox in U. S. District Court June 25, according to Henry Pearlman, Eureka attorney. Eureka had made a motion for trial preference.

"Madness" Retitled

HOLLYWOOD, June 21. — "Woman Wanted" will be the final title of M-G-M's "Manhattan Madness," in which Maureen O'Sullivan and Joel McCrea have the leads.

Opinions Vary In Frisco on Code Prospect

(Continued from page 1)

four San Francisco independents to John C. Flinn, executive secretary of Campi:

"We believe opportunity exists to set up tribunals in exchange centers through cooperation of distributors and exhibitors for purpose of settling controversies within the industry, if such tribunals, by mutual consent with distributors and exhibitors, are cloaked with sufficient authority and local autonomy. The process of self-regulation should continue to be advanced by some method to avoid reverting to the old methods of lawsuits and vicious practices."

The telegram was signed by Morgan A. Walsh, Aaron Goldberg, H. V. Harvey and George Nasser.

While A. M. Bowles, head of F. W. C. in this region, was unavailable for a statement, it is known that this group has retained code of wages and hours.

Cliff Work, in charge of the RKO interests and manager of the Golden Gate, says: "We have received instructions from our New York office to adhere to regulations governing hours, wages and other working contions which existed under the code. I am in favor of a voluntary code, but will be guided of course by instructions from our home office."

Herman Cohen, manager of the United Artists Theatre, takes this position:

Must Control "Chiselers"

"I believe a voluntary code is possible if there is established some way to control the 10 per cent of chiselers. Ninety per cent of exhibitors and distributors are willing to co-operate. Our problem is to take care of that minority. This is the problem on which we should concentrate."

Robert A. McNeil, head of Golden Gate State Theatres, is on the fence. He says:

"I haven't arrived at a decision yet. Whether a voluntary code is possible or practicable requires a lot of consideration. In the meantime we are maintaining the conditions pertaining to hours and minimum compensation as provided by the NRA code."

Hal Neides, manager of the Orpheum, and in charge of the F.-M. interests, comes out flatfootedly for a voluntary code. Says Neides:

"The code was highly laudable, as it sought to maintain fair trade practices. I believe we should maintain substantially the same code through a system of self-regulation. When we announced on our screen that we would maintain NRA minimum wages and hours and that we would continue to subscribe to NRA principles, despite the absence of code, the announcement evoked terrific applause. This has convinced us that the general public is back of the principle of a voluntary NRA code."

Henry Goldenberg, manager of the Fox, said:

"Yes, I am in favor of a code voluntarily maintained by the industry provided that such a code will truly represent the interests of the independent exhibitor as well as the big butter-and-egg men of the industry."

James Nasser of Nasser Brothers said he was in favor of code regulation of the industry as a principle.

Sam Levin, who operates the Coliseum and Alexandria, neighborhood houses, cannot foresee at this time whether a code, voluntary or compulsory, is at all practical. "I am inclined to the belief that a code for the industry which is workable, fair and equitable to every faction is impractical," Levin said. "It was difficult enough to get a small element to adhere to a compulsory code, backed by Federal sponsorship. How much more difficult will it be to obtain voluntary adhesion to such a code. Those who elect to engage in unfair trade practices are seldom deterred by codes or agreements. This is a problem, however, which requires a great deal of study and a courageous facing of facts."

Several exhibitors interviewed by MOTION PICTURE DAILY came out unequivocally against any kind of a code, but requested that their names be withheld from publication. Others who took the opposite viewpoint also declined to be quoted.

Expect Pathe Case To Go Over to Fall

(Continued from page 1)

cation for the appointment of a receiver for Pathe was denied on the ground that no cause for such an appointment had been shown by the plaintiff. The court ruled, however, that Casey might ask for a preference on the trial calendar for his mismanagement charges. Martin E. King, counsel for Casey, said this action would not be taken until fall. If the motion for a preference is denied, it may require another year before the case is reached for trial.

Casey's application for a receiver for Pathe was withdrawn early this week, but the court, apparently, ignored the withdrawal in making its ruling yesterday that no cause for the appointment of a receiver had been shown.

Fox Hollywood Plant Quiet Until July 8

HOLLYWOOD, June 21.—The Fox Hollywood lot will be closed so far as actual shooting is concerned from the end of this week until July 8.

Finishing up this week are "The Silk Hat Kid," with Lew Ayres and Mae Clark; "Thunder in the Night," with Edmund Lowe and Karen Morley; "Steamboat Bill," starring Will Rogers, and the Spanish picture, "Rose of France."

Starting July 8 will be "Ball of Fire" with Alice Faye and Jack Haley, and the Jane Withers film, "Meal Ticket." About July 15 "Beauty's Daughter" and "Charlie Chan in Shanghai" will start, and somewhere near that date "Ramona" will begin.

RKO Canadian Meeting

TORONTO, June 21.—N. J. Blumberg and A. H. McCausland were here today to discuss corporate details in connection with RKO's Canadian theatre activities. They came on from the Radio convention in Chicago and were joined by A. E. Reoch who made the trip directly from New York. The party returns to New York Saturday.

Australia's Quota Stirs British Move

(Continued from page 1)

tralia for quota purposes in U. K., and it is a certainty that strong representations will be made to the British Government to provide against this.

Failing a revision of the Australian Act, it is a probability that Australian films will, by an amendment of the Films Act, be deprived of their "British" qualification.

* * *

Sinclair Hill, a veteran director of British pictures, who made many films for the Stoll Film Co., and recently directed "My Old Dutch" for G. B., heads Grosvenor Sound Films, Ltd., a new production company, registered with a nominal capital of £15,000.

Associated with him are Harcourt Templeman, recently supervisor and production manager of B. & D., and Charles J. Black, first secretary of British National Pictures, Ltd., the J. D. Williams company, which became British International Pictures, Ltd.

RKO Trustees Fight Rockefeller Claims

(Continued from page 1)

Master Thomas D. Thacher, will be contested by the RKO trustee, it was learned yesterday.

The claim was based on construction costs of the two Radio City theatres which, according to the leases made with RKO, were to be liquidated in the event of a permanent receiver being appointed for RKO. Thacher's report recommends the allowance of the claim at $9,600,000, less two months' rent paid on the theatres by RKO and withdrawals by Rockefeller Center from a special fund set up to provide for deficiencies in rents on the theatres. Rockefeller Center retains ownership of the houses even after the adjudication of the claim.

Decision to contest the allowance of the claim in the amount recommended by Thacher was made recently by Irving Trust Co., trustee in reorganization for RKO, and arguing briefs are now being prepared by Donovan, Leisure, Newton & Lumbard, counsel for the trustee. It is believed likely that other claims recommended for allowance by Thacher will also be contested by the trustee.

RKO Shifts Theatre Setup in Columbus

With acquisition of the Grand, Columbus, from Duesenberg Bros., RKO is shuffling its first and second run houses in that city. The Grand is being modernized and will be ready for opening Labor Day. Formerly a second run, the new policy under RKO operation will be first run. The Majestic, now a first run, will become a second run, while the Palace will be continued on its present policy of first showings.

John O'Connor, buyer for RKO, and Max Fellerman, booker, returned yesterday from Columbus after looking over the local situation.

U. A. Votes to Take Schenck, Cinema Stock

(Continued from page 1)

Chaplin and Samuel Goldwyn, each of whom owns 1,000 shares of U. A.

The board meeting formally accepted Schenck's resignation as president and chairman of U. A. David O. Selznick's contract, which provides for the distribution by U. A. of 10 pictures to be made by him during the next two and one-half years, was ratified. No action was taken at the meeting on Al Lichtman's new five-year contract as U. A. president, the ratification of this pact being reserved, it was said, for a later meeting of the board to be held following the U. A. stockholders' meeting to be held July 1 in Los Angeles. The coast meeting will elect directors and at the subsequent meeting of the directors Lichtman will be formally elected president and his contract will be ratified, it was said.

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"Ladies" Big Boston Draw; Others Slump

BOSTON, June 21.—"No More Ladies" was the big noise of the week. It ran up to $18,000, above the line by $6,000, at Loew's State in the face of a general slump.

The only other attraction to develop any strength was "The Glass Key" which took $24,000 at the Metropolitan, helped by a stage show. This was $2,000 over average.

"The Girl Who Came Back" and "Doubting Thomas," playing day and date at both the Fenway and the Paramount, were weak in both spots.

Total first run business was $65,500. Average is $68,500.

Estimated takings for the week ending tonight:

"THE GIRL WHO CAME BACK" (Chesterfield)
"DOUBTING THOMAS" (Fox)
FENWAY — (1,382), 30c-50c, 7 days. **Gross:** $3,500. (Average, $4,500)

"HOORAY FOR LOVE" (Radio)
KEITH'S MEMORIAL—(2,907), 25c-65c, 7 days. **Gross:** $7,000. (Average, $12,000)

"NO MORE LADIES" (M-G-M)
LOEW'S STATE—(3,537), 25c-55c, 7 days. **Gross:** $18,000. (Average, $12,000)

"THE GLASS KEY" (Para.)
METROPOLITAN — (4,332), 35c-65c, 7 days. Stage: "California Collegians." **Gross:** $24,000. (Average, $22,000)

"THE GIRL WHO CAME BACK" (Chesterfield)
"DOUBTING THOMAS" (Fox)
PARAMOUNT—(1,793), 25c-50c, 7 days. **Gross:** $5,500. (Average, $7,000)

"THE PEOPLE'S ENEMY" (Radio)
"THE HEALER" (Monogram)
RKO BOSTON—(3,246), 25c-50c, 7 days. **Gross:** $7,500. (Average, $11,000)

Reagan Opens Para. Session in Chicago

CHICAGO, June 21.—Charles Reagan, western division manager, held the first of a two-day regional meeting today of Paramount sales forces from the Detroit, Chicago, Milwaukee, Minneapolis, Sioux Falls and Indianapolis exchanges.

From here Reagan will go to Excelsior Springs, Mo., where representatives of the Kansas City, St. Louis, Omaha, and Des Moines exchanges will convene for discussions on new sales policy and the new lineup. The two-day session starts Monday.

Denver is the next stop where a meeting will be held June 27-28. The last session is set for San Francisco for June 30 and July 1. Reagan anticipates returning to New York about July 6.

ATLANTA, June 21.—J. J. Unger today met here with Paramount exchange forces in surrounding territories. The session will be continued until tomorrow. On Sunday he will fly to Dallas where another session will be held Monday. He expects to be in Cleveland on Tuesday for a regional gathering. The Buffalo and Boston meeting dates are not set.

Sons Join Mercy Firm

PORTLAND, June 21. — Frederick Mercy, operating an independent circuit with headquarters in Yakima Valley, has dedicated a new $45,000 office building and has taken his three sons into partnership in Junior Amusement Co. Mercy holds the presidency, with Frederick, Jr., as secretary, Paul as vice-president and Edgar as treasurer.

Assert Europe Wants Half Action; Rest Talk, Music

(*Continued from page* 1)

studio executives at the parleys, of their requirements with particular emphasis placed on the dialogue equation, stressed their need for stories with a more pronounced international flavor and cheered on the convention floor when they were assured the 1935-36 Radio program would stress action.

In England, the British subsidiary will release the domestic 48 plus 15 English-made features under the Films Act which is now in its 20 per cent, or highest, bracket. The product will come from four units, Stafford Prod., Embassy Prod., G.S. Enterprises, headed by A. George Smith, and Joseph Ermolieff, Russian with a German production record behind him. Hollywood talent will be used for these attractions to bring within easier reach the objective which will dominate the British enterprise: 50 per cent of the planned 15 for American distribution.

E. D. Leishman, chairman of Radio Pictures, Ltd., and managing director of Radio Pictures International, stated the negative cost of each will run between £30,000 and £40,000. Interesting was a plan he evolved to ascertain the reaction of the British exhibitor as to types. A questionnaire forwarded to all English theatre operators brought these results in this order:

1.—Musicals.
2.—Comedy-dramas.
3.—Dramas.
4.—Shockers.

The British program, therefore, will be governed accordingly.

Hanbury Is Satisfied

Ralph Hanbury, general sales manager in England, expressed his satisfaction over conferences with studio officials in Chicago and declared the production department is now conscious of the scope of the international market.

Of conditions in England, he stated theatre business had sloughed in April, but had regained its stride in May. The theatre spree which currently characterizes the English industry to him represents an ultimate danger in overbuilding and, therefore, in overseating. Excess and unused funds in the treasuries of insurance companies and building societies are the principal sources of new financing today, he added.

Harry W. Leasim, general sales manager of Radio Pictures International, Ltd., and managing director of Radio Pictures, S. A., of France, finds the greatest obstacle to the normal progress of American distribution abroad is the successful effort of many European governments to halt the flight of capital from their respective countries. "After the sale is made, the job then begins of getting the funds out of the given country into headquarters," he said. "This, of course, is a worry which all companies are experiencing."

Asked about the status of native producing industries and whether or not the growth of national production is not further hampering American sales on the Continent, Leasim gave it as his opinion the quality of the film determined the issue. Recognizing that to hear talkers in their own language was a natural reaction of Continental publics, he expressed himself as seeing any gain from reasons of nationalistic pride as one which is giving away to the greater appeal of American stars and the technical excellence of Hollywood manufacture.

European production is gaining, he added. Czechoslovakia will make from 30 to 40 this year; Austria, Hungary and Poland will each contribute to the total in their native tongue, although Leasim was not prepared to chalk up a definite number from these three sources; Sweden, he marked down for a total identical with Czecho's and credited French studios with an anticipated 100 to 120 for 1935.

Similar to the divisional managerial system which prevails in the American selling scheme, Leasim has a staff of three. Michael Havas handles Germany, Austria, Hungary, Czecho, Poland and Jugoslavia. Carl Wallman represents Radio International in Scandinavia and the Border States; Joseph Biondo, with headquarters in Rome, looks after Italy and the Balkans. Michael Gerassy is Leasim's assistant in Paris.

Joost Smit, director of N. V. Remaco's Filmbedryf, Radio's distributor in Holland and in the Dutch East Indies, stated there are 200 theatres in Holland, all of them wired. The Dutch East Indies have 400, practically all of them wired. Business in Holland is not too good, he added, giving as his reason a too low scale in theatre admissions. The average is one guilder, which currently is 60 cents, American. Smit believes an immediate increase of 25 per cent is necessary and a step which Dutch exhibitors can absorb without difficulty.

Plans 12 Dutch Features

"Loet Barnstyn plans 12 features in Dutch. Twenty to 24 loom from all sources very shortly now," he remarked. "I see no curtailment facing American product because of the growth of the home industry because Hollywood product definitely has the edge in point of facilities and production excellence."

American exhibitors may be interested in learning that the theatremen and distributors in Holland are banded tightly together in the Netherlandsche Bioscoop Bond, a trade association which has a pleasant habit of cutting of film service on a Tuesday if films played as recently as a previous Friday are not paid for. Smit thinks it is a good idea from both the angle of the exhibitor and the distributor.

At the same time, he said he appreciated the fact that talkers in Dutch, at the outset at least, will have a marked appeal to Hollanders. Therefore, two of the features to be made for Radio in England also will be made in Dutch. Smit, aside from his film association with Radio, operates what is reputed to be the largest advertising agency in Holland, with a companion company in India.

Max Bosman is the Radio agent handling Belgium, Luxembourg and Belgian colonies. He makes his headquarters in Brussels and is also interested in the widely known Roxy theatre in Amsterdam, which is operated by A. Tuschinsky. "If pictures had less dialogue, the need for superimposed titles would correspondingly decrease. We have to use Flemish and French titles now. In many instances they fill enough of the screen to reach into the faces of the players. Obviously, such a state of affairs can hardly be described as satisfactory," he said.

Like Smit, Bosman thinks Belgian admission scales are geared too low. Ranging from one to seven Belgian francs in average, he believes the range should start at five and end at 15. Of the 1,000 theatres in Belgium, Bosman computed 600 are wired. Pierre Le Long, whose company handles Radio in France, favors the dramatic picture, although, like the other of Radio's foreign contingent, has had pronounced success with outstanding musicals. They, however, are best with a Continental background, in his opinion. He plans two French originals this year, will "dub" eight of Radio's 48 and confine his activities on the others to the French regulations which limit American talkers in their original versions to 15 theatres. Five are in Paris and the others in the provinces. "Dubbed" versions, on the other hand, are submitted to no restrictions and may play in as many houses as can be sold. The "dubbing," however, has to be done on French soil. Of his country's 2,700 houses, Le Long estimates 2,000 are equipped for sound.

Favors Sophisticated Films

Wallman, Radio's sales overseer in Scandinavia and the Border States, is for the sophisticated type of picture, provided dialogue is reduced to its minimum. In Sweden, as elsewhere, 40 features will be made this year as against an average of 10 three years ago. Censor regulations are severe, he reports, it being impossible to show a gun firing a shot, the shot itself or bodies falling as a result of the shot. A custom levy of $2.50 per reel levied on all prints, to his mind, is the most severe of any country in the world.

Eighty-six of Sweden's 600 houses are in Stockholm, Wallman added. Norway has 300, all owned and operated by the government with a national board sitting in final judgment on what may or may not be imported into that country. Superimposed titles prevail generally. In the instance of Sweden, he declared, "dubbing" failed because the public refused to go for it.

"Lives of a Bengal Lancer" was a big draw in Roumania, Nikolas Cazazis of Arta Films, stated. He is for musicals, and drama provided they have paucity of dialogue. Two hundred and fifty houses of Roumania's 400 are wired at this time.

The foreign contingent will remain in New York for about another week, most of them sailing for their respective cities on the *Majestic* June 29. Leishman and Leasim may stay over for a couple of additional weeks.

Acquit "U" Cameraman

HAVANA, June 21.—Abelardo Domingo Rios, Universal Newsreel cameraman, has been acquitted on a charge of espionage by an urgency court. He was arrested after the showing of films depicting the execution of a Cuban by a firing squad on May 8. His acquittal followed proof that he had permission to make the picture from military authorities.

Domingo was arrested May 24 along with George Naylor, American in charge of the local office. Naylor was released 60 hours later.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

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VOL. 37. NO. 148 NEW YORK, TUESDAY, JUNE 25, 1935 TEN CENTS

London Hails Move for N.Y. Code Service

C. B. L. Tennyson Cables Thanks to Will Hays

By BRUCE ALLAN

LONDON, June 24.—Assurances from Will H. Hays that a New York office of the Production Code Administration will be opened as a convenience to British producers wishing to submit films for inspection have been received here with evidences of satisfaction.

Charles B. L. Tennyson, chairman of the film manufacturers' group of the British Federation of Industries, who was active in arranging the recent visit of Carl E. Milliken, representing the Hays office, and Martin Quigley, who

(*Continued on page 3*)

"Gwyn" Rivoli's Worst in a Year

Despite an extremely friendly greeting at the hands of the New York critics the British produced "Nell Gwyn," which rounds out its first and last week at the Rivoli tonight, will hit the lowest gross at that theatre in almost a year. The return is expected to run between $8,000 and $9,000, a

(*Continued on page 4*)

Otterson Plans Trip To Coast on Sunday

John E. Otterson leaves for the coast next Sunday on his first visit to the Paramount studio as head of the company. Watterson R. Rothacker, who will be assigned to the studio as home office contact, may accompany him west, but present indications are that Adolph Zukor, who plans to take an active part in studio affairs in the future, will remain here for the time being.

Otterson's studio visit is aimed at obtaining first hand knowledge of studio problems and needs. Final details of the new contracts for Henry Herzbrun and Ernst Lubitsch may be worked out during Otterson's stay in Hollywood.

Al Lichtman to Be Ampa's Honor Guest

Al Lichtman, president elect of United Artists, will be the guest of honor at the Ampa luncheon Thursday at the M. P. Club.

Although the meeting is primarily

(*Continued on page 3*)

NVA Seeking Loan to Save Its Sanitarium at Saranac

The NVA sanitarium at Saranac Lake, long a haven for tubercular members of show business, faces extinction unless a deficit ranging, in estimate, from $90,000 to $140,000 is met.

An appeal directed to the presidents of the major film and theatre companies is expected to be issued shortly, probably on the basis of a loan to be paid off by the NVA over a period of years.

The recent NVA drive netted $60,000. Circuit and other theatres had pledged themselves to contribute 10

(*Continued on page 3*)

Television Up at C.E.A. Convention

CARDIFF, Wales, June 24.—Five hundred British theatre owners, members of the Cinematograph Exhibitors' Ass'n, were gathered here tonight for their annual meeting, which will discuss television, the position of the small exhibitor, rentals, quota films and censorship.

The sessions will run four days and include a meeting of the general council slated for Tuesday, at which the debates on the leading problems facing the convention will be aired. Papers are to be read by leading members of the English industry.

Product Deals Near For First Division

First Division is expected to close a number of product deals this week. Among the first deals to be set are

(*Continued on page 3*)

Art Is Art

Kansas City, June 24.—Joe E. Brown gave the local reporters an earful on his way east. He admitted sheepishly that he had played in "A Midsummer Night's Dream."

"I guess the bard's words have been spoken better," he said, "but never bigger or louder.

"We were a hot troupe of Shakespearians—me from baseball, Cagney from the chorus and Hugh Herbert from the old burlesque. We got together and decided we'd have to follow Herbert's classic traditions. I think Shakespeare would like the way we played it, and I'm sure the Minsky brothers would."

Study Planned of Code Legal Angles

Austin C. Keough, Harold S. Bareford, Charles L. O'Reilly, Nathan Yamins and Tyree Dillard, Jr., were named yesterday by Campi as a subcommittee to study the legal aspects of a voluntary code for the industry.

Code Authority members meeting yesterday reported that inquiries made within the last three weeks for adoption of a voluntary code were favorable, but because of the legal angles in connection with anti-trust laws no definite action can be taken until a thorough study is made. A report

(*Continued on page 4*)

Enforcement Via Voluntary Code Viewed as a Handicap

KANSAS CITY, June 24.—Enforcement, judging from comments of exhibitors here, is the hump over which the voluntary code bill now in Congress cannot get. Lack of enforcement of the lately deceased code is viewed locally as its weak point and is given as the reason they were not particularly sorry to see it killed by exhibitors, most of whom approved the purpose and idea behind it.

Enforcement was the cocklebur under the old Film Boards of Trade and later under the arbitration setup under which exhibitors here operated for

(*Continued on page 27*)

Reactions to a voluntary code for the industry are coming to light. Mort Singer, who operates 10 theatres in the west and midwest in association with RKO, and Meyer Schine, head of the circuit which bears his name and controls about 60 theatres in New York and Ohio, have individual ideas.

The first exhibitor is for the code, lock, stock and barrel. He says he's always been a believer in the NRA and thinks a code is the best thing for business.

"I don't believe in belittling the theatre business and I'm against give-

(*Continued on page 27*)

Report Atlas Has Given Up Survey of RKO

Said to Have Abandoned Reorganization Plan

The Atlas Corp., large investment organization, is reliably reported to have abandoned the survey of RKO which it has been making over the past few months with a view to developing a plan of reorganization for the company. The ending of the financial study is assumed to mean that Atlas will not propose an RKO reorganization plan, at least not at this time.

Atlas, which figured prominently in the reorganization of Paramount Publix, did not make a complete survey of RKO's corporate assets, but concentrated primarily on the current financial position of the company in the

(*Continued on page 3*)

Giveaways Spread Around Milwaukee

MILWAUKEE, June 24.—Local exhibitors are taking a hefty swing at bank nights in an effort to bolster summer business and reports have it that by July 1 approximately 80 per cent of the houses here will be sporting some form of stimulant from two to four nights a week.

Both Fox and Saxe Amusement Management, Inc., will give screeno a

(*Continued on page 4*)

Tichenor to Confer On Picketing Today

Frank Tichenor, publisher of *Outlook*, who was appointed last week by Mayor LaGuardia to settle the local picketing situation, will meet today with representatives of Local 306, Allied and Empire unions.

Local 306, which is continuing its picketing of 12 houses mainly in the Broadway sector, has reduced the number of men to two for each of the dozen theatres.

Harland Holmden, in charge of Local 306 under I. A. T. S. E. supervision, is due from St. Louis today to attend the Tichenor session. He has been attending the executive board meeting of I. A. T. S. E. affiliates.

Fox Met Claims Get Ruling to Aid Vote

Claims against Fox Metropolitan Playhouses were provisionally allowed at $7,735,000 by Federal Judge Julian

(*Continued on page 3*)

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No Restrictions in Sight for Cleveland

CLEVELAND, June 24.—With the local single feature agreement expiring July 8, no plan for a uniform policy has been adopted, although substitute plans have been in the making for the past three months. It looks as if exhibitors of the Greater Cleveland area will fail to get together this season.

Unless something definite develops within the next week or so, it appears certain that Cleveland will be wide open with cash nights, duals, premiums and all the other things that were eliminated last year by the ironclad policy prohibiting any of them. Within the past few weeks there has been a general tendency to cut admission prices in the smaller subsequent runs. About twenty houses which previously charged 20c cut to 15c and most of the houses in the Maurice Kaplan circuit cut from 15 to 10c. Distribution of ten and five-cent passes has been recorded since the passing of the code.

Golden Back Today

Edward Golden, general sales manager for Republic, arrives from the coast today after attending a series of regional sessions throughout the middle west and west.

"Sharp" Going Strong

With $43,000 in the till for the first four days, "Becky Sharp" at the Music Hall is expected to tally $61,000 in the second week. The first week ended with $95,000.

Purely Personal

BARRETT KIESLING and EDMUND GOULDING among the diners a la solo at "21" over the warm week-end. TRUMAN TALLEY and MRS. T., plus LAURENCE STALLINGS, HARRY BUCKLEY and MRS. B. among those who dropped in after the theatre for a nightcap.

•

JOHN E. KENNEBACK, general manager for Paramount in Australia, has reached the coast from New York, where he attended the company's sales meeting. He'll leave for home after a week in Hollywood.

•

HOWARD HUGHES has cancelled his return to the coast and will be here indefinitely. His racing plane is expected momentarily for test flights at Trenton and in the meantime HUGHES is flying around in a rented seaplane.

Quip of the Day

Bill Usdin in again, this time with the yarn of the executive who wanted something done pronto or even faster. He dispatched his secretary to the cubicle wherein the office boys recline. There she noticed one of the o. b's pecking away at a typewriter.

"Are you very busy now," she inquired.

"Yes, I am," replied the o. b., who is educating himself via the night school method at New York University.

"What are you doing?"

"My homework."

"I'm sorry. Don't bother. I'll get someone else," replied the secretary.

EDMUND GOULDING, who recently finished "The Flame Within" for M-G-M, is around town vacationing and joined the swimmers at the Westchester Bath Club Sunday afternoon.

•

HERBERT J. YATES, JR., joined the select golfers over the week-end by shooting a hole-in-one at the Southbay Country Club down Long Island way.

•

MRS. MILDRED LOEW is rapidly recovering from the effects of her recent appendicitis operation. She's at the Harbor Sanitarium.

•

ARTHUR HORNBLOW Paramount associate producer, is flying from Paris to Africa, according to word received here.

•

TYREE DILLARD sails shortly on the *Conte Grande* for a five-weeks' rest. His destination will be Trieste.

•

NAT HOLT, Cleveland and Columbus division head for RKO, has canceled plans to visit New York this week.

•

HERB BERG played host to a group of friends last night in celebration of son Morris' first birthday.

•

GEORGE and MRS. JESSEL, the former NORMA TALMADGE, have decided to remain on the coast indefinitely.

•

FRANK BUCK has bought an interest in the famous Raffles Hotel in Singapore.

•

JOE STEIN is recuperating from a tonsilitis operation.

EDDIE DOWLING will be back on Broadway for the fall season with two new plays. One is a melodrama, "He Who Sups With the Devil," and the other a comedy, "Agatha Calling." DOWLING will also go on the road himself with "Thumbs Up."

•

WILLIAM P. LIPSCOMBE, playwright and author, has arrived from England en route to Hollywood. He is under contract to 20th Century.

•

DICK POWELL and the Warner crew making shots at the Naval Academy for "Annapolis Farewell" have returned to the coast.

•

WALLACE BEERY has been signed as guest star on the Lux air program for late next month. RALPH FARNUM set the deal.

•

MORT SPRING and DAVE BLUM are with ARTHUR LOEW on his yacht *Funnyface*. The trio left yesterday for a cruise to Lake Champlain.

•

EDWIN KNOPF, member of the M-G-M writing staff, has flown into town from the coast for a short vacation.

•

MARVIN and MRS. SCHENCK and A. C. BLUMENTHAL were among those at the Westchester Bath Club Sunday.

•

HENRY ARMETTA, Universal player, will start a week's personal appearances at the Roxy on Friday.

•

MORRIS KINZLER has trimmed 15 pounds from his weight in the last few weeks.

•

CLARENCE GOMPRECHT has resigned as manager of the Plaza, Bayonne, N. J. No successor has been appointed.

•

ARLINE JUDGE and her mother, MRS. JOHN A. JUDGE, are in town. They are at the Ritz Tower.

•

LOWELL CALVERT looked right smart and cool all bedecked in linen the other day.

•

HARRY C. ARTHUR returned from St. Louis yesterday.

•

GRAD SEARS is thinking about a new Westchester home.

•

BOB GILLHAM is a temporary bachelor. MRS. G. is in Wisconsin.

•

BUDD ROGERS starts his new duties at Republic the first of the month.

•

SAM COCALIS didn't go to Europe after all. Too busy.

•

. . . Pittsburgh

JOE FELDMAN has finally found a house in the Mt. Lebanon district.

•

JOHN H. HARRIS and MRS. HARRIS have adopted a five-week-old boy which they have named JOHN H. HARRIS, JR.

•

STEVE FORREST is closing his booking office here the first of July because of poor health.

•

HARRY KALMINE, back from the Warner convention on the coast, is all excited about the picture lineup for next season.

•

The newlywed BERT STEARNS will honeymoon in Hollywood during the United Artists sales meet.

•

ED SEGAL, manager of the Ritz, is vacationing at Geneve-on-the-Lake, Ohio.

•

TOM WILMOT, Pittsburgh boy who has been writing air gags for JOE PENNER all season, will accompany the radio comedian to the coast when he leaves to make his second Paramount picture.

Czechoslovaks Move For Loans of Props

WASHINGTON, June 24.—Czechoslovakian producers have been requested by the Ministry of Commerce to cooperate with other branches of Czechoslovak industry by using high-class products wherever possible as film properties in the making of sound pictures in order to advertise Czechoslovak merchandise, reports Commercial Attache Sam E. Woods, in Prague, to the U. S. Department of Commerce.

Under the proposed arrangement, the domestic producers would lend to film companies free of charge furniture, glass fixtures, etc. To date the studios have refrained from purchasing expensive studio properties in order to keep down production costs.

Paris Ponders Over Fate of Big Houses

By PIERRE AUTRE

PARIS, June 24.—There is much speculation among the trade here as to the reason behind the closing of the Empire Cinema-Music Hall and the Moulin Rouge, ace houses of the local Pathe-Natan Circuit. Undoubtedly much of the discussion is fostered by the knowledge that Pathe-Natan is awaiting reorganization.

The Empire Cinema-Music Hall, 3,000-seat house, where pictures and vaudeville were co-featured, has been under Pathe-Natan for the past year, while the Moulin Rouge, 2,200 seats, turned to pictures in 1929 with the waning of Mistinguett's star and was taken over by the circuit a year later.

Every Third Film in Italy Must Be Local

WASHINGTON, June 24.—All Italian theatres must now show at least one domestic for every three foreign pictures under a law passed by the Council of Ministers on May 4, according to a report to the U. S. Department of Commerce from C. Matthews, clerk to the commercial attache at Rome. That ratio earlier was applicable only to first and second runs in cities of more than 50,000.

Also changed are rental terms. Italian films may not be rented at a lower figure than those asked for foreign pictures of the same footage and importance. It is no longer permitted to conclude a contract in which both foreign and Italian films are included.

Jerseyites to Talk Pooling Again Today

New Jersey exhibitors interested in pooling their interests in one large independent circuit, will meet today at the Lincoln to discuss the plan.

Allied of New Jersey will not meet today, the next session being slated for next Tuesday at the Lincoln. The organization is not interested in the pool.

Report Atlas Has Given Up Survey of RKO

(Continued from page 1)

light of secured and guaranteed indebtedness, it is understood. The study left RKO's real estate holdings and obligations untouched, as well as other phases of the company's activities, some knowledge of which would be indispensable to the formation of a reorganization plan.

Market activity in RKO securities which continued for several weeks during the survey and which was commonly attributed to Atlas investment activities, subsided recently. Moreover, the disclosure that Atlas had offered Pathe exchange only 17 cents on the dollar for the $1,696,000 of RKO notes held by the latter, and recently permitted the notes to go to *Time* magazine at 20, has been accepted in financial circles as further evidence of a waning interest in RKO by Atlas.

Additional studies of RKO's current position with a view to developing reorganization plans, which were in progress concurrently with that being made by Atlas, are continuing, however. These include a survey by Cravath, de Gersdorff, Swaine & Wood, and Chadbourne, Hunt, Jaeckel & Brown, on behalf of bondholders, and another by the Seligman & Speyer banking firms, both of whom have RKO investments.

Atlas, it is reported, may re-enter the RKO scene at a later date, possibly as a large security holder in connection with any plan that may be proposed from any creditor source.

Fox Met Claims Get Ruling to Aid Vote

(Continued from page 1)

W. Mack yesterday in order to permit the claimants to vote on the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Met on Thursday.

The claims were tentatively allowed in the amounts in which they were filed and will be contested by the Fox Met trustee before being finally allowed by the court. The largest single claim in this group is that of Fox Theatres for $5,776,577, which is expected to be reduced appreciably prior to its final allowance. Two-thirds of these general creditors' claims must approve the Schenck reorganization plan before it can be declared effective. With Fox Theatres as a proponent of the plan this requirement is regarded as certain to be met.

There are approximately $12,500,000 of gold notes and debentures outstanding, of which two-thirds must also favor the plan. The Fox Met bondholders' committee, representing approximately 89 per cent of these, has declared itself in favor of the plan.

Hamilton Aids Opening

PORTLAND, June 24.—Neil Hamilton's personal appearance here at the opening of Monogram's "Keeper of the Bees" aided materially in swelling the take to over $2,000 more than "Girl of the Limberlost," former record holder for the house. Hamilton is booked into the house for one week only.

NVA Seeking Loan to Save Its Sanitarium at Saranac

Pennsylvania's 4% Ticket Tax Signed

HARRISBURG, June 24.—The four per cent tax on admissions to theatres and other places of amusement has been signed by Governor Earle. It is effective July 22. The measure, which was signed after the House concurred in minor Senate amendments, is designed to raise $5,500,000 in two years for unemployment relief.

The law also requires exhibitors to take out a permit at the cost of $1 a year. A permit must be renewed every Dec. 31. The law is effective for two years from the date of enactment.

A fine of not less than $100 or more than $300 plus costs, or imprisonment for not more than six months, or both, can be imposed for violation of the law.

Free passes are taxed at the established price of admittance and boxes or seats permanently held by patrons are taxed "on the established price for which a similar box or seat is sold for each performance."

Each theatre must submit on or before the 10th of each month a report under oath or affirmation of the amount of tax collected during the preceding month. A two per cent discount is granted "if the tax is paid on time."

Hearing on Pari-Mutuels

SACRAMENTO, June 24.—Governor Merriam has set July 12 for public hearings on the bill legalizing parimutuel betting on dog races. The bill, which has passed the Legislature, has been opposed by film, church, business and civic interests who will send representatives here to attempt to influence the governor to veto the measure.

Mrs. Reichenbach Scores

In her suit for $20,000 against Jeanette MacDonald, Lucinda Reichenbach, widow of Harry Reichenbach, has won a ruling from Supreme Court Justice John L. Walsh that Miss MacDonald must submit to examination before trial on her income from Sept. 1, 1929, to the end of a two-year period. Mrs. Reichenbach contends Miss MacDonald had a publicity contract with her late husband.

Mansfield Gets Shows

MANSFIELD, O., June 24.—Frank Harpster, manager Warners' Ohio, is inaugurating a stage show policy Thursday, and will continue vaudefilm programs for the last three days of each week during the summer, if patronage warrants.

The town has been without stage productions of any kind for more than a year.

Braves "Interest" Brown

Joe E. Brown, who reached town yesterday, said he would meet Judge Emil Fuchs, president of the Boston Braves, to discuss purchase of the club with him. Brown said he was "definitely interested."

(Continued from page 1)

per cent of their receipts on May 20, but it was learned yesterday many exhibitors failed to meet their commitments. Of the $60,000 collected, the major circuits are understood to have contributed 80 per cent.

Some opinion maintains collections gathered directly from audiences would have been more effective. This has been the method in vogue for a number of years. It was forsaken, however, for the percentage-of-the-receipts plan this year.

Product Deals Near For First Division

(Continued from page 1)

those with Chesterfield and Invincible. George Batcheller and Maury Cohen are planning to increase budgets on the new Chesterfield and Invincible lineups. Likewise production efforts will be concentrated on few pictures.

A deal is in negotiation with B.I.P. and is expected to be signed before Arthur Dent sails for London, probably this week-end. Dent is said to have closed with M-G-M for the distribution of "Mimi" in this country. The major distributor may also take others. At least two other major companies are dickering for a number of B.I.P. films.

Theatres Win Tax Move

Two theatres have won reviews of their tax assessments through a ruling handed down by Justice Meier Steinbrink in Queens special term. One house is the B. F. Keith Corp. property at 1562 Myrtle Ave., Ridgewood, which claims the spot is worth $450,000, but has been assessed at $565,000. The other is the Greater New York Variety Theatres Corp. property, at 135-29 Northern Boulevard, Flushing. It is assessed at $740,000. The owners claimed it is valued at $590,000.

Allied Men Meet at Hub

BOSTON, June 24.—Allied's board of directors in the east met today at the Touraine with Walter B. Littlefield as chairman. Sidney Samuelson, president, attended.

Tomorrow Independent Exhibitors, Inc., of New England, holds its regular session, which will be attended by Samuelson.

Burhorn in So. Chicago

CHICAGO, June 24.—John F. Burhorn, for many years well known on Film Row, who has been away from Chicago for the past few years as general manager of McCollum's Circuit and who up to now has had charge of the Capitol in Whiting, Ind., is now in charge of the Gayety in South Chicago.

Publicity Men to Meet

HOLLYWOOD, June 24.—A meeting of publicity directors of the Hays organization has been called for Wednesday at the offices of M. C. Levee. There will be further discussion of cutting down the accredited correspondent list.

London Hails Move for N.Y. Code Service

(Continued from page 1)

explained the workings of the code administration in this country, was one of the first to comment.

"I am extremely grateful to you," he cabled to Hays, "for having given such prompt and satisfactory attention to the suggestion put forward as a result of the Milliken-Quigley visit to England last month, and I am confident your action will be greatly appreciated by British producers."

Al Lichtman to Be Ampa's Honor Guest

(Continued from page 1)

in honor of Lichtman, members of the victorious Ampa golf team will be awarded medals for their defeat of the M. P. Club team in the *Film Daily* golf tourney.

Several Broadway stars have also promised to attend and entertain.

Among the guests will be Arthur W. Kelly, Joseph Moskowitz, Harry Buckley, William Philips, Harry Goetz, Paul Lazarus, Harry L. Gold, Charles Stern, James Mulvey, Dennis F. O'Brien, Moe Streimer, Arthur Dent, William German and Louis Nizer.

Martin Quigley will be among those to speak.

Honoring Schenck Today

U. A. executives are tendering Joseph M. Schenck a luncheon today at the Ritz-Carlton at which the latter will be presented a gold cigarette case by Al Lichtman, Joseph Moskowitz, Harry Buckley, Arthur W. Kelly, Paul Lazarus, William Philips, Harry Gold, Hal Horne, Dennis F. O'Brien, Morris Helprin, H. J. Muller, Paul Berger, Charles Stern and Monroe Greenthal.

Para. Regional Meet

KANSAS CITY, June 24.—Paramount exchange managers, sales managers and salesmen from Missouri, Kansas, Iowa and Nebraska met here today for discussion of the company's future product. The meeting will be carried over to tomorrow when several new pictures will be screened.

Kitchen Laid to Rest

Karl K. Kitchen, columnist and author, who died in St. Luke's Hospital on Friday in his 51st year, was buried yesterday afternoon in Ferncliff Cemetery, Westchester, following funeral services in the "Little Church Around the Corner." Among the floral offerings at the altar were those of Adolph Menjou and Charlie Chaplin. Watterson R. Rothacker was among the honorary pallbearers.

George J. Sank Buried

COLUMBUS, June 24.—Funeral services were held today for George Jay Sank, 74, veteran president of the National Minstrel Players' and Fans' Ass'n. Sank built the Opera House at Piqua, O., several years ago. His widow survives.

Milwaukee Moving For Municipal NRA

MILWAUKEE, June 24.—Exhibitors are studying the proposed enactment of a municipal NRA. Max Raskin, city attorney, has been directed by the judiciary and federal aid committees of the Common Council to draft an ordinance embodying NRA principles.

Raskin declared that such an ordinance could be framed to require all firms getting licenses from the city to observe minimum wage, maximum hour and other working standards for their employes.

Should cities adopt ordinance of this kind, and states follow up with their own recovery codes, then these combined with the Federal stop-gap NRA would virtually take the place of the original NRA voided by the U. S. Supreme Court, Raskin declared.

Compliance with the local NRA would be made a condition for obtaining any of such licenses under the proposed ordinance, Raskin said. Since theatres are subject to a local license, it is believed they would be included under the proposed ordinance.

Study Planned of Code Legal Angles

(*Continued from page* 1)

from the sub-committee is expected in two week when Campi will convene again.

Meeting yesterday were J. Robert Rubin, chairman; Bareford, O'Reilly, W. Ray Johnston, Walter Vincent, Keough, William Jaffe, Felix A. Jenkins, Leslie E. Thompson, Flinn and Dillard.

Meanwhile Code Authority is operating with a skeleton staff. Price, Waterhouse is expected to complete an audit on Campi's financial status in time for the next session.

"Gwyn" Rivoli's Worst in a Year

(*Continued from page* 1)

figure approximately $5,000 under operating costs on any opening attraction. Display advertising plays a sizeable role in the overhead.

"Are We Civilized?" which played the Rivoli the week ending June 19 last year ended at a reported $9,500 after which the house closed for a period of four weeks to subsequently reopen with "House of Rothschild."

Opening week grosses at the Rivoli in the last year have varied from $45,132 for the first stanza of "Les Miserables" which ended April 30 to $13,400 for "Brewster's Millions," also British, which concluded the first seven days of its engagement on April 12.

Peculiarly enough, the two opening week low grosses are held by one company, British and Dominions Pictures.

Carson Coming East

KANSAS CITY, June 24.—Jack Carson, master of ceremonies at the Tower for some time, leaves after this week for a 10-week sojourn in the east, when he will return.

Nat Nazarro, Jr., will fill the gap.

Out Hollywood Way

HOLLYWOOD, June 24.—A "Screen Stars'" baseball game is scheduled for June 29 for the benefit of the Los Angeles Free Tuberculosis Sanitarium. . . . IRVING THALBERG and JACK CONWAY entertained the delegation of Russian film men at luncheon. . . . JACK ROBBINS staged a "get well" dinner for EDDIE CANTOR and served only Mexican food. . . . CANTOR can't eat highly seasoned food. . . . CHARLES "SNOWBALL" WHITTER, colored shadow of TED LEWIS, will be a band leader in "Here Comes the Band" for M-G-M. . .

HARRY CAREY, former western star, signed by SAMUEL GOLDWYN for "Barbary Coast." . . . FRANK PETRETT off in a motor trailer for vacation at Lake Tahoe. . . . ROSAMOND PINCHOT here ready to start in Radio's "The Three Musketeers." . . . JOHN FORD going to Honolulu on his yacht soon. . . . ARTHUR RIPLEY and LEE MARCUS busy on two "Average Man" comedies at Radio. . . . HEDDA HOPPER's European trip off so she can work in "Glitter" for M-G-M.

Casting—ANDREW TOMBES, THOMAS BECK and ROSINA LAWRENCE in "Ball of Fire" at Fox. . . . Mascot casting for four "Harmony Lane," "Streamline Express," "Confidential" and "Waterfront Lady." . . . CHARLES LOCHER gets juvenile lead in "Charlie Chan in Shanghai" at Fox. . . . PAT MORIARITY signed for untitled Radio feature with JAMES BARTON. . . . ARTHUR STUART HALL, MABEL FORREST, JACK MULHALL, TOM HANLON and LARRY WHEAT added to Paramount's "The Big Broadcast of 1935."

GERTRUDE NORMAN and FRANK DAWSON added to "Peter Ibbetson" by Paramount. . . . IAN KEITH gets role in "The Three Musketeers," Radio. . . . GRACE STAFFORD signed by Warners for "Dr. Socrates." . . . SALLY EILERS gets lead opposite CHESTER MORRIS in "Pursuit," M-G-M. . . . GRANVILLE BATES CHESTER MORRIS and HAROLD HUBER also in cast. . . . HARDIE ALBRIGHT signed for featured role in "Red Salute," Edward Small-Reliance.

Writers—CLAUDINE WEST at work on "Marie Antoinette" for M-G-M. . . . BRIAN HOOKER, DON HARTMAN and SEENA OWEN doing script of "Coronado," Paramount. . . . JOHN W. SINCLAIR writing comedy sequences for "Soup to Nuts" at Paramount. . . . DOROTHY PARKER, ALAN CAMPBELL and DALE VAN EVERY signed by Paramount for "Her Master's Voice" script.

Story Buys—"Woman of Spain," novel by SCOTT O'DELL, purchased by M-G-M. . . . "Roaring Girl" by JOHN G. MOFFITT, acquired by Paramount.

More Pittsburgh Duals

PITTSBURGH, June 24.—After more than a month of single pictures, the Warner returns this week to a double feature policy, playing "The Informer" and "Going Highbrow" on the same bill.

At the same time, the Harris-Alvin, which in the past has played films and stage shows, will try duals with "Black Sheep" and "Charlie Chan in Egypt." Showmen do not expect this policy to be permanent at the Alvin, since the house will probably return to the combination stage-screen shows in the fall.

List Chittenden Claims

NEW ORLEANS, June 24.—Claims listed in the bankruptcy schedules of Edward Chittenden, recent operator of the Crescent, include: Buzzy Williams and orchestra, $225; Klaw & Erlanger, $700; Bromberg Film Exchange, $260; Erpi, $300; New Orleans Roosevelt Corp., $200, and several smaller items.

C. R. Waxman Promoted

DETROIT, June 24.—Cliver R. Waxman, office manager, has been made exchange manager of First Division. He replaces Milton E. Cohen, who has returned to Columbia. Fred Nugent has quit First Division to join Republic and has been replaced by Len Shecter, formerly salesman for Cinema Service Trailer Co.

Hess Signs Una Wells

HOLLYWOOD, June 24.—Jack Hess, chief of publicity at Mascot Studios, has signed to a managerial contract Una Wells, stage and screen actress who just is back from a year in Europe.

Grant Albany Charters

ALBANY, June 24.—New incorporations of Albany are: Parwill Amusement Corp., New York, by Elizabeth Finkelstein, Katherine Heichman and Jeanne Greengold; Laughs & Smiles Corp., by Beatrice Freeman, Helen Frisch and Anita Starkman; Edgemere Theatres, Inc., Queens, Alvin Albaum, Nina Novello and Elias Pearsall; Anora Amusement Corp., by Jennie Suozzo, Charles Suozzo, Jeanette Polotnick, Julia Bregger and Eva M. Chadnow; Fairway Photo Studios, Inc., Harry Chait, Lloyd Nichols and Maxwell J. Santman; Weinberg Enterprises, Inc., Yonkers, Leon Samuels, Joseph Weinberg and Mary Jermanok.

Trans-America Film Corp., advertising and publicity, by Karl S. Lowenthal, S. E. Sidney and Rudolph Eisenberg; Institutional M. P. Corp., by Henrietta Zeuchner, Martha J. Hoffman and Magdalena F. Baumann

Elicker to Wilkes-Barre

SCRANTON, June 24.—Joseph Elicker, manager of the Strand here since September, has been transferred to the Penn, Comerford house, in Wilkes-Barre. Lloyd Hause, manager of the Capitol, Bloomsburg, for the past five years, succeeds Elicker in Scranton.

N. O. May Allow Pickets

NEW ORLEANS, June 24.—Peaceful picketing will be allowed under the terms of an ordinance amendment just introduced in the Commission Council by Mayor Walmsley. In the past arrests of pickets have been the rule.

G. B. Set in Pittsburgh

George W. Weeks, G.B. general sales manager, closed yesterday with the Harris circuit, Pittsburgh, for the G.B. new season lineup.

Giveaways Spread Around Milwaukee

(*Continued from page* 1)

play in various houses, while the Strand, Standard Theatres' only local house, is slated to open with bank nights on Tuesdays and Thursdays. Incidentally the house has reverted to a first run double feature policy with changes on Saturdays and Wednesdays; admissions 15 cents to 6 P. M. and 25 cents thereafter.

Fox's Riviera, neighborhood house, has gone in for nickel matinees, playing twin features, serial, cartoon and newsreel with a paddle pop thrown in for the kiddies. Reports have it, also, that the pictures shown at these matinees include major company product.

Faced with this setup, it is doubtful whether the Milwaukee county members of the I. E. P. A. will take any action on elimating double features despite the four to one vote favoring single bills recently chalked up in the poll taken by the association in 44 of its houses here. Theatre patrons turned in about 50,000 votes in the poll.

Portugal to Produce

WASHINGTON, June 24.—Tobis Portuguesa and Films Luis Machado, two of Portugal's leading producers, have formed a consortium for the purpose of making at least three Portuguese sound features a year, according to a report to the U. S. Department of Commerce from American Vice Consul Daniel V. Anderson at Lisbon.

Beverly Hills Fixes Fees

HOLLYWOOD, June 24.—The Beverly Hills City Council has passed an ordinance imposing a license fee of $50 per year on theatrical and film agents. The fee may be paid annually, semi-annually, or quarterly. This ordinance waives a $10 police investigation fee previously decided upon. Many of the leading agents have their offices in Beverly Hills.

Radio Buys Two Songs

HOLLYWOOD, June 24.—Radio has bought two songs. "Lips in the Dark," by Will Jason and Val Burton, will be used in "Believe it, Beloved." "Isn't Love the Sweetest Thing," by Louis Alter and Jack Scholl, will be heard in the Wheeler and Woolsey comedy, "The Rainmakers."

"Meal Ticket" Title Set

HOLLYWOOD, June 24.—Fox has chosen "Meal Ticket" as the title for the next Jane Withers picture scheduled to go into production on July 8. Marshall Neilan will direct, and Ralf Harolde will also be in the cast. The screen play is by Lamar Trotti and Jerry Horman.

Fire Damages Vt. House

ST. JOHNSBURY, VT., June 24.—Fire damaged the Gray Theatre here to the tune of some $15,000 with the front of the house suffering the most damage. Charles Gray, owner, has started repair work and expects to have the house back in operation soon.

Improve Pleasantville

PLEASANTVILLE, N. Y., June 24.—Joe Hornstein is rejuvenating the Rialto.

RKO RADIO PICTURES

1935
1936

NEXT SEASON MORE THAN EVER

PRODUCTIONS ...NOT PREDICTIONS!

★

★ We approach the new season with the confidence born of success . . . The year now closing was RKO-Radio's most successful, and we wind up 1934-35 with the biggest attractions of the year!

Shows like "Becky Sharp," "Jalna," "She," "The Arizonian," "Alice Adams," "The Three Musketeers," "The Last Days of Pompeii," are not ordinarily Summer shows—but you're getting them!

Any one of them would highlight a whole year's program . . . but they're on the same year's list that brought forth "The Gay Divorcee," "The Little Minister," "Star of Midnight" "Roberta," and many other big-money shows!

"TOP HAT" starts the 1935-36 season . . . Let it be the measure of our plans for the new year!

Our organization is geared for success! . . . Each achievement adds to our strength! . . . Each triumph demands greater triumphs!

In a blaze of glory we end one year and brilliantly begin another, as soaring ambitions sweep us on to still greater accomplishments!



FRED ASTAIRE

GINGER ROGERS



IN

3

SUPREME BOX-OFFICE ATTRACTIONS!

★

"TOP HAT" . . . to burst open your season on Labor Day, with music by IRVING BERLIN!

★

And at New Year's, the Holiday trade winds will blow you new riches in rhythm in

"FOLLOW THE FLEET,"

by the same IRVING BERLIN and the same breath-taking stars.

★

"TOP HAT" nearing completion. "FOLLOW THE FLEET," in preparation.

★

And a million dollars worth of dreams in the bag for NUMBER THREE! . . . ready for you around Easter time!

Pandro S. Berman Productions

Directed by Mark Sandrich



TECHNICOLOR PRODUCTIONS

High up on the list of pictures for 1935-36 are **TWO TECHNICOLOR PRODUCTIONS** to be made by John Hay Whitney's PIONEER PICTURES COMPANY which with "Becky Sharp" brought the Miracle of Living Color to the Screen. These important and ambitious pictures will be produced under the supervision of Merian C. Cooper.



KATHARINE HEPBURN

PRODUCTIONS

★

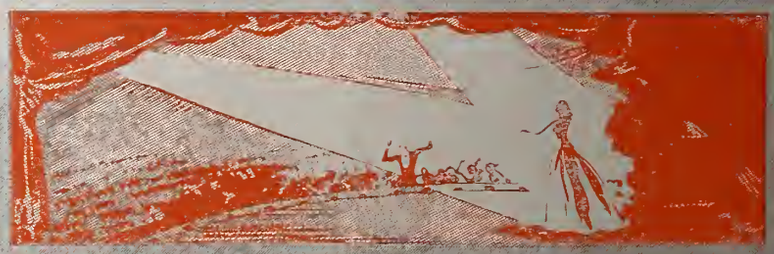
"MARY OF SCOTLAND" • The glorious young queen who held love mightier than a throne. Maxwell Anderson's play. The Theatre Guild's greatest stage success becomes one of the most ambitious and spectacular dramas ever conceived. To be directed by *John Ford*. Screen play by Dudley Nichols.

"SYLVIA SCARLET" • *George Cukor*, who made "Little Women," and "David Copperfield," will direct this heart-wringing modern romance, from the novel by Compton McKenzie.

"QUALITY STREET" • Hepburn in the stirring human role made famous by Maude Adams. One of J. M. Barrie's best plays.

★

PANDRO S. BERMAN PRODUCTIONS



LILY PONS



Notable among the events of the coming season will be the motion picture debut of Grand Opera's most glamorous diva — the beautiful, gifted LILY PONS . . . Around the magnetic youthful personality of this glorious girl has been written a great romantic drama . . . with music and songs by JEROME KERN, composer of "Roberta," and lyrics by Dorothy Fields . . . . In the tentatively-titled "LOVE SONG" Miss Pons brings to the screen for the first time all the golden glory of a voice whose heart-calling thrills have moved men and nations to wildest applause . . . .

A Pandro S. Berman Production directed by John Cromwell.

GINGER ROGERS

IN ONE OR MORE PRODUCTIONS





GINGER ROGERS, heartbreaker, will be starred in a story by the author of "It Happened One Night," SAMUEL HOPKINS ADAMS, who has given the same delightful flavor to this exciting comedy-drama of a movie star's personal appearance adventures . . . A Pandro S. Berman Production directed by William A. Seiter. Working title, "IN PERSON."

WILLIAM POWELL





WILLIAM POWELL, the debonair . . . nonchalant hero...prime favorite of the hour, will be seen in "TWO O'CLOCK COURAGE," Gelett Burgess' new novel of a daring adventurer in evening clothes.

RICHARD DIX



2 PRODUCTIONS

Stalwart Stories! . . . Strident Drama! . . . . Heroic tales of courage and daring and high adventure! . . . Stirring melodramas made for those major millions of fans to whom action speaks louder than words!



MUSICALS

HEART-CRUSHING BEAUTIES AND GLADDENING SONGS IN 2 STORIES OF GLORIOUS ROMANCE AND MELODY!

"TO BEAT THE BAND"

(tentative title)

...and one more glittering big name show, made in the manner of RKO!

Producer, Zion Myers



IRENE DUNNE



IRENE DUNNE who endeared herself to millions in "Roberta," returns in one or more productions to again give the world her glorious voice and exquisite charm.

CHARLES BOYER





CHARLES BOYER, who set the world's feminine hearts aflame with his magnificent performance as the perfect lover in "Break of Hearts," will appear in one production . . . Negotiations are now pending for a vehicle which will give full scope to the magnetic charm of the man who has become romantic dynamite on the screen.

ANN HARDING



ANN HARDING
IN TWO PRODUCTIONS

The charm and appeal that is Ann Harding will reach the screen this year in two pictures as richly human and deeply moving as "Vergie Winters."

GENE RAYMOND



GENE RAYMOND
IN ONE OR MORE PRODUCTIONS

Among the younger stars, none has risen more rapidly in popularity than GENE RAYMOND. . . . His success in several recent pictures . . . his sensational personal appearance tour in which he broke records in de luxe houses throughout the country . . . . are perfect build-ups for his new season appearances in youthfully romantic roles.

WHEELER AND WOOLSEY

THE FAVORITE SONS OF THE PADDED CELL . . .

IN **2** NOBLE EFFORTS . . .

"THE RAINMAKERS"

is one of them . . . . haymaker to you!

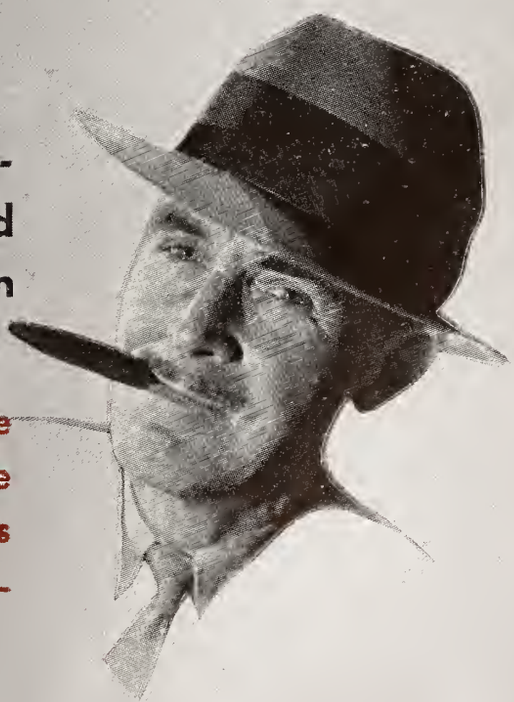
Fred Guiol, Director · Lee Marcus, Producer



JAMES GLEASON

Creator of *"the Great Inspector Piper"* who never missed a clue nor caught a crook in

2 PICTURES . . . which continue the hilarious adventures and are made to the measure of America's leading "dis-an'-dat-'dem-an'-'dose" detekative!



"ANNIE OAKLEY"



"THE RETURN OF PE



"MR. GRANT"



"THE PLOUGH AND T



BARBARA STANWYCK

as one of the most colorful characters that ever came out of the Great Frontier, ANNIE OAKLEY, crack shot and Circus Queen. The exciting life and loves of this "Shooting Star" will be relived by BARBARA STANWYCK in a picture that combines the lure and glamour of the Big Top with the thrill and adventure of the wild and woolly West.

Directed by George Stevens from the story by Joseph A. Field and Ewart Adamson. Produced by Cliff Reid.

ER GRIMM"

starring

LIONEL BARRYMORE

with Helen Mack, Edward Ellis, Donald Meek in the greatest of all

DAVID BELASCO

stage successes . . . . . Directed by George Nicholls, Jr. Produced by Kenneth Macgowan.

With biographical dramas proving to be the greatest of box-office attractions, our studio is preparing for production on a lavish scale one of the most vivid and heroic chapters in history, the stirring life and times of General U. S. Grant.

E STARS"

Sean O'Casey's stage success of international importance is planned to come to the screen as an ambitious JOHN FORD PRODUCTION . . . This impassioned drama of young hearts in rebellion carves its drama from the lives of men and women fighting for the right to happiness . . . The screen play is being prepared by Dudley Nichols.

GREAT PROPERTIES MAKE GREAT PICTURES

★

RKO-Radio owns many great properties . . Some are listed below . . From this and many other sources the studios will select and make its pictures for 1935-36.

★

MARY OF SCOTLAND
Maxwell Anderson's Play

MR. GRANT
By Arthur Goodrich

LOVE SONG
By Elsie Finn and David G. Wittels

SYLVIA SCARLETT
By Compton McKenzie

QUALITY STREET
By James M Barrie

DR JOHNSON
By Francis Faragoh

RETURN OF PETER GRIMM
By David Belasco

TWO O'CLOCK COURAGE
By Gelett Burgess

ANNIE OAKLEY
By Joseph Fields and Ewart Adamson

TO BEAT THE BAND
By George Marion, Jr.

OLD MAN MURPHY
By Patrick Kerney

SINGAPORE MUTINY
By Norman Springer

HI GAUCHO
By Thomas Atkins

POWDER SMOKE RANGE
By William C. MacDonald

LONG HAUL
By Arthur Horman

ALIEN CORN
By Sidney Howard

BADGE OF COURAGE
By Stuart H. Lake

BALLOON BUSTER OF ARIZONA
By Norman S. Hall

BOY AND GIRL
By Vina Delmar and Eugene Delmar

DANCE OF DESIRE
By Donald Henderson Clarke

FRIVOLOUS SAL
By Norman Houston

GREEN MANSIONS
By William Henry Hudson

HERMIT OF TIMES SQUARE
By Aldin Smith

IT HAPPENED IN HOLLYWOOD
By Ray Mayer and Tom Dugan

IN PERSON
By Samuel Hopkins Adams

KILL THAT STORY
By Wyman Houston

PORTRAIT OF A REBEL
By Netta Syrett

PRODIGAL DAUGHTER
By Grace Sothcote Leake

RED KNIGHT OF GERMANY
By Floyd Gibbons

RINGSTRASSE #3
By Aladar Laszlo

TOAST OF NEW YORK
By Louis Weitzenkorn

THE TUDOR WENCH
By Elswyth Thane Beebe

WHITE HEAT
By Dowell and Edward McGowan

LOVE SONG
By Rupert Hughes

OTHER PASSPORT
By Harold McGrath

FOLLOW THE FLEET
By Dwight Taylor and Alan Scott

RKO-RADIO ★ Stars and ★ Featured Players:

KATHARINE HEPBURN
FRED ASTAIRE
GINGER ROGERS
LILY PONS
BERT WHEELER
ROBERT WOOLSEY
RICHARD DIX
JAMES BARTON
ANN HARDING
IRENE DUNNE
WILLIAM POWELL
GENE RAYMOND
CHARLES BOYER
BARBARA STANWYCK
ANNE SHIRLEY
LIONEL BARRYMORE
MARGOT GRAHAME
BUDDY ROGERS
JAMES GLEASON
HELEN MACK
JOHN BEAL
HELEN BRODERICK
WALTER ABEL
HELEN WESTLEY
PRESTON FOSTER
BETTY GRABLE
DAVE CHASEN
ERIC BLORE
ERIK RHODES
MARGARET HAMILTON
JOHN WOOD
ROSAMOND PINCHOT
HELEN PARRISH
ALAN HALE
EVELYN POE
MOLLY LAMONT
RAY MAYER
MARGARET CALLAHAN
WILLIE BEST
JANE HAMILTON
VIRGINIA REID
MAXINE JENNINGS
HAZEL FORBES
KAY SUTTON
HEATHER ANGEL
MAUREEN DELANEY
EDWARD EVERETT HORTON
EDNA MAE OLIVER
PRINCESS NATALIE PALEY
EDGAR KENNEDY

On the foregoing pages is sketched a vignette of 1935-36 . . . of plans *we know* enough about today—*to talk about today!*

An imposing list of great stars and fine properties . . . yet it outlines but about half of the pictures we will make next season.

The rights for many notable books and plays are now in negotiation . . . many big box-office names not listed in this announcement will appear in RKO RADIO Pictures next season . . . Stars engaged for a particular fitness to a role.



FOR

★ ★

48 PRO

FROM

R K

R A

New personalities will appear and be applauded by the world . . . RKO RADIO wants them in its pictures *and is prepared to get them.* Perhaps next season's biggest hits in plays and books are still unwritten . . . but when they sweep to overnight success we want them, *and are prepared to buy them!*

To lay plans well, to provide for opportunity, is our idea of alert showmanship . . . the kind of showmanship that writes its story in box-office lines!



1935-36

★ ★ ★

DUCTIONS

O ★ ★ ★

DIO

RKO-RADIO Directors:

JOHN CROMWELL
GEORGE CUKOR
JOHN FORD
PHILIP MOELLER
GEORGE NICHOLLS, Jr.
STEPHEN ROBERTS
JOHN ROBERTSON
MARK SANDRICH
WILLIAM SEITER
GEORGE STEVENS

RKO-RADIO Producers:

PANDRO S. BERMAN
MERIAN C. COOPER (Pioneer Pictures)
EDWARD KAUFMAN
KENNETH MACGOWAN
LEE MARCUS
ZION MYERS
CLIFF REID
ROBERT F. SISK

RKO-RADIO Composers:

IRVING BERLIN
JEROME KERN
VINCENT YOUMANS

RKO-RADIO Musical Directors:

MAX STEINER
ALBERTO COLOMBO
ROY WEBB

RKO-RADIO Art Directors:

BERNARD NEWMAN (Fashions)
VAN NEST POLGLASE (Settings)

THE MARCH OF TIME

RKO-Radio announces as an important part of its new season the release of the March of Time, starting with the fifth edition, ready August second. Hailed with increasing fervor by critics and public alike, the March of Time has won a definite place on the screen in less than five months.

Produced by the Editors of Time and Fortune, it has brought to the theatre the same adherence to the curt telling of all the facts that have made history in the publishing field. It does not pull its punches. News is presented as it happens, with *all* the why it happens. Set to the same dramatic, thrilling pace familiar to millions who listen to the March of Time on the air, it has proven a happy blending of excellent entertainment and brilliantly handled topical information.

RKO-Radio believes that to fully capitalize on this vast ready-made audience of loyal Time, Fortune and March of Time on-the-air fans, that the March of Time must be a fearless, factual journal of the screen. It believes that this new kind of pictorial journalism will win new heights with theatre goers all over the world.

TIME MARCHES ON WITH RKO-RADIO!



COMEDIES

6 HEADLINERS

6 RADIO MUSICALS

6 SUPERBAS

. . These short features will present a wide variety of entertainment including musical reviews and bright comedy novelties, and will feature such personalities of stage, screen and radio as Gene Austin, Leon Errol, Ruth Etting, Walter Catlett.

6 EDGAR KENNEDY

Continuing the ups and downs of the darndest family that ever lived.

6 SMART SET

6 RADIO FLASH

Hilarious, rough-and-tumble, custard pie, slapstick comedy. Honest hokum and pokem to make the folks come back for more.

36 TWO REEL COMEDIES

Produced under the supervision of Lee Marcus by these well-known comedy directors and writers: Alf Goulding, Joe Fields, Al Boasberg, John Grey, Fred Guiol, Les Goodwins, Ben Holmes, Jack Townley, Arthur Ripley, Eddie Moran, Lee Jason.

VAN BEUREN

13

RAINBOW PARADE

COLOR CARTOONS

NOW IN

THE NEW 3-COLOR PROCESS

TECHNICOLOR

A new series of adventures in the animated world of "the funnies"

PRODUCED BY BURT GILLETTE

PRODUCTIONS

13 "EASY ACES" . . Radio's riotous dumb-crackers, the "Easy Aces" brought a brand new comedy idea to the screen . . . and audiences have been going places with them — and laughing all the way. 13 more next season . . . That's good news for theatres!

7 "SPORTS with BILL CORUM" . . . There's a human side to Sports as well as thrills . . . and no writer of today knows better how to get the throb and thrill out of Sports than Bill Corum, New York Evening Journal's Sports Editor whose column is widely syndicated. This series will be highlighted by his voice . . . and Bill talks Sports just as interestingly as he writes them.

6 "THE STRUGGLE TO LIVE" Series

From the microscopic to the mightiest of creatures, Nature's law is the survival of the fittest! The Woodard Brothers, who won the Academy Award on "The City of Wax" as the best novelty subject of 1934 will make these unusual, fascinating and dramatic subjects.

7 "THE WORLD ON PARADE" . . . Glorified with native songs and music this new series of travel films will seek out the odd places of the world to tell about. First will be "The Land of the Eagle" that strange land of Guatemala and Number Two "Mt. Athos in Greece" where, to be nearer Heaven, men built their temples.

33 ONE REEL FEATURES . . . and don't forget the postman is still delivering "DUMBBELL LETTERS"



PATHE NEWS

NOW IN ITS
25th
YEAR!

. . . and dominant
for 25 years!

TWICE A
WEEK . . .

PATHE TOPICS

Seven [7] Editions about interesting things, people and events!

PRINTED BY THE GORDON PRESS, INC.

Variety Club

Cincinnati

CINCINNATI, June 24.—The recent annual supper-dance netted $550. which goes to the Kiddie's Christmas Party fund.

STAN JACQUES is rejoicing over the the return home of his son, DONALD from a local hospital following an appendicitis operation. DONALD was seriously injured in an automobile accident about a year ago, from which he had just about recovered when stricken with appendicitis.

Visitors at the club recently included: J. E. and SAM FLAX, both from Tent No. 11; JAMES ALEXANDER and GEORGE W. COLLINS, Pittsburgh, and C. A. SCHUKTZ, Kansas City.

Unity Plea Is Made To Men in Ohio ITO

COLUMBUS, June 24.—A plea for closer cooperation among members, financially and otherwise, is being made by the Ohio I.T.O. to combat impending legislation which would restore the 12 per cent admission tax, which was suspended for one year Jan 1, when the present sales tax went into effect. If the old rate is restored, it will apply to all admissions, without exemptions, the bulletin states. Ten-cent admissions were exempt previously.

An accompanying bulletin calls attention to the fact that box-office stimulators now can be resumed since the recent Supreme Court decision on the NRA, but advises members to adhere to exhibition and avoid "unnatural" stimulation of business.

Virginia Taxation Outlook Brightens

RICHMOND, June 24.—The taxation outlook for theatres is regarded as much brighter as a result of assurances received at the M. P. T. O. convention at Roanoke, according to Morton G. Thalhimer, president.

Assurances were received from Carlisle H. Morrissett, state tax commissioner, that he would oppose any general sales tax. Gov. George C. Peery also is opposed to such a tax and has eliminated from his program a proposal for a 10 per cent admission tax.

Ohio Curious About New Education Head

COLUMBUS, June 24.—Speculation is rife as to who will be the next state director of education, ex-officio head of the censor board. The term of Dr. Beverly O. Skinner expires July 16, and consensus of opinion is that he will not be reappointed. Several candidates have been mentioned, but Gov. Davey has not committed himself.

Thomas Wall to Newton

BOSTON, June 24.—Thomas Wall, manager of the Allston, in Allston, has been named manager of the Paramount, Newton, where he has replaced the late John Snider, who died recently.

Edward Welch, assistant manager of the Capitol, has gone to the Allston, and J. Concannon has succeeded him at the Capitol.

Looking 'Em Over

"Criez-le Sur les Toits"

(*Paramount*)

Roi Cooper Megrue's play, "It Pays to Advertise," which previously has served as material for Hollywood producers, now makes its appearance in French under the title "Criez-le Sur les Toits" ("Shout It from the Rooftops"). French-speaking people will get considerable enjoyment out of the film, which has been turned out at Paramount's Joinville plant in first-rate fashion. It is a highly spirited production with bright settings, clever acting and fine photography.

The picture in its French form has been given some musical trimmings that add to the entertainment value.

The film, in a way a satire on advertising, tells of the efforts of two young men to launch a soap business. One of the duo is the playboy son of a soap baron (Saint-Granier) who has won the disfavor of his father. Soon, through high-pressure advertising and publicity methods, the name of their soap is on everybody's lips. The one trouble is that they haven't the money to manufacture it. When they finally land a big order, Saint-Granier and his chief rival bid to buy out the firm. Saint-Granier proves the higher bidder and takes his son back into the fold.

No production code seal. Running time, 82 minutes. "G."

Uses Tractor Generator

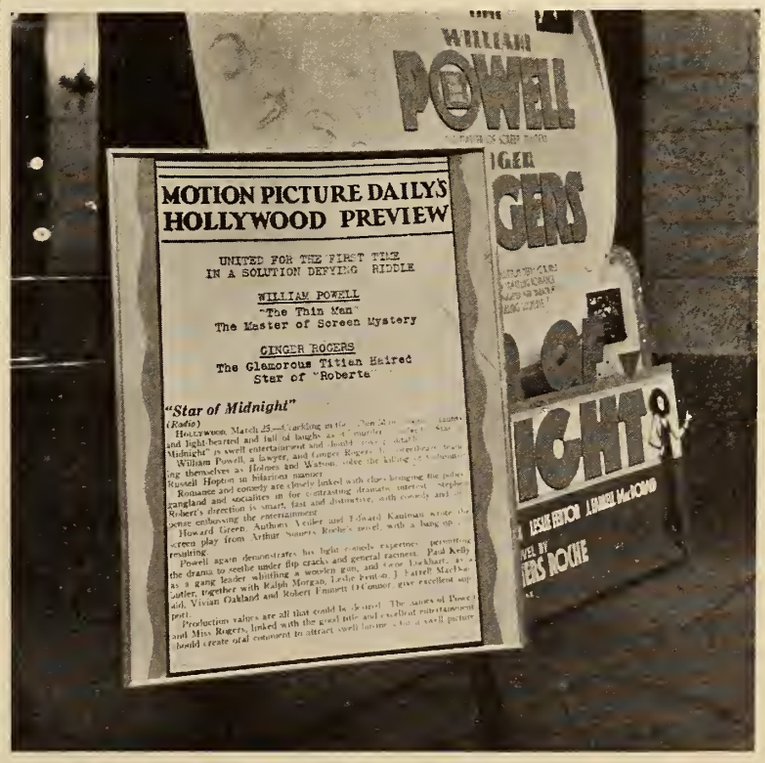
LINCOLN, June 24.—Among flood reports of unusual happenings here was the work of Fred Glass, Fox manager in McCook, Neb., right in the heart of the worst damage done by the Republican River. The power plant was inundated and the town in darkness, but Glass saw the possibilities in the crowds coming in to view the flood. He hooked a tractor to his generator and ran his show to a packed house.

Theatre for Auditorium

KANSAS CITY, June 24.—The new municipal auditorium under construction here will include a 3,000-seat theatre in addition to the main auditorium. The theatre will be equipped with a projection booth, but equipment may not be installed, according to the architects.

H. F. McElroy, city manager, has assured theatre men no part of the huge project will be used for enterprises competitive to theatres.

They Believe in Previews



Kansas City.—MOTION PICTURE DAILY'S *Hollywood Previews are frequently enlarged and used for lobby and outside exploitation at the RKO Mainstreet. Here is the way the theatre displayed the review of "Star of Midnight." The blowup was in the lobby a week in advance and placed out front during the run. Both Lawrence Lehman, the Mainstreet's manager, and Louis Mayer, exploitation and publicity director, are firm believers in* MOTION PICTURE DAILY'S *Hollywood Previews as business boosters.*

Short Subjects

"Going Places with Lowell Thomas"

(*Universal*)

This, No. 9 of the series, provides considerable entertainment. It contains three subjects. One has to do with a chap who captures antelopes on the western plains for zoos. Another deals with mountain climbing, with the top of Mt. Rainier the goal in this instance. An Austrian folk wedding serves as the subject of the third. There is some fine photography in the mountain-climbing scenes. Production Code Seal No. 0454. Running time, 10 mins. "G."

"Friendly Spirits"

(*Educational-Fox*)

Ernest Truex provides his usual humor as the hen pecked husband who loses the family fortune, $1,250, and the piano in a poker game while the wife is away. When she returns his problems begin. The money was supposed to have been for a down payment on a new house. His wife, Mary Jane Barrett, gets the idea that the initial payment has been made and moves into the new home. With the aid of his poker associates, Truex dresses them as ghosts and they scamper through the bedrooms, accomplishing the intended purpose of having the missus evacuate.

Quite a number of laughs and well handled by the principals. Production Code Seal No. 0402. Running time, 16 mins. "G."

Form Fox City Theatres

DOVER, Del., June 24.—Fox City Theatres Corp. has been formed here. The incorporators are Raymond J. Gorman, Edward S. Williams of Brooklyn, N. Y., and Arthur W. Britton, West Orange, N. J.

Eros Amusement Corp. has been incorporated with capital of $100,000 and 1,000 shares, no par value. The incorporators are M. M. Lucey, H. I. Brown and L. S. Dorsey, Wilmington.

New England Amusement Co. has been chartered to deal in amusement devices of all kinds, listing capital stock of 150 shares, no par value. The incorporators are J. Vernon Pimm, Albert G. Bauer, Philadelphia, and R. L. Spurgeon, Wilmington.

Form Two in Delaware

DOVER, Del., June 24.—Western Pictures Corp. has been formed here with capital stock of 5,000 shares, no par value. The incorporators are Howard E. Roos, Brooklyn, and Benjamin F. Tracy and C. Truman Thomson of New York.

Varsity Theatre Co. has been incorporated to do a general theatrical and amusement business listing a capital of $21,000. The incorporators are James N. Gilchrist, L. M. Taby and J. A. Lauridsen of New York.

Buys California Home

OKLAHOMA CITY, June 24.—Sam Benjamin, dean of Oklahoma City film men formerly with RKO, FBO and other exchanges in Oklahoma, now retired, has bought a home in Beverly Hills. Thomas H. Boland, who leased his theatres in Oklahoma City to Warners several years ago, lives nearby. Boland and Benjamin were close friends while in business here.

"Thomas" Big In Two Twin Cities Houses

MINNEAPOLIS, June 24.—"Doubting Thomas" was a money-maker on both sides of the river. It reached $6,500, above par by $1,000, at the State here and took $6,000, up by $500, at the St. Paul Paramount.

"The Informer" was strong, too. It took $6,000 at the local Orpheum and was over the line by $500 on a $4,000 take at the St. Paul Orpheum. "The Scoundrel" was also well on the profit side of the line with a $5,000 take at the Century here and $4,000 at the St. Paul Riviera. "Modern Motherhood" reached $3,000 at the St. Paul World.

Total first run business in Minneapolis was $26,200. Average with the return of the Time to the first run list is $23,000. Total first run business in St. Paul was $18,500. Average is $16,000.

Estimated takings:

Minneapolis:

Week Ending June 20:

"THE SCOUNDREL" (Para.)
CENTURY—(1,650), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

"HIGH SCHOOL GIRL" (Bryan Foy)
LYRIC—(1,238), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

Week Ending June 21:

"THE INFORMER" (Radio)
ORPHEUM—(2,900), 25c-40c, 7 days. Stage show. **Gross:** $6,000. (Average, $5,500)

"DOUBTING THOMAS" (Fox)
STATE—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $6,500. (Average, $5,500)

"CROSS COUNTRY CRUISE" (Univ.)
PALACE—(900), 15c-25c, 7 days. Five acts vaudeville. **Gross:** $2,000. (Average, $2,000)

"WITHOUT CHILDREN" (Cummins)
TIME—(300), 20c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"BREWSTER'S MILLIONS" (U. A.)
WORLD—(400), 25c-55c, 7 days. **Gross:** $3,500. (Average, $3,000)

St. Paul:

Week Ending June 21:

"DOUBTING THOMAS" (Fox)
PARAMOUNT—(2,300), 25c-40c, 7 days. Stage show. **Gross:** $6,000. (Average, $5,500)

"THE SCOUNDREL" (Para.)
RIVIERA—(1,200), 25c-40c, 7 days. **Gross:** $4,000. (Average, $3,500)

"THE INFORMER" (Radio)
ORPHEUM—(2,000), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,000)

"DINKY" (Warners)
TOWER—(1,000), 15c-25c, 7 days. **Gross:** $1,500. (Average, $1,500)

"MODERN MOTHERHOOD" (Cummings)
WORLD—(400), 25c-35c, 7 days, 2nd week. **Gross:** $2,000. (Average, $1,500)

Phillips Joins M-G-M

Sidney Phillips, former agent, has joined M-G-M as eastern talent scout. He assumes the post vacated recently by William Grady, who is now assistant to Eddie Mannix at the studio. Phillips is occupying the offices formerly tenanted by Major Edward Bowes.

Switch San Diego Men

SAN DIEGO, June 24.—Gerald Gallagher has succeeded Wayne Dallard as manager of the Fox, with Dallard slated to move to the exposition as chief of service.

Gallagher was formerly manager of the California.

Fox Renames Picture

HOLLYWOOD, June 24.—Fox has changed the title of Tutta Rolf's first film from "The Dressmaker" to "Dressed to Thrill."

Kansas City Goes for "No More Ladies"

KANSAS CITY, June 24.—The bright spot in what would otherwise have been a dull week was "No More Ladies," Loew's Midland offering, which soared to $18,500 and was held. That's $7,000 over average.

The Tower managed to do an average $7,000 with "Alias Mary Dow," while the Baer-Braddock fight pictures and excellent reviews failed to hold "The Informer" up to average at the Mainstreet.

The question of revivals was hardly answered conclusively by the Newman's experience with "The Virginian." The picture did pretty well with a $6,500, but it is probably still true that some of those who ask for return engagements of big pictures forget to remember, or have something else to do that week.

The Uptown could do little with "Daring Young Man," in spite of Stanley Chambers' valiant efforts. At only $2,400 for the week the Saturday night amateur talent jubilee helped.

Total first run business was $20,400. Average is $36,000.

Estimated takings:

Week Ending June 20:

"NO MORE LADIES" (M-G-M)
MIDLAND—(4,000), 15c-25c-40c, 7 days. **Gross:** $18,500. (Average, $11,500)

"ALIAS MARY DOW" (Univ.)
TOWER—(2,200), 25c, 7 days. Stage: Demarest & Sibley, Ted & Mary Taft, Gautier's Hot Dogs, Roy Rogers, Jack Carson, Tower Adorables, Tower Orchestra. **Gross:** $7,000. (Average, $7,000)

"THE INFORMER" (Radio)
MAINSTREET—(3,100), 25c-40c, 6 days. **Gross:** $6,000. (Average, films only, 6 days, $7,000)

"THE VIRGINIAN" (Para.)
NEWMAN—(1,800), 25c-40c, 7 days. **Gross:** $6,500. (Average, $7,000)

Week Ending June 21:

"THE DARING YOUNG MAN" (Fox)
UPTOWN—(2,000), 25c-40c, 7 days. **Gross:** $2,400. (Average, $3,500)

"Ladies" Oklahoma Hit; Gets $6,500

OKLAHOMA CITY, June 24.—"No More Ladies" was the big noise here last week with a take of $6,500, over par by $2,500 at the Midwest.

"Doubting Thomas" was $500 up on a take of $5,500 at the Criterion. This is low in comparison with the usual Will Rogers' business here. "Shadow of Doubt," with a stage show at the Liberty, failed to make a big impression with a take of $1,800 in four days, and "Catherine the Great," in for three days, was weak at $600.

Total first run business was $15,900. Average is $13,500.

Estimated takings for the week ending June 22:

"DOUBTING THOMAS" (Fox)
CRITERION—(1,700), 10c-26c-36c-55c, 7 days. **Gross:** $5,500. (Average, $5,000)

"NO MORE LADIES" (M-G-M)
MIDWEST—(1,500), 10c-26c-36c-56c, 7 days. **Gross:** $6,500. (Average, $4,000)

"THE DEVIL IS A WOMAN" (Para.)
CAPITOL—(1,200), 10c-20c-26c-36c-41c, 7 days. **Gross:** $1,500. (Average, $2,000)

"SHADOW OF DOUBT" (M-G-M)
LIBERTY—(1,500), 10c-15c-26c-36c, 4 days. Stage show. **Gross:** $1,800. (Average week, $2,500)

"CATHERINE THE GREAT" (U.A.)
LIBERTY—(1,500), 10c-15c-26c-36c, 3 days. **Gross:** $600. (Average week, 2,500)

Shifts Ticket Color

Kansas City, June 24.—E. E. Webber, operator of the Mary Lue, has had to start changing the color of his tickets for dime nights, because people were bunching up at the turn to get by the ticket taker and using them on subsequent dime nights.

"Ladies" Hits $20,000, Big In Pittsburgh

PITTSBURGH, June 24.—There was an encouraging spurt in business here last week and in one case, that of the Penn, the takings were greater than they have been at any time since the first of the year. At this house, "No More Ladies" took $20,000 and won a second week, the first time this has happened there.

At the Fulton the Baer-Braddock fight picture, rather than "The Werewolf of London," received the credit for an excellent $6,000, while at the Warner, Elisabeth Bergner was the big magnet and her "Escape Me Never" turned in a fine $5,300.

The Alvin hit rock bottom with "The Devil Is A Woman," pulling it after two days to less than $1,000 and bringing back "David Copperfield" for four days. The picture had already played all of the subsequent runs. At the Stanley "Break of Hearts" couldn't better a weak $5,500.

Total first run grosses were $37,800. Average is $32,000.

Estimated takings for the week ending June 20:

"THE DEVIL IS A WOMAN" (Para.)
ALVIN—(2,000), 25c-40c, 2 days. **Gross:** $1,000. (Average, 6 days, $6,000)

"WEREWOLF OF LONDON" (Univ.)
BAER-BRADDOCK FIGHT
FULTON—(1,750), 25c-40c, 6 days. **Gross:** $6,000. (Average, $4,000)

"NO MORE LADIES" (M-G-M)
PENN—(3,300), 25c-40c, 6 days. **Gross:** $20,000. (Average, $9,000)

"BREAK OF HEARTS" (Radio)
STANLEY—(3,600), 25c-40c, 6 days. **Gross:** $5,500. (Average, $8,000)

"ESCAPE ME NEVER" (U.A.)
WARNER—(2,000), 25c-40c, 6 days. **Gross:** $5,300. (Average, $5,000)

Ohio Presbyterians Praise Film Uplift

CINCINNATI, June 24.—Improvement in the quality of films is cited in a resolution adopted at the recent general assembly here of the Presbyterian church.

"We recommend heartily the advances made by the motion picture industry in presenting a larger proportion of motion pictures which provide a worthy and true portrayal of life," the resolution said in part. The assembly asked publicity through the church's channels for approved pictures and urged parents to influence their children to patronize them.

Garrett to Norwood

NORWOOD, Mass., June 24.—Stanley Garrett has been appointed manager of the Giles here. He was formerly assistant manager at the University at Cambridge, part of the circuit controlled by the George A. Giles estate.

"Becky Sharp" Chicago Hit; Gets $26,000

CHICAGO, June 24.—"Becky Sharp" ballooned the Palace to $26,000 in a week of generally improved grosses. This is $4,000 over normal and resulted in a holdover.

"Stolen Harmony," helped by a stage show headed by Sinclair's minstrels, reached $20,000, over par by $5,000. "The Man Who Knew Too Much," with a six-act vaudeville bill, took a par $13,000 at the State Lake. Other houses were off.

Total first run business was $118,500. Average is $125,600.

Estimated takings for the week ending June 20:

"IN CALIENTE" (Warners)
CHICAGO—(4,000), 25c-50c-68c, 7 days. Stage: Ben Blue, Tito Guizar, Jack Starr, The D'Ivons, Evans Ballet. **Gross:** $32,000. (Average, $34,600)

"STOLEN HARMONY" (Para.)
ORIENTAL—(3,940), 25c-40c, 7 days. Stage: Sinclair Minstrels, Jack Pepper, Rex Weber, Hild Dancers. **Gross:** $20,000. (Average, $15,000)

"BECKY SHARP" (Radio)
PALACE—(2,509), 25c-35c-50c, 7 days. Stage: Bob Hope's Revue. **Gross:** $26,000. (Average, $22,000)

"OIL FOR THE LAMPS OF CHINA" (F.N.)
ROOSEVELT—(1,591), 25c-35c-50c, 7 days, 2nd Loop week. **Gross:** $9,000. (Average, $11,000)

"LET 'EM HAVE IT" (U.A.)
UNITED ARTISTS—(1,700), 30c-40c-50c, 7 days, 2nd week. **Gross:** $10,000. (Average, $17,000)

"THE GIRL FROM 10TH AVE." (Warners)
GARRICK—(900), 25c-35c-40c, 7 days. **Gross:** $4,500. (Average, $5,000)

"HIGH SCHOOL GIRL" (Foy)
APOLLO—(1,400), 25c-35c-50c, 7 days. **Gross:** $4,000. (Average, $8,000)

"THE MAN WHO KNEW TOO MUCH" (G.B.)
STATE LAKE—(2,776), 20c-25c-35c, 7 days. Stage: Radcliffe & Rogers, Bernard & Henrie, Five Reillys, Hap Hazard, Senna & Loomis, Margan & Stone. **Gross:** $13,000. (Average, $13,000)

"Ladies" and "Oil" Lead in Cleveland

CLEVELAND, June 24.—"No More Ladies" and "Oil for the Lamps of China" were the two outstanding attractions in a week of only fair grosses. "Ladies" topped the Loew State average by $6,000 with a $16,000 take.

"Oil," opened slow, gaining daily and finished with $9,000 on the week at the Warners' Hippodrome, which is $1,000 above average.

Total for the week was $40,300. Average is $43,000.

Estimated takings for the week ending June 21:

"THE DARING YOUNG MAN" (Fox)
ALLEN—(3,300), 30c-35c-42c, 5 days. **Gross:** $1,300. (Average, $3,000)

"OIL FOR THE LAMPS OF CHINA" (F.N.)
WARNERS' HIPPODROME—(3,800), 30c-35c-42c, 7 days. **Gross:** $9,000. (Average, $8,000)

"THE INFORMER" (Radio)
RKO PALACE—(3,100), 30c-35c-42c, 7 days. **Gross:** $6,000. (Average, $10,000)

"NO MORE LADIES" (M-G-M)
LOEW'S STATE—(3,400), 30c-35c-42c, 7 days. **Gross:** $16,000. (Average, $10,000)

"PUBLIC HERO NO. 1" (M-G-M)
LOEW'S STILLMAN—(1,900), 30c-35c-42c, 7 days, 2nd week. **Gross:** $4,500. (Average, $4,000)

"THE AWAKENING OF JIM BURKE" (Col.)
CIRCLE—(1,925), 15c-25c-30c, 7 days. **Gross:** $3,500. (Average, $3,000)

Maė West Is Washington's Top, $6,300

WASHINGTON, June 24.—"Goin' to Town" was the strongest attraction of a dull week. It topped normal by $2,700 on a $6,300 take at Loew's Columbia.

"Oil for the Lamps of China," with Mitzi Mayfair and Bobby Bixler heading a vaudeville bill, reached $20,000 at the Earle. This is $1,600 over the line. The only other attraction to get to first base was "Air Hawks" at the Metropolitan where the $5,000 take was $700 up.

Even with Henry Armetta heading a stage show "Under the Pampas Moon' couldn't get the Loew's Fox gross above $18,500, under normal by $2,400.

Total first run business $72,800. Average without the Gayety is $77,100.

Estimated takings, exclusive of tax:

Three Days Ending June 16:

"MOSCOW LAUGHS" (Amkino)

BELASCO — (1,052), 25c-65c, 3 days. **Gross:** $500. (Average, full week, $2,200)

Six Days Ending June 19:

"HOORAY FOR LOVE" (Radio)

RKO KEITH'S—(1,836), 25c-55c, 5 2/3 days. **Gross:** $6,200. (Average, full week, $10,600)

Week Ending June 20:

"OIL FOR THE LAMPS OF CHINA" (F.N.)

EARLE—(2,218), 25c-77c, 7 days. Stage: Mitzi Mayfair & Bobby Bixler, Raphael, Four Delcos, Three Stewart Sisters, **Gross:** $20,000. (Average, $18,400)

"GOIN' TO TOWN" (Para.)

LOEW'S COLUMBIA—(1,264), 25c-40c, 7 days (return engagement). **Gross:** $6,300. (Average, first run, $3,600)

"UNDER THE PAMPAS MOON" (Fox)

LOEW'S FOX—(3,434), 25c-66c, 7 days. Stage: Henry Armetta, Lester Allen & Nellie Breen, Jans & Lynton Revue, Peter Marconi, Alyce Arf, Ozzie Swanston, Beehee & Rubyatte Saharans. **Gross:** $18,500. (Average, $20,900)

"DOUBTING THOMAS" (Fox)

LOEW'S PALACE—(2,370), 35c-77c, 7 days, 2nd week. **Gross:** $10,900. (Average, first week, $15,900)

"AIR HAWKS" (Col.)

METROPOLITAN — (1,591), 25c-40c, 7 days. **Gross:** $5,000. (Average, $4,360)

Four Days Ending June 21:

"STREETS OF SORROW" (Film Arts Guild)

LITTLE—(318), 35c-40c, 4 days. **Gross:** $300. (Average, full week: $1,200)

Eight Days Ending June 21:

"GIRLS FOR SALE" (Public Welfare) (Four Days)

"STREETS OF SORROW" (Film Arts Guild) (Four Days)

LITTLE—(318), 25c-40c. **Gross:** $600. (Average, $1,200)

Week Ending June 22:

"DANCE HALL HOSTESS" (Mayfair)

"A DOCTOR'S DIARY" (Ufa)

GAYETY—(1,100), 35c, 7 days. Stage: Sex lecture by Dr. L. Barber, with living models. **Gross:** $4,600.

Bank Night for Newman

KANSAS CITY, June 24.—The Newman, which recently introduced screeno for Tuesday nights, will start bank night July 3. It will be used on Wednesday night each week. Screeno will be retained.

This is the first downtown house in Kansas City to break with bank night, according to R. W. McEwan, Western Missouri and Kansas distributor for the plan.

"Orlac" Now "Mad Love"

HOLLYWOOD, June 24.—"The Hands of Orlac," the M-G-M film starring Peter Lorre, will be released as "Mad Love."

Enforcement Via Voluntary Code Viewed as a Handicap

(Continued from page 1)

two or three years prior to the NRA. Then as now, exhibitors admitted need of something with teeth in it, but it was enforcement by stoppage of film service that caused them to grind their teeth.

Most independents believe they can get along without any code or arbitration setup, providing contracts are enforced and the circuits are restrained properly by anti-trust laws.

Clarence A. Schultz, executive vice-president of Commonwealth Amusement Corp., with 16 houses, expresses the majority of exhibitors' reaction when he says: "So far as competitive practices are concerned, under the code just lost we couldn't get relief from unfair competitive situations for, in some cases, as long as a year. How could we possibly get enforcement under a voluntary code?"

Schultz also is in agreement with most exhibitors here when he says: "We shall endeavor to pay salaries and keep hours at the level they were under the code."

"The voluntary code would be a good thing," believes John Stapel, operator of the Paramount, Rockport, Mo., and president of KMTA. "It will at least continue a good idea and keep the machinery for its practice setup. I think it will make for fairer competition. Without it exhibitors will forget there ever was a code. With it, they will be reminded there is such a thing as fair trade practices."

Sees It Hard to Enforce

Mrs. Abe Baier, of the Lindbergh, has nothing against the voluntary code, but "experience of exhibitors here was that it couldn't be enforced. Most exhibitors are used to code wage and hour provisions, and will continue to go along on that basis.

"It is my belief that if distributors enforced their contracts, exhibitors policed the situation so they did, and the anti-trust laws, relaxed under the NRA, were enforced, we would get along nicely.

"Whatever setup is worked out, the chief problem will be one of enforcement.

"Exhibitors who give away something certainly should be put back the same time they are for double billing. Otherwise those, like myself, who don't give away anything, are penalized. Exhibitors were agreeable to do this, but Fox introduced gift stamps about that time and the plan fell through."

"Why have a code or arbitration boards when we have court?" questioned J. W. Cotter, operator of the Bijou. "With buying power circuits can secure protection over an independent house showing at the same price. Distributors sell pigs in pokes, and, good or bad, we're compelled to run them. If a code contained relief from either of these situations, I'd be for it. In the case of producers, we need 25 per cent elimination, which would automatically bring about better pictures and better business. In the case of circuits, clearance ought to be on admission prices.

"So I have reached the conclusion that every fellow ought to be allowed to run his business as he sees fit. The more wide open it is, the better off the independent would be, because then he can use his wits to protect himself."

(Continued from page 1)

aways in any form, shape or manner. I have just returned from a cross-country tour by automobile. At all the places I stopped I found the NRA had done great things, not only in the film business, but in other industries as well.

"I am also opposed to dual bills. I don't think two big features should be shown on one program. However, where there are two weak sisters and neither has any particular drawing power, then it is all right to double up."

Schine's views are negative. He holds there is no need for a code and that it is a waste of effort, time and money.

Schine pointed out that when the code boards were first set up, he had tried to get a post on one of four boards—Albany, Buffalo, Cincinnati and Cleveland—without success. After hearing several cases, Schine said he was happy he was not sitting.

"The code is for fellows constantly in trouble. These exhibitors should be driven out of the business," he asserted. He suggested that one way distributors can handle them is to insist on deposits when a contract is made.

"No More Ladies," On Dual, Omaha Top

OMAHA, June 24.—This town celebrated the swift ending of the street car strike and jubilant crowds returned to theatres. "No More Ladies" and "A Notorious Gentleman" played to $7,800 in 10 days.

"Oil for the Lamps of China" played two extra days at the Omaha—Thursday and Friday—because rioting was at its height. "The Girl from 10th Ave." and the Baer-Braddock fight were heavy winners during the martial law period, getting $3,800.

Total first run business was $18,900. Average is $15,500.

Estimated takings:

Week Ending June 19:

"OIL FOR LAMPS OF CHINA" (F.N.)

BRANDEIS—(1,200), 25c-40c, 2 days. **Gross:** $500.

"THE GIRL FROM 10TH AVE." (F.N.)

BAER-BRADDOCK FIGHT (Oliver)

BRANDEIS—(1,200), 25c-35c-40c, 5 days. **Gross:** $3,800. (Average, $2,500)

"NO MORE LADIES" (M-G-M)

"A NOTORIOUS GENTLEMAN" (Univ.)

OMAHA—(2,200), 25c-40c, 10 days. **Gross:** $7,800. (Average for 10 days, $7,000)

Week Ending June 20:

"THE FLAME WITHIN" (M-G-M)

"IT'S A SMALL WORLD" (Fox)

ORPHEUM—(3,000), 25c-40c, 7 days. **Gross:** $6,800. (Average, $7,500)

Mayer Returning West

Louis B. Mayer, vice-president in charge of M-G-M production, will leave for the coast tomorrow with Howard Strickling, who accompanied him east. Mayer has been conferring with Nicholas M. Schenck on production during his week's stay here. Strickling plans to return in August for a two-week vacation.

Fox Goes to Minnesota

BOSTON, June 24.—Gene S. Fox, publicity man at the Metropolitan, has driven to Minnesota for his annual vacation in the state where he was formerly a scholastic football star.

"Oil" Seattle Leader; Held For 3rd Week

SEATTLE, June 24.—"Oil for the Lamps of China" was still strong in its second week at the Music Box, getting $4,100, and it was held for a third stanza.

"Our Little Girl" reached an average $7,000 at the Fifth Avenue, but other first runs were weak.

Total first run business was $28,500. Average is $31,000.

Estimated takings for the week ending June 18:

"IN CALIENTE" (F. N.)

BLUE MOUSE—(950), 25c-40c-55c, 7 days, 2nd week. **Gross:** $3,750. (Average, $4,000)

"OUR LITTLE GIRL" (Fox)

FIFTH AVENUE—(2,500), 25c-40c-55c, 7 days. **Gross:** $7,000. (Average, $7,000)

"UNKNOWN WOMAN" (Col.)

"BORDER BRIGANDS" (Univ.)

LIBERTY—(1,800), 10c-15c-25c-35c, 7 days. **Gross:** $3,600. (Average, $4,000)

"OIL FOR THE LAMPS OF CHINA" (F. N.)

MUSIC BOX—(950), 25c-40c-55c, 7 days, 2nd week. **Gross:** $4,100. (Average, $4,000)

"THE MAN WHO KNEW TOO MUCH" (G. B.)

"STRANGERS ALL" (Radio)

ORPHEUM—(2,450), 25c-40c-55c, 7 days. **Gross:** $5,200. (Average, $6,000)

"PEOPLE WILL TALK" (Para.)

"GREAT HOTEL MURDER" (Fox)

PARAMOUNT—(3,050), 25c-40c-55c, 7 days. **Gross:** $4,900. (Average, $6,000)

Mae West $6,300 Leader in Lincoln

LINCOLN, June 24.—Mae West was the only one on the street last week. "Goin' To Town" ran up a good count of $3,600, $500 to spare. A break in the weather to cool temperatures helped ward off the seasonal lull. The Lincoln with "Break of Hearts" broke at the box-office and got but a bare $2,000, which is $200 under average.

The Orpheum had "What Price Crime" and "Chasing Yesterday" for the first three days and then set in the Baer-Braddock fight with "Black Fury" for six and got $2,400 on the nine days, $1,700 being the seven-day pace.

Total first run business was $8,900. Average is $7,850.

Estimated takings:

Week Ending June 19:

"WOLF RIDERS" (Capitol)

"DINKY" (Warners)

"ONCE IN A BLUE MOON" (Para.)

COLONIAL — (750), 10c-15c, 7 days. **Gross:** $900. (Average, $850)

Week Ending June 20:

"BREAK OF HEARTS" (Radio)

LINCOLN—(1,600), 10c-15c-25c, 7 days. **Gross:** $2,000. (Average, $2,200)

Week Ending June 21:

"WHAT PRICE CRIME" (Beacon)

"CHASING YESTERDAY" (Radio)

"BLACK FURY" (Warners)

BAER-BRADDOCK FIGHT (Oliver)

ORPHEUM—(1,200), 10c-15c-25c, 9 days. **Gross:** $2,400. (Average for 7 days, $1,700)

"GOIN' TO TOWN" (Para.)

STUART—(2,000), 10c-25c-40c, 7 days. **Gross:** $3,600. (Average, $3,100)

Cuddy to Lead Outing

BOSTON, June 24.—Edward A. Cuddy, divisional manager of M. & P.-Publix, has been named chairman for the annual outing of the home office employes. The affair has been set for June 29. It will again be held at the Mayflower Hotel, Plymouth. Golf, swimming, beach polo, and bathing are on the calendar.

New Theatres Are Rising in Many Places

Things are beginning to look up in the theatre business if reports of new construction, remodellings and reopenings coming in from every section of the country are to be taken as a criterion. Some of the latest announcements to indicate that happier days are ahead for the exhibitor follow.

Shifts in N. E. Gaining

BOSTON, June 24. — Changes in policy, openings and transfers, are gaining in volume in this territory.

For the first time in 19 years the Bowdoin Square has dropped vaudeville. The RKO Boston quit it recently, and it is reported Loew's Orpheum will do likewise. The Howard Athenaeum and the Park are due to close for the summer. When these developments occur the Metropolitan will have the only stage fare left.

J. W. Bridgham will open a summer house at Wolfboro, N. H., soon. Ramsdell Brothers are expected to close the Orpheum at Malden for the summer, instead of the Lyric.

Martin Weinstein has taken over the Savoy at Northfield, Va., from E. D. McMann.

Wrestling one night a week and films the other six is the plan for the reopened Waldron's Casino.

The Drive-In Theatre project originally scheduled for Hingham has been shifted to Quincy.

Plans are under discussion for building a new house at East Hampton, Conn. The only theatre there recently became a business structure.

The Assembly Hall at Harrisville, R. I., has been opened for films by J Roland Hague.

RKO Remodels Cincy Spot

CINCINNATI, June 24.—Improvements to the RKO Shubert will cost $97,000, according to estimates of C. G. Nelson, RKO division engineer. The lower floor will be replaced with a new one having a steeper incline. A new air-conditioning system will be installed, as will also a central steam-heating plant with automatic stokers to serve the Shubert, Capitol and Cox, all in the same block.

The interior will be redecorated, and a vertical Neon sign erected above the marquee. Work will be completed for reopening Aug. 23.

The Shubert, originally devoted to legitimate attractions, was acquired by RKO under a long term lease and reopened with stage shows and pictures last fall. It closed a week ago.

The Cox, a sister house, now dark, was included in the lease.

Remodel for K. C. House

KANSAS CITY, June 24.—Stanley Schwartz, for five years owner and operator of the Tivoli, which he sold last August to W. D. Fulton, has formed the Valley Theatre Co., a corporation, and is remodeling a building at 708 Minnesota Avenue, downtown Kansas City, Kan., for a second run house.

Approximately $20,000 is to be spent. The house is tentatively named the State. Of this amount, $12,000 will go for remodeling, the remainder for equipment. Opening is expected about July 25.

The corporation will acquire other houses later on.

Want to Open K. C. House

KANSAS CITY, June 24.—Negotiations under way with local representatives of the Butler Estate of St. Louis may lead to reopening of the 1,800-seat Missouri. At one time one of the leading legitimate houses in the city and for a number of years under the Shubert banner, the Missouri has been closed since 1928. It is understood about $15,000 will be spent on improvements to put the house in shape for low-priced subsequent runs.

Expands in Mississippi

NEW ORLEANS, June 24.—G. Carey, owner of several theatres in Paris, Ark., has entered the Mississippi territory, and has under construction two houses bearing the name of the New Theatre, one at Ackerman and the other at Corsiaca. He expects to open several others.

To Build at Vancouver

VANCOUVER, June 24.—Hollywood Theatres, Inc., will build a $25,000 suburban house on West Broadway. Work will commence immediately.

Meanwhile alterations to the old Vancouver, formerly the Orpheum, are nearing completion. Sound equipment is now being installed.

Rush Oklahoma Theatre

OKLAHOMA CITY, June 24.—The new $50,000 Plaza being constructed by Standard Theatres, Inc., will be finished about July 10, George Henger, city manager, says.

The Plaza has been under consideration for about eight weeks. It will operate on a subsequent run policy.

To Build at Waynesville

WAYNESVILLE, N. C., June 24.—James Massie, owner of the Haywood, plans another house here. It will be started within 30 days, he says, will cost $40,000, and be ready for occupancy in the fall. It will seat 700.

Remodel in Milwaukee

MILWAUKEE, June 24.—The Avenue local neighborhood house managed by Casmir Goderski, has been closed for remodeling and will reopen about Aug. 1 as the Aragon. The house will be razed except for three walls and the roof.

Daly Takes Lowell House

HARTFORD, June 24.—Michael Daly, owner of the Daly here and the Rialto, New Britain, has extended his operations to the Royal, Lowell, Mass., which he will remodel and open Labor Day.

Rebuild at Valley Falls

KANSAS CITY, June 24.—George Fulton, whose Royal at Valley Falls, Kan., burned some time ago, plans to open the house he is now building there sometime early in September.

Remodel at Rockingham

ROCKINGHAM, N. C., June 24.—Work is progressing on the remodeling of the Richmond. When completed the theatre will have a seating capacity of about 900.

Camdenton to Get House

KANSAS CITY, June 24.—Camdenton, Mo., the town "manufactured" by the Union Electric Power Co. of St. Louis when it built Bagnell Dam —and put Linn Creek under water— will have a new theatre early in September. The Palace, seating approximately 250, will be opened about that time by S. F. Wilson.

Open at Jefferson City

KANSAS CITY, June 24.—Dubinsky Brothers have opened the New Capitol at Jefferson City, Mo., with a 25c-35c policy. The Miller, which it replaces, and over which the Dubinskys had lease trouble, closed June 4.

Arnold Gould, two years Dubinsky manager at Jefferson City, will continue in that capacity. The Gem is the other Dubinsky house there.

The New Capitol, seating 1,236, was designed by Robert Boller, Kansas City architect.

Renovate N. O. House

NEW ORLEANS, June 24.—The St. Maurice, independent house, is spending about $2,500 on repairs. It is owned and operated by Mortimor & Shields, who recently leased the Bell.

Wall Street

Slight Losses Mark Big Board

	High	Low	Close	Net Change
Columbia vtc (c1)	65¼	64⅜	64⅜	— ⅝
Consolidated	3½	3½	3½	.....
Cons. pfd (1¼v)	15	14⅞	14⅞	.....
Eastman	147	146	146	—1
Fox Film "A"	15⅛	14⅝	14⅝	— ⅜
Loew's	42¼	41¾	41¾	— ⅛
Paramount	4⅝	4¼	4⅜	— ¼
Pathe	⅝	⅝	⅝	.....
RKO	2¼	2⅛	2⅛	— ⅛
Warner	4⅜	4	4⅛	— ¼
Warner, pfd	24¾	24¾	24¾	—1¼

Technicolor Off on Curb

	High	Low	Close	Net Change
Technicolor	22⅝	21⅞	21⅞	— ⅜

Keith Bonds Up ¼

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11	10⅞	11	— ¾
Keith B. F. 6s '46	80¾	80¾	80¾	+ ¼
Loew's 6s '41 ww deb rights	104¼	104	104	.....
Paramount 'Bway 5½s '51	58¾	58⅝	58¾	.....
Paramount F. L. 6s '47	97⅛	97	97⅛	.....
Paramount Publix 5½s '50	98⅝	98¼	98¼	+ ¼
Warner Bros. 6s '39 wd	66	65¾	65¾	— ¼

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 24)

64% of Bonds of Para. Properties In

LOS ANGELES, June 24.—The plan for reorganization of Paramount Properties has met with favorable reactions thus far, having almost reached the necessary percentage total with deposits to date of 64 per cent of the company's outstanding $2,750,000 six per cent first mortgage bonds, according to a statement by B. P. Lester, company representative.

The success of the plan seems assured before July 8, when a hearing for the confirmation of the reorganization will be held before Judge Paul J. McCormick in U. S. District Court here, as a deposit of only 66 2/3 per cent is necessary under section 77B of the Bankruptcy Act to have the plan become effective. Such action upon confirmation would be binding upon all bond holders and the company would be reorganized in accordance with the terms of the plan.

"Age" and Calloway Indianapolis Smash

INDIANAPOLIS, June 24.—"Age of Indiscretion" with Cab Calloway and his band on the stage hopped up the bulk of the first run business here last week with a take of $12,500 at Loew's. This is $8,000 over par.

The only other spot to do any business as a result was the Apollo which was over the line by $2,000 on a $6,000 take for "Doubting Thomas."

Total first run business was $27,300. Average is $20,500.

Estimated takings for the week ending June 22:

"DOUBTING THOMAS" (Fox)
APOLLO—(1,100), 25c-40c, 7 days. **Gross:** $6,000. (Average, $4,000)

"THE INFORMER" (Radio)
"THE NITWITS" (Radio)
CIRCLE—(2,800), 25c-40c, 7 days. **Gross:** $3,300. (Average $5,000)

"DEVIL IS A WOMAN" (Para.)
LYRIC—(2,000), 25c-40c, 7 days. Vaudeville. **Gross:** $5,500. (Average, $7,000)

"AGE OF INDISCRETION" (M-G-M)
LOEW'S—(2,800), 25c-55c, 7 days. Stage: Cab Calloway. **Gross:** $12,500. (Average, $4,500)

Gardel Is Killed in Colombia Air Crash

CALI, Colombia, June 24. — Carlos Gardel, Argentine actor, singer and tango dancer, who made a series of pictures in Spanish for the South American market under Paramount contract, was one of 10 persons killed today when the plane in which he was a passenger crashed head-on with another near Medallin. The performer was on his way from Bogota, the capital city of Colombia, to Cali, where he was to have filled a stage engagement tonight.

Another killed was H. Swartz, described as the Bogota representative of Universal.

Carlos Gardel, who was 46 years old, was born in Toulouse, France. He was brought to this country in 1932 by NBC, which featured him on a sustaining program. His last screen role was in "The Big Broadcast of 1935," Paramount picture not yet released. Surviving Gardel, who was a bachelor, is his mother, who resides in Toulouse.

At the Universal offices in New York it was said last night that a Henry Swartz had on occasion represented the company in Bogota, but that it was not known whether he was an American.

Buckley in Portland

LOS ANGELES, June 24.—Charles Buckley, Fox West Coast legal head, is in Portland on a theatre deal. It is reported he is trying to close a deal for the Hamrick chain, which is the largest in the northwest.

Brower on Way East

LOS ANGELES, June 24.—M. H. Brower, local Warner exchange manager, has left by plane for New York for the purpose of arranging a Fox West Coast booking deal for this territory.

Hays Is in Hollywood

HOLLYWOOD, June 24.—Will Hays arrived last night on a routine business trip.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 149 NEW YORK, WEDNESDAY, JUNE 26, 1935 TEN CENTS

RKO Told to Rate Apollo As First Run

M. & S. Awarded $45,000 By the Arbitrators

RKO is directed to operate the Apollo as a neighborhood first run, to play day and date with either the Academy of Music or the Jefferson, and to pay a total of $45,000 damages to the former Meyer & Schneider circuit, under an arbitration award handed down yesterday following lengthy hearings on the breach of lease charges involving the Apollo and Hollywood, East Side houses leased by RKO from M. & S.

The arbitrators' award is viewed as a "complete victory" by the lessors, and by RKO as "further complicating an already confused situation." While

(*Continued on page* 8)

Arthur Willi to Be Radio Talent Scout

Arthur Willi, chief vaudeville booker for the RKO circuit in the east, on Monday joins Radio Pictures as talent scout, succeeding Richard A. Rowland, who resigned several months ago to rejoin M-G-M on the coast.

Willi is very well known and has been with the Keith organization, predecessor to RKO, about 20 years. He will make three trips to the coast contacting the studios on talent, but will make his headquarters here.

Bill Howard, who has been handling talent for RKO theatres in the west, becomes general manager of the RKO Vaudeville Booking Corp. Danny Freundlich will be assistant to Howard, who, like Willi, has been with RKO and its affiliates for many years.

RKO Radio Reelects Aylesworth, Kahane

M. H. Aylesworth was reelected chairman of the board, and J. R. McDonough, president, of RKO Radio Pictures, Inc., at a meeting of the board held yesterday.

All other officers of the company were reelected. They are B. B. Kahane, Ned E. Depinet and Herman

(*Continued on page* 8)

Bellman Will Head Merged Exchanges

With the merging of Jack Bellman's Hollywood exchange in New York and Herman Gluckman's Majestic

(*Continued on page* 4)

No Changes in Loews' Duties When They Leave Directorate

Nicholas M. Schenck informed *Motion Picture Daily* yesterday that decision of Arthur and David Loew to resign their directorships in the company bearing their family name will in no wise affect their active duties with Loew's, Inc. Arthur is in charge of foreign sales for M-G-M and David is an executive in the film booking department of the parent and theatre company.

David yesterday explained the step was determined upon in order to relieve him and his brother the responsibilities which go with directors' posts. He also covered the ground included in Schenck's statement that no change in point of active duty is contemplated. Arthur also is first vice-president of Loew's, Inc., and a director of M-G-M. David is a director, as well, in the latter corporation.

There was no indication of the attitude of the Loew board which will meet July 3 to act on the double resignations which will then be before it for action.

Predict That Ascap Case Will Be Pushed in Autumn

The government suit against the American Society of Composers, Authors & Publishers will be prosecuted "vigorously" when trial is resumed in Federal district court here Nov. 4, it was stated by an official source yesterday in reply to reports that the Ascap prosecution would be abandoned by the government.

The Department of Justice and the Attorney General's office regard the government's case against Ascap as "a very strong one," it was said. "Powerful evidence" against Ascap is in the government's possession and the belief that it would be bad strategy to bring out this evidence just prior to an adjournment of the trial for the summer, induced the government to seek the adjournment last week rather than wait until July 1, it was said. If the government disclosed what it regards as its most telling evidence at this time, it was pointed out, Ascap would have the three months of the summer adjournment in which to prepare its defense and counter testimony.

The reports that the government

(*Continued on page* 8)

Midwest Ideas At Odds Over Code Outlook

Missouri and Kansas opinion is at odds over the question of a voluntary code. Fred Wehrenberg, head of the M.P.T.O. unit is for it and also for some modified form of arbitration.

Jay Means and others in Kansas City say it would be impossible to enforce a voluntary setup. They agree, however that some form of arbitration is needed.

Wehrenberg Favors Test

ST. LOUIS, June 25.—The industry should have a voluntary code that is fair and reasonable to producer, dis-

(*Continued on page* 6)

Texas Circuit Heads, Indies Against Code

DALLAS, June 25.—Circuit heads and independents agree they don't want a code in this territory. It makes no difference to them whether it is voluntary or otherwise; they're against it.

R. J. O'Donnell says he doesn't see how a voluntary code could be made to work and Col. H. A. Cole, Allied head, says one would be impossible.

O'Donnell says his company will continue code standards on wages and hours, but that's as far as his interest goes.

"If the NRA code, backed by the

(*Continued on page* 6)

Fox and 20th Century Pact Set This Week

Papers Are About Ready; Product Talks Due

Papers concluding the deal whereby 20th Century joins Fox in the new producing-distributing company to be known as Fox-20th Century are expected to be signed this week. George Cohen of Loeb, Walker & Loeb is representing 20th Century while Bert Nayfack is acting for Joseph M. Schenck. Fox has its own attorneys.

Early next week, S. R. Kent, Schenck, Darryl Zanuck, William Goetz and Cohen will leave for the coast for conferences on the new product lineup. Goetz definitely will continue as executive assistant to Zanuck under the new arrangement. The number of pictures Zanuck will contribute to the 55-60 planned by Fox-20th Century, while reported to be from 10 to 12, will be definitely determined at the coast confabs.

The Zanuck group will be sold separately.

Anticipate Market For Para.'s Issue

A market for Paramount stock subscription warrants is anticipated by the company, it is stated in a letter of instruction to stockholders on the transfer of old securities for new. Under the Paramount reorganization plan each share of old stock is exchangeable for ¼ share of new common of $1 par value per share and the right to subscribe before Aug.

(*Continued on page* 4)

Study of A. T. & T. To Consume Months

By BERTRAM F. LINZ

WASHINGTON, June 25.—No important developments in the Federal Communications Commission's investigation of A. T. & T. are to be expected before next year.

For the next six months, accountants and engineers of the commission will

(*Continued on page* 4)

Operator Picketing Arouses Mayor's Ire

Declaring that the local picketing situation was "disgraceful and nasty" and holding that the labor controversy could be ironed out, Mayor LaGuardia

(*Continued on page* 6)

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British CEA Urges Slashes in Rentals

CARDIFF, WALES, June 25.—The general council of the Cinematograph Exhibitors' Assn. at a conference here today passed a resolution urging a general reduction in rentals with a top limit of 40 per cent on percentage pictures.

It also decided to instruct the rules committee to frame amendments to the association's regulations to permit action against members who do not abide by resolutions. This means expulsion.

Rentals, it was insisted, are going beyond exhibitors' ability to pay.



Insiders' Outlook

By RED KANN

SPECULATION in large doses prevails over the resignation of Arthur and Dave Loew as directors of the company which bears their family name. Arthur is cruising on the blue waters of Lake Champlain; Dave says the reason ties in with a joint desire to relieve themselves of the responsibilities which couple with directors' jobs. Somewhat understandable straw in the wind: Arthur's once-expressed ambition to drop films for Wall Street brokerage. Somewhat conflicting straw in the same breeze: Dave's close association with Nick Schenck. Reminder of another day: That previous occasion, several years old now, when Arthur resigned from Loew's directorship and vice-presidency alike, only to be brought back into the fold by inside conferencing. Possibility: That the Loew directorate may refuse to accept the defections when it meets on July 3. . . .

▼

To those theatre operators who wonder why Hollywood does some of the things it does, there is the tale to be told about "The Informer," a grand production effort, rich in drama and bite, but admittedly tough to sell to the average American audience. The picture cost about $250,000 to make. Radio's foreign legion, now sprawled throughout half dozen New York hotels, is excited about it for its territories. So excited, in fact, that expectancies on world gross run as high as $750,000. This merely emphasizes again the observation that pictures today are made with at least one eye on overseas possibilities, for this industry never had more need to understand how truly international its scope must be. Unless foreign revenue is safeguarded and increased, the rental level in the domestic market will rise to a peak which would make current prices anaemic by comparison. . . .

▼

Week-end fun: The place was Nick Schenck's at Great Neck. The guests included Joe Schenck, Louis B. Mayer, Darryl F. Zanuck, A. C. Blumenthal, Sid Grauman and Ben Goetz.

To Grauman: "Sid, why don't you enter the agency business?"

Zanuck: "Sure, Sid. The first thing to do is go over to Metro and make Gable and Crawford dissatisfied. When you've done that, get in touch and I'll sign them for 20th Century."

Mayer: "That's swell. You're making great progress, Sid. You've only been in the agency business two minutes and already you're barred off the Metro lot." . . .

▼

Latest contribution to the cause of word quibbling comes from Hollywood and Nat Levine. "Our (Mascot) merger with Republic does not mean in any way that this organization will lose its individuality. We are convinced that together we will move forward to the front ranks of the industry." Mascot may not lose whatever individuality it may possess, but definitely does it lose its name when the current season washes out. . . .

▼

If there should be those among you who are curious about the paramount facts as they concern "Watty" Rothacker, here they are: Rothacker is friend, advisor and counsellor to John Edward Otterson who may be expected to take no steps, make no decisions on Paramount production without turning to the Chicagoan for his opinion. . . .

▼

A big one—story and deal around the corner. Not the elusive corner where prosperity supposedly is lurking, however, but much closer. It has to do with a change in ownership of a large company.

You're wrong. This has nothing to do with RKO. . . .

▼

Query: "What's happened to Manny Cohen?"

Bob Goldstein: "He's The Forgotten Man-ny."

British Lion Talks Of Doubling Output

British Lion may double its new season production schedule if expansion plans for the company in which N. L. Nathanson and Lord Beaverbrook figure are consummated, Sam W. Smith, managing director of the company, who is here on a business visit, said yesterday. Under the plans, Nathanson might spend a definite part of the year in London.

The arrangements in prospect, however, would not be concluded until Smith's return to London in about 10 days or two weeks. The company is enlarging its studios now and, if the expansion plans are carried out, will be prepared to produce about 20 features next season, some of which will be designed for the American market in particular, Smith said.

Negotiations for British Lion distribution of Republic product in England are under way now between Smith and Norton Ritchey, Republic foreign sales director. Ritchey said yesterday that distribution proposals from other British companies were also under consideration.

Discuss Exchanges' Sales Levy Status

Conferences to determine whether or not film exchanges here are subject to the city sales tax will be inaugurated in the near future with the city comptroller, it was decided recently at a meeting of the M. P. P. D. A. legal committee. If no agreement can be reached, the issue will be tested legally in state court, it was said.

Distributors contend that the exchanges can not be subjected to the city sales tax as film is leased to theatres and not sold.

Big Crowd Expected At Lichtman Lunch

A record crowd is expected to attend the Ampa luncheon Thursday at the M. P. Club in honor of Al Lichtman, soon to be elected head of U. A. The committee promises many surprises in the form of entertainment with many Broadway personalities and stars in attendance.

Prominent figures in the industry who have already made reservations include: H. J. Yates, Felix Feist, Jack Cohn, W. Ray Johnston, James R. Grainger, George Schaefer, Neil Agnew, Arthur Lee, John C. Flinn, Jules E. Brulatour, Herman Robbins, Harry Thomas, Ned E. Depinet, Jules Levy, Phil Reisman, James Loughborough of the Federal Housing Administration, E. C. Grainger, C. E. McCarthy, C. C. Pettijohn and the following RKO foreign representatives; Harry Leasim, Paris; E. D. Leishman, England; Carl Wallman, Denmark; Max Bosman, Belgium; Ralph Hambury, London; Louis Lezama, Mexico; Nicholas Cazazis, Roumania; Joost Smit, Holland, and Pierre Lelong, France.

Jack Alicoate will act as master of ceremonies at the luncheon.

Toeplitz to Detail His New Lineup Soon

By BRUCE ALLAN

LONDON, June 25.—Ludovico Toeplitz will announce his new program within the next two weeks, it was stated here today, and will also reveal the identity of the new company through which he will distribute, both here and in America. Toeplitz's last production was handled abroad by G. B.

Toeplitz has signed Maurice Chevalier for a role in "The Beloved Vagabond," which will be adapted from the W. J. Locke novel, with production scheduled to start in December.

Abe, Julius Stern Here on Way Abroad

Abe and Julius Stern, pioneer comedy producers and for years with Universal, are both in town preparatory to sailing on the *Ile de France* the end of the week. They are heading for London where they are seriously contemplating entering feature production.

No Bowes Successor Yet

No successor to Major Edward Bowes as vice-president of M-G-M has been named since Bowes resigned several months ago.



★ Held Over in its first 20 BIG opening engagements!

★ Business equals "Chained" which played last Fall! Wow!

★ "NO MORE LADIES" is the season's merry life-saver!

★ Just an old M-G-M custom—HITS when you need 'em!

★ Nice work JOAN CRAWFORD—ROBERT MONTGOMERY

★ Some Cast! Charlie Ruggles, Franchot Tone, Edna May Oliver

★ "Public Hero No. 1" doing swell—and now "NO MORE LADIES"

★ *This* season—*next* season—*any* season. M-G-M's the answer!

Anticipate Market For Para.'s Issue

(Continued from page 1)

30 at $2 per unit for a unit of an additional ¼ share of common and 1/5 share of new second preferred of $10 per share par value.

If security holders do not wish to exercise their subscription rights they may obtain a subscription warrant which will be transferable, the letter states, and will be valid until Aug. 30. These warrants may be sold if the anticipated market for them materializes.

Percy H. Johnston, chairman of the Chemical Bank & Trust Co., and a member of the Paramount board, testified at a Federal court hearing on the Paramount reorganization plan last December that he believed there would be a market for the subscription warrants. The question of whether or not the warrants would have market value was disputed during the hearings on the plan.

Italians Keep Fees; Relax Import Rules

ROME, June 25.—The Italian government had decided to continue the 25,000 lire dubbing fee on all imported films, it was learned here recently. As in the past, all dubbing must be done in Italy. In addition to the dubbing fee, a censorship tax has been levied on all imported pictures. In the past this tax was included in the dubbing fee.

The rules governing the importation of films had been up for discussion for some time in government circles, it was also revealed, and after heated discussions it has been decided to divide the year into quarters and to permit importing companies to bring in the same number of pictures per quarter as they did in the entire year of 1934.

Jerseymen Will Act On Pooling Tuesday

Definite action on the plan to pool New Jersey theatres into one large independent circuit will be taken at a special meeting next Tuesday. About 15 exhibitors from across the Hudson met yesterday with Leon Rosenblatt at the Lincoln to discuss the plan. Some were in favor and others asked for more time until they consulted Sidney Samuelson, president of Allied and the New Jersey unit.

New York independents are slated to confer today at the Astor on a similar plan. Milton C. Weisman is supposed to have prepared a plan for the I. T. O. A. men interested.

However, the consensus of opinion in independent circuit quarters is that neither of the plans will go through.

Court Test Set on Detroit Bank Night

DETROIT, June 25.—A court test on the legality of screeno and bank nights looms here. Jacob Schreiber, owner of the Colonial, has obtained an injunction in Circuit Court, restraining police and investigators of the prosecutor's office from interfering with the games played in his theatre four nights a week. Hearing has been set for Friday before Judge Joseph Moynihan.

Purely Personal

MORTON DOWNEY, BORRAH MINEVITCH, SYLVIA FROOS, NICK LUCAS, GERTRUDE NIESEN, ABE LYMAN, FRED WARING, RUTH ETTING, PAUL WHITEMAN, JESSE BLOCK, EVA SULLY, JOE PENNER and JACK DEMPSEY have been invited to attend the opening of "In Caliente" tonight at the Strand.

•

JOSEPH M. SCHENCK is now possessor of a gold cigarette case on which is engraved names of leading U. A. executives. The presentation took place at a private luncheon at the Ritz yesterday. SCHENCK and AL LICHTMAN made speeches.

•

BOB GOLDSTEIN, the "saloonatic," is entertaining in the big manner these days. The family tribe has descended on New York from Los Angeles, the delegation including BOB's mother, two sisters and two brothers, LEONARD and "SPUD."

Quip of the Day

Having made "Let 'Em Have It," Ben Goetz ups to remark Reliance is figuring on a sequel called "Make 'Em Like It."

MAX REINHARDT, who recently completed "A Midsummer Night's Dream" for Warners, arrives in town Saturday morning from the coast and sails the same day for Europe on the *Ile de France.*

•

CLARENCE BROWN, M-G-M director, is in town. He's going to see a few plays and then take a swing through New England before starting "Ah, Wilderness."

•

NINA MAE MACKINNEY, co-starred with PAUL ROBESON in "Sanders of the River," will be interviewed by BIDE DUDLEY over WOR tonight.

•

WILLIAM RAYNOR and RUSSELL COHEN of Parco leave for Philadelphia today to attend the opening of the Quaker City branch.

•

FRANK MCCARTHY, JACK SCHLAIFER, JOE VERGESSLICH and JIM MULVEY combined for luncheon at the Tavern yesterday.

•

MRS. LIONEL BARRYMORE is in from the coast. She's at the Warwick.

S. S. CRICK, in charge of Australia for Fox; CLARENCE HAKE, Japan; CARL NEILSON, Scandinavia; and P. N. BRINCH, Germany, sail for home this week. The foreign contingent attended the Chicago convention and have been vacationing since.

•

GORDON DOUGLAS who directed the winners in the Loew-*Mirror* contest in "Lucky Beginners" left yesterday for the coast on the Century to assist with the production of HAL ROACH'S "Our Gang Follies of 1935."

•

HARRY CHARNAS, who admits he's not much at golf, licked Insurance Man CHARLES ROGERS at Progress over the week-end with complications for the future which may not be easy to dope out.

•

LOUIS B. MAYER, BEN GOETZ, LEONARD GOLDSTEIN and HOWARD STRICKLING are among the coast visitors who travel west today by special plane.

•

MARK KELLY, sports editor of the *Los Angeles Examiner* and widely known to the film colony in Hollywood, today flies back after the Louis-Carnera fisticuffs last night.

•

JAMES P. CLARK, president of National Film Carriers, arrived from Philadelphia last night to attend the fights.

•

LEWIS SEILER, Fox director, left for the coast yesterday. He has been doing research work here on "Police Parade."

•

WILLIAM SCULLY is on a tour of M-G-M exchanges under his supervision.

•

SID GRAUMAN mopping a perspiring brow in the elevator at 729.

•

. . . Baltimore

JACK WHITTLE, proprietor of the Avenue, is supervising the installation of a cooling system.

EDWARD CONVERY, promotion manager of the *Baltimore News-Post-American,* says over 4,000 girls have entered the beauty contest conducted by those newspapers and the New Theatre, of which MORRIS A. MECHANIC is president to select two winners for a trip to Hollywood.

Morris Quits Universal

HOLLYWOOD, June 25.—Chester Morris' contract with Universal was dissolved by mutual consent today and the actor was immediately signed to a long termer by M-G-M. He had completed three for Universal and had three more to go.

Zukor Eulogizes Gardel

"The screen, stage and radio has lost a truly great and beloved artist through the untimely death of Carlos Gardel," Adolph Zukor, chairman of the board of Paramount, said yesterday. Gardel was killed in a plane crash in Colombia late Monday.

Mack Gets N. H. Post

W. A. V. Mack, former G. B. salesman, has been put in charge of the New Haven exchange by George W. Weeks, general sales manager. He succeeds Harry Roble, resigned.

Loew's Not in New Spot

Reports Loew's was interested in the new theatre or theatres to be constructed on the New York and Criterion sites were denied by circuit officials yesterday.

Loew's operated the New York, which it replaced by taking a 10-year lease on the Mayfair.

Theatre Loses Libel Suit

LOS ANGELES, June 25.—The Angelus Mesa Theatre Corp., representing the Leimert, yesterday lost its $180,000 libel suit against the Union Labor Council Ass'n on a motion for non-suit brought by the defendant. The court ruled there was insufficient evidence.

Dent Gets "Speed Devils"

J. H. Hoffberg has closed a deal with Arthur Dent of B. I. P. whereby the latter will handle the release of "Speed Devils" in England.

Bellman Will Head Merged Exchanges

(Continued from page 1)

branch here on Monday under the new name of Republic, Bellman will be general manager of the combined office.

The deal whereby Bellman's Philadelphia exchange was to be merged with Gluckman's Quaker City office fell through recently when Nat Levine, head of Mascot, became a factor in the Republic setup. John Golder, who controls the financial interest in the Hollywood Philadelphia unit, was all set to join the Republic national system when it was finally decided to bring in Mrs. Anthony Luchese's Gold Medal exchange.

Levine is understood to have insisted on inclusion of Gold Medal. The Mascot head is also understood to have said that the only way he could liquidate outstanding indebtedness presumably incurred by Gold Medal was by bringing it into the deal.

Golder and his brother Ben, an attorney, have been making numerous trips in an effort to settle the Hollywood dispute. Bellman's Albany, Buffalo and Washington branches are not included in the Republic setup for the time being.

Papers were signed yesterday on the Hollywood-Majestic deal. Nathan Burkan represented Gluckman and Louis Nizer acted for Bellman. Gluckman continues as supervisor of Republic in the local area. Tony Luchese passed away some months ago and his wife has been operating the Gold Medal exchange since then.

Study of A. T. & T. To Consume Months

(Continued from page 1)

be engaged in a survey in the field, in the course of which they are expected to gather information from all parts of the country on all phases of the company's activity, including the sound equipment field.

Investigations of the magnitude of that now under way require many months. Following the physical gathering of the data, it will be necessary to collate and analyze it, after which, it is anticipated, the commission will begin the hearing of testimony.

Rites for R. W. Minkley

DETROIT, June 25.—Funeral services for Rex W. Minkley, 52, for years employed by the Gorge W. Trendle interests, who died last Friday following an operation, were held Monday. Burial was at Fowlerville, Mich.

Minkley was manager of the State when it opened. Later he was transferred to the Royal Oak, when that house was in the Publix group. After that he managed the Madison and about two months ago was transferred back to the State. He is survived by his widow and a son and daughter.

Shift in "U" Force

MILWAUKEE, June 25. — George Levine, for years Universal's exchange manager here, is out in a surprise upset. He is succeeded by Saul Resnick, the company's exchange manager in Cleveland.

CLEVELAND, June 25.—Dave Miller, who recently rejoined Universal, succeeds Saul Resnick as exchange manager here.

EVERYBODY
who is anybody will be there

Mr. Lichtman's official cabinet represented by Joe Moskowitz, Arthur Kelly, Harry Buckley and Harry Gold will be there.

• • • • •

Arthur Dent, of Alliance Films, Ltd. will make his last public appearance among us before sailing for Merrie England.

• • • • •

A large RKO delegation will be there, including Ned E. Depinet, Jules Levy, Phil Reisman, E. D. Leishman of England, Harry W. Leasim of France, Carl Wallman of Sweden, Ralph Hanbury of England, Max Bosman of Belgium, Luis Lezama of Mexico, Nikolas Cazzasis of Roumania, Joost Smit of Holland, and Pierre Le Long of France.

• • • • •

The inimitable "Jimmy" Loughborough of the Federal Housing Commission at Washington will explain commission possibilities as regards picture theatres.

• • • • •

Earle Hammons will be there . . . so will Martin Quigley, E. C. Grainger, C. C. Pettijohn, Felix Feist, Jack Cohn, W. Ray Johnston, Jimmy Grainger, George J. Schaefer, Neil F. Agnew, Arthur Lee, John Flinn, H. J. Yates, W. J. German, Herman Robbins, Sam Dembow and Harry Thomas.

• • • • •

Everybody who is anybody is sure to be there. . . .

Monster Rally
winds up Summer Meetings
AMPA

★

AL LICHTMAN
New President, United Artists
Guest of Honor

★

Jack Alicoate
will make Film Daily Golf Tournament awards

★

Bob Howard
famous colored singer will lead the entertainment

Motion Picture Club - Thursday, June 27, at 12:45 P.M.

Midwest Ideas At Odds Over Code Outlook

(*Continued from page* 1)

tributor, exhibitor and employes. Tersely that sums up the consensus of views in these parts of big and small exhibitors and others in the business. They feel that some of the provisions of the NRA the industry can well do without, but there are others of the old rules and regulations that should be retained and universally obeyed, they contend.

Fred Wehrenberg, president of the M.P.T.O. unit is strong for a voluntary code with provisions for an arbitration board to settle within the industry those disputes that will always bob up.

"So far as it is possible the provisions of the old code should be retained," he said. "Generally speaking the wages and working conditions of the code in so far as they relate to the service staff—such as ushers, cashiers, ticket takers, janitors, etc., should be retained without change. We here in St. Louis feel that we have been paying rather high wages to our organized workers, such as the projectionists. At present we have negotiations under way for the usual summer reduction in pay of the projectionists. Union leaders have countered by expressing the belief that their wages should be increased. However, I believe we can get together as we have in the past.

Favors 20% Cancellation

"I am especially strong for a 20 per cent cancellation clause under a voluntary code. There should also be some machinery to prevent unfair trade practices, such as bank nights, two-for-ones, transportation refunds and other things that lead to cutthroat competition.

"There should be some voluntary board to function along the same lines as the grievance and clearance and zoning boards under the NRA code to iron out differences that may arise and to enforce picture contracts, etc."

The response that Wehrenberg has received from a questionnaire he sent out several days ago concerning the advisability of setting up an exhibitor-exchange arbitration board have indicated that practically all exhibitors in this section feel something of the kind should be worked out. They are not in favor of a board of the type of the old Film Board of Trade, but are strong for a 50-50 arrangement that will assure a fair hearing to anyone—exhibitor or distributor—who feels that he has a just grievance.

"Code No Good," Says Means

KANSAS CITY, June 25.—"The code was no good when backed by Federal power; I don't see how it could be any good on a voluntary basis," comments Jay Means, operator of the Oak Park and Bagdad, and president of the I. T. O.

"The 10 per cent chiseling fringe can control any voluntary setup of this kind." he says.

"So far as arbitration is concerned, any fairly constituted board with final authority and with power to enforce its decisions would be okay in the settlement of differences between exhibitors and distributors, but I don't want any more of this kangaroo court stuff."

"The voluntary code, in my opinion, could not be enforced," believes Barney Joffee, manager of the Tower, only first run independent in Kansas City.

"However, exhibitors and distributors will always have disputes, and some form of arbitration is essential."

Myers Sees Way Clear

BOSTON, June 25.—The way is clear for substitute code boards, but independents must be equitably represented or Allied will not be interested, Abram F. Myers, general counsel of the exhibitor organization, told a meeting of independent exhibitors here today.

Myers said there must be no domination by producer-owned circuits, urging exhibitors to fight for the Pettengill anti-block booking bill and to aid in spiking allegedly false propaganda being issued by producers.

Wall Street

Eastman Leads Gain on Big Board

	High	Low	Close	Net Change
Columbia, vtc (c1)	64⅜	62½	64	— ⅜
Consolidated	3½	3½	3½	.....
Cons. pfd (1¼v)	14⅝	14⅝	14⅝	— ¼
Eastman	146	145	145	—1
Fox "A"	14⅝	14⅜	14⅝	.....
Loew's	41½	40½	41	— ¾
Loew's, pfd	106¾	106¾	106¾	— ¼
Paramount	4¼	4	4⅛	— ¼
Pathe	⅝	⅝	⅝	.....
Pathe "A"	9½	9¼	9¼	— ¼
RKO	2⅛	2	2⅛	.....
Universal, pfd	30½	30½	30½	—1⅛
Warner	4⅛	3⅞	4	— ⅛
Warner, pfd	25	25	25	+ ¼

Technicolor Off on Curb

	High	Low	Close	Net Change
Technicolor	22⅜	21½	21¾	— ⅛

Paramount B'way Bonds Gain 1¾

	High	Low	Close	Net Change
Keith B. F. 6s '46	80½	80¼	80¼	— ½
Loew's 6s '41 ww deb rights	104	104	104	.....
Paramount B'way 5½s '51	60½	58½	60½	+1¾
Warner Bros. 6s '39 wd	65½	64½	64½	—1¼

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 25)

Tax Will Close "U" Reel to Ohio Events

CINCINNATI, June 25.—In retaliation for the bill passed by the General Assembly raising the censorship fee from $1 to $3 for each 1,000-foot reel no more newsreel shots will be made of events occurring in Ohio, according to a telegram from the Universal home office in New York received today by Ralph Lembeck, local cameraman for the company.

It is expected this action will raise a protest from Ohio exhibitors which will force abandonment of the levy entirely on newsreels. Newsreels, which had been exempt from censorship, were recently reinstated by Attorney General John W. Bricker.

Bookers here predict the tax will reduce the number of prints for Ohio showings, thus retarding distribution.

Newman Is Back in L. A.

LOS ANGELES, June 25.—Steve Newman, I. A. T. S. E. representative for the Los Angeles district, returned here today from the organization's executive meeting in St. Louis.

Auto Giveaway Now Big Denver Battle

DENVER, June 25.—The battle of auto giveaways between theatre groups has broken out again in Denver. Harry Huffman has given away 58 Fords, starting as an every-other-week affair, but later every week. He uses his eight theatres with a phone and loudspeaker hookup. Before the code came in Huffman had as competitors in the auto giveaway 13 other houses, which gave one car a week. Later they stopped, and Huffman has had the field to himself for many months.

Seven houses, controlled by four companies, have started a weekly Plymouth giveaway. They include a first run, the Denham; two Fox houses, the Mayan and the Webber; two Publix houses, the Federal and the Rex; and two owned by a local company, the Ogden and Hiawatha.

Rockefeller Gift to Aid Film Collection

Through a gift from the Rockefeller Foundation, said to be in the neighborhood of $100,000, the Museum of Modern Art has founded a film library and has started collection of films ranging far back into the early silent days.

The library will be in charge of John Abbott, husband of Iris Barry, the museum's librarian. Abbott plans to hold screenings of the old films as well as new and experimental ones as often as possible. He also plans to tour the country, screening old-timers like "The Birth of a Nation," "The New York Hat" with Mary Pickford and Lionel Barrymore and "Blind Husbands" which Eric von Stroheim made in 1919.

Besides the Rockefeller Foundation, it is reported that John Hay Whitney, president of Pioneer, is interested in the new library.

Operator Picketing Arouses Mayor's Ire

(*Continued from page* 1)

yesterday met with representatives of Local 306, Allied and Empire and introduced Frank Tichenor, publisher of *Outlook*, as his representative for future conferences.

Another session is slated for next Tuesday. Frederick E. Castle, business manager of Local 306, and Richard Walsh, fourth vice-president of the I. A. T. S. E., attended yesterday's session.

Local 306 members are willing to fight Allied and Empire to a finish. Harland Holmden, in charge of the local under the international's supervision, will call a general meeting of the membership on his return from St. Louis where he has been meeting with the general executive I. A. T. S. E. board. At this meeting, proposals adopted in St. Louis in connection with Local 306 will be put before the body.

Fishman in Hospital

NEW HAVEN, June 25.—Dr. J. B. Fishman of Fishman Theatres, president of Connecticut M.P.T.O., is in New Haven Hospital, where he underwent a successful thyroid operation today. Dr. Fishman has been forced to cancel his contemplated trip to Europe.

Louis Schaefer, manager of the Paramount, is ill from the grip.

Texas Circuit Heads, Indies Against Code

(*Continued from page* 1)

Federal government, couldn't stop duals, giveaways, lotteries, etc., a voluntary code couldn't," he says. "Interstate is not interested in any voluntary code or any system of arbitration."

Col. Cole is just as emphatic. "The provisions of any voluntary code would be dictated by the dominant interests," he says, "and therefore would be contrary to the interests of small exhibitors."

The old arbitration system, he said, degenerated into a scheme for monopolizing playing time and for enforcing contracts against the small man.

Don Douglas, executive of the R. & R. Circuit and former secretary of the Film Board of Trade and code boards, can see little use for a voluntary code. Small exhibitors throughout the state are prone to place their reliance in court actions.

Since the code was abandoned giveaways and other box-office stimulants have spread. Interstate has gone in for screeno, bank nights, cash nights and other stunts in spite of the fact that O'Donnell says he is opposed to them. He says the circuit will continue their use until some general agreement is reached to stop them. Only three operators here are relying solely upon pictures for their patronage.

Alleged infringements on bank nights have brought former Judge Emmett Thurmon back here from Denver and he is making a tour of the territory for the purpose of checking up.

Fox to End Spanish Production on Coast

HOLLYWOOD, June 25.—With completion of "The Rose of France," last of eight scheduled for this season, Fox will wind up its Spanish production department here.

John Stone, who has been in charge of the Spanish pictures in addition to handling a number of domestic films, will concentrate on the latter type of pictures during 1935-36 under the new company name Fox-20th Century.

Fox Foreign Personnel Shifts

Changes in the foreign personnel of Fox have John Lindsay, formerly sales manager of the Spanish office, promoted to head of the Venezuela exchange. E. F. Lomba, who has been in charge of the Venezuela office, takes over Lindsay's former post.

Ernest Koenig, until recently managing director of the Warner French branch, has joined Fox as assistant to Robert Harley, managing director in Paris.

Discuss Missouri Tax

ST. LOUIS, June 25.—A delegation of M.P.T.O. men headed by Fred Wehrenberg conferred yesterday with State Auditor Forest Smith at Jefferson City in an effort to work out a system of passing the one per cent sales tax on to the public. The new law becomes effective July 27.



Now on the press

BIG

RKO Told to Rate Apollo As First Run

(Continued from page 1)

RKO attorneys said yesterday that they were undecided on what course to take as a result of the decision, they indicated that they would first ask the arbitrators to "clarify" their findings and, if the result was unsatisfactory, they might go to the state supreme court in an effort to obtain a "modification" of the award. They declared that the arbitrators, in directing that the Apollo be operated as a neighborhood first run, were imposing an order that could not be met by RKO without product concessions from Skouras, operators of the Academy of Music.

In addition to operating the Apollo as a neighborhood first run, or day and date with either the Academy of Music or the Jefferson, RKO was directed to designate the house as an RKO or Keith theatre and to exploit, publicize and advertise it the same as any other RKO first run. The arbitrators also directed that the Hollywood be operated as a second run following the Apollo or as a neighborhood first run. Another alternative given RKO by the arbitrators would permit it to operate the Hollywood as a subsequent run on giving 30 days' notice to the lessors of such an intent. In this event the lessors would be permitted to terminate the lease on the first of the month after receiving notice.

$25,000 of Total to Apollo

The damages are designated in the amounts of $25,000 to the Apollo and $20,000 to the Hollywood. The arbitrators were Robert McC. Marsh, George W. Retz and Maurice Deiches. They granted leave to open or modify the awards only in case of a "substantial change of circumstances during the term of the leases" on the two houses.

Max D. Steuer and Bernard Fliashnick were counsel for M. & S. Cravath, de Gersdorff, Swaine & Wood represented RKO. The arbitration hearings opened last February and after numerous postponements were concluded early this month. The cost of the arbitration, which under the theatres' leases is to be shared equally by RKO and M. & S., is said to have exceeded $50,000. M. & S. contended that the leases were breached by the operating policies maintained by RKO to the detriment of the earning powers of the theatres, and that financial damages resulted. It was contended at the hearings that RKO failed to play the same product at the Apollo on the same basis as in its other first runs because of an agreement entered into by Loew's and RKO last year under which Loew's relinquished to the latter Fox and Universal product, which solved a picture supply problem for RKO. The Apollo and Hollywood compete with Loew's Delancey and Avenue B.

Roxy Suit on Sept. 9

Hearings before Sol Stroock, referee, on the suit of the Chicago Title & Trust Co. to recover $1,000,000 from William Fox for alleged defaults in redemption of Roxy Theatre stock, will be resumed Sept. 9 and will probably be concluded by Oct. 1, it was said yesterday by attorneys engaged in the case. The hearings were begun about a month ago and adjourned last Friday for the summer.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Hardrock Harrigan"

(Lesser-Fox)

Hollywood, June 25.—George O'Brien, teamed with Fred Kohler a la McLaglen-Lowe, scores in this departure from his usual outdoor roles. The pair is tough construction bosses on the Boulder Dam job, friendly enemies of long standing, staunch adherents of the hard rock code—if you lick your superior, you get his job.

Kohler outranks O'Brien on the job. From the start a clash between O'Brien and Kohler is inevitable. On the date set for the match O'Brien is buried in a cavein and Kohler, at great personal risk, digs him out. Before the fisticuffs a doctor informs O'Brien about Kohler's heart ailment and tells him the tussle may prove fatal. O'Brien, refusing to fight, is branded a coward, but is cleared when Kohler learns the truth.

Irene Hervey serves well as the love interest, although the picture centers upon men and the impressive Boulder Dam background.

The production is one of Sol Lesser's best and the photography of the great engineering effort by Frank Good is a pictorial delight. David Howard turns in a first rate directorial job from a workmanlike screen play by Raymond Schrock and Dan Jarrett. A musical arrangement by Hugo Riesenfeld is effective. The picture should please all steady O'Brien fans and add many new ones.

Previewed without production code seal. Running time, 62 minutes. "G."

Looking 'Em Over

"Her Song of Love"

(Realart)

This British film, a Butcher production, has an attractive musical content to which the recording seemingly fails to do full justice. It is unfortunate that at times the sound is not of the best because the lyrical interludes are the chief asset of the picture. For the rest it is a sad love tale of familiar timber with an old-fashioned air about it and acted with little imagination in several of its roles. The film makes a strong play for the sentimental with no great success.

Old-timers may be attracted by Vesta Victoria's singing of "Waiting at the Church," a tune she made famous in her hey-day. Younger people should derive some satisfaction from the singing of Jean Adrienne and Derek Oldham, D'Oyly Carte Opera Co. tenor, who have the leading roles.

The story is inspired by Gounod's "Ave Maria," which is one of the compositions sung by Oldham. He and Miss Adrienne are betrothed as children in Italy. Grown up, they are both students at the same conservatory. The girl falls in love with a pal of Oldham's, Ronald Ward, son of the head of a British gramophone firm, who is engaged to an English girl. When Oldham realizes how much Miss Adrienne and Ward love each other he bows out. To smoothen things out further for the lovers, Ward's fiancee consents to give him up.

Harry Hughes directed. No production code seal. Running time, 85 minutes. "G."

Daff Says Building Gains in Australia

Theatre building is on the increase throughout Australia, with most of it being undertaken by independent operators, Alfred Daff, Universal branch manager at Melbourne, who is here on a visit to the home office, said yesterday.

Daff related that during the past two years independently operated theatres in the Melbourne area increased from five to 27. Approximately 10 of these represent new construction, he said. Daff reported that with Australia practically clear of the depression at this time, admissions had been maintained throughout the slump at an established 25-cent minimum, which applied in subsequents as well as first runs. He said the minimum admission policy was made successful through provisions agreed to by exhibitor organizations and then embodied in film contracts. Enforcement of the provisions is left to the exhibitor organizations, he said.

Daff, working under Herc McIntyre, Universal managing director for Australia, supervises a territory which includes Tasmania as well as Melbourne. He leaves for Hollywood Friday for a two weeks' studio visit.

Predict Ascap Case Will Go On in Autumn

(Continued from page 1)

would abandon the suit during the summer were linked with word that Andrew W. Bennett, who has been in charge of the case for the Attorney General, was leaving government practice to join a private law firm.

It is understood that Bennett has had an offer of this kind, but has made no decision on it yet. However, if he accepts it would have no effect on the continuation of the case by the government, it was stated.

Reports also had it that radio broadcasters and exhibitor leaders, said to be dissatisfied with the government's conduct of the case in its first stages, were preparing to reinstate the long-pending anti-trust suit of the Pennsylvania broadcasters against Ascap and have it prosecuted in preference to the government case next fall. Newton D. Baker's law firm is counsel for the broadcasters in this case and exhibitors were said to be prepared to join in the prosecution of it, with George Z. Medalie as their attorney. These reports were emphatically denied in responsible quarters insofar as they concerned the continuation next fall of the government's case. The possibility that such action might be taken in the event the government was unsuccessful in its case, however, was admitted.

RKO Radio Reelects Aylesworth, Kahane

(Continued from page 1)

Zohbel, vice-presidents; Zohbel, treasurer; William Mallard, secretary. W. H. Clark is assistant treasurer and J. J. Nolan assistant secretary. The board meeting was the first to be held following the annual meeting of stockholders last month at which the present directors were reelected. The meeting discussed current and new production matters and transacted routine business.

McDonough and Kahane, who came east following the company's annual sales meeting at Chicago last week, are scheduled to leave for Hollywood today.

Fay-RKO Providence Pool Is About Ready

Pooling arrangements between RKO and Ed Fay for the joint operation of five Providence theatres have been completed with the papers now in the hands of attorneys. The deal will become effective before Sept. 1.

Involved in the pool are RKO's Albee and Victory and Fay's Majestic, Carlton and Fay's.

RKO Men to Confer Here

Cliff Work, RKO western division head, arrives from San Francisco on Monday for conferences with home office executives on summer operating policies. Nat Holt, Cleveland and Columbus division head, gets in from Cleveland on Tuesday for similar confabs.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 150 NEW YORK, THURSDAY, JUNE 27, 1935 TEN CENTS

See Possible British First National Plan

Idea Comes Up at C. E. A. Convention in Wales

CARDIFF, Wales, June 26.—The possibility of a British First National along lines pursued by that original company in America entered the deliberations of the Cinematograph Exhibitors' Ass'n. summer conference here today.

It developed following a paper titled "The Future of the Films Act," authored and delivered by Simon Rowson, in which he stressed what he envisioned as a steadily dwindling number of major American producers and declared that but for the Films Act and the British production indus-

(*Continued on page 7*)

Court to Approve U. A. Stock Sale

WILMINGTON, June 26.—Chancellor Josiah O. Wolcott in Chancery Court here today indicated he would approve the sale by the Art Cinema Corp. of a block of 1,000 shares of United Artists Corp. capital stock it owned. The stock is to be sold to U. A. for $650,000.

An order authorizing the sale is

(*Continued on page 10*)

Lichtman Leaves for U. A. Meet June 30

Al Lichtman, who will be elected president of United Artists on July 1 when the stockholders meet on the coast, leaves by train for Hollywood Sunday to complete convention arrangements with Monroe Greenthal. Hal Horne will most likely accompany him.

About 150 branch managers, salesmen and office managers will attend the five-day meet which opens at the Ambassador on July 8. A special train will leave July 4 from New York with home office and eastern sales executives. Boston and New England sales forces will be picked up at Albany.

Feature Cartoons On Disney Program

LONDON, June 26.—Walt Disney has revealed here that he will produce a feature length cartoon every two

(*Continued on page 10*)

Group Named To Study New Industry Code

Voluntary Setup Aim of Former Campi Men

In an effort to retain the satisfactory features of the code, former Campi members and alternates have formed a voluntary industry committee to study the possibility of setting up an all-industry body to act as a clearing house for industry problems.

Code Authority members are of the unanimous opinion that certain features of the code should be maintained, but, having been stripped of their power by the recent U. S. Supreme Court decision, they cannot act with authority.

On the committee are J. Robert Rubin, temporary chairman; Austin C. Keough, Nathan Yamins, Ed Kuy-

(*Continued on page 4*)

ITOA Now Waiting For Weisman Plan

Members of the I.T.O.A. are still waiting to hear from Milton C. Weisman on a proposed plan he was to draft for pooling local independent houses into one large circuit.

The unit, which is operating on a summer schedule, did not meet yesterday. The next session will be held Wednesday.

Theatre Activities Gaining in Midwest

KANSAS CITY, June 26.—Renovations, openings and changes in management are dotting the theatre map in this territory.

Business men have taken over the Booster at Haven, Kan., and have

(*Continued on page 4*)

Heat's Heat

Harry C. Arthur, commenting on St. Louis and Federal indictments, was reminded yesterday the weather has a habit of getting hot in that town.

"No matter how hot it may get in St. Louis, it can't get any hotter for me than it is now," he remarked.

New Tax Hits Only on High Profit Scales

By CLARENCE LINZ

WASHINGTON, June 26.—The effect of the new tax program upon industry will depend entirely upon whether the individual companies are in the black and to what extent.

The new sliding scale of taxes on corporate income will become fully effective only as conditions improve, since the higher rates are imposed upon the higher net incomes.

As proposed to the Senate Finance Committee yesterday, corporations with net incomes of less than $2,000

(*Continued on page 4*)

Kent, Schenck and Zanuck Leave Soon

S. R. Kent, Joseph M. Schenck, Darryl Zanuck, William Goetz and George Cohen plan to leave for the coast either Tuesday or Wednesday. Attorneys for Fox and 20th Century are still working on the contract for merging of the two companies into Fox-20th Century.

Cohen, who is with Loeb, Walker & Loeb, came on from the coast to represent 20th Century on the deal, while Bert Nayfack, local attorney, is representing Schenck.

Sentiment in Cleveland Veers to Voluntary Code

CLEVELAND, June 26.—Responsible exhibitor opinion here leans toward some form of voluntary substitute for code operation. Several leaders are for an arbitration board with powers greater than the old Film Boards of Trade so that all problems up to and including contracts can be handled.

The fly in the ointment is their fear that the proposal will not be adopted unanimously, thereby nullifying enforcement.

"I am heartily in favor of a voluntary code," says M. B. Horwitz, "but I do not think it possible because we can't get 100 per cent of exhibitors to agree. I do not think it would be

(*Continued on page 4*)

Otterson Pact Scheduled for Signing Today

Paramount Board to Act; New Aides Coming In

John E. Otterson's contract as president of Paramount is scheduled to be ratified today at the regular meeting of the board of Paramount Pictures, Inc. The board is also reported slated to act on the election of R. E. Anderson, treasurer of Erpi, to the post of financial vice-president of Paramount. Anderson is expected to resign his Erpi connections in the event he is named to the new Paramount post.

Otterson is scheduled to leave here for the coast late Saturday night or Sunday, stopping off in Chicago for a meeting on Monday with Paramount theatre operating partners. George Schaefer, vice president, and Y. Frank Freeman, Paramount theatre head,

(*Continued on page 7*)

Republic Expands List to 57 Films

Further expansion and new affiliations at Republic since the announcement May 10 of its 1935-36 product result in an enlarged program of 57 features divided in six groups as against the original 46.

The new groups are 10 Republic Gold Medal Specials; 22 Republic Blue Ribbon Winners; five Fast Action Pictures, eight John Wayne Action Dramas, eight Gene Autry Musical Westerns and four Nat

(*Continued on page 10*)

RKO to Appeal Over Arbitrators' Ruling

RKO will apply to the state supreme court next week for an order to vacate the arbitration award handed down Tuesday which directed the company to pay the former Meyer & Schneider circuit $45,000 damages and to operate the Apollo as a neighborhood first

(*Continued on page 10*)

Final Hearing Set Today for Fox Met

Final hearings on the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Metropolitan Playhouses are scheduled for today before Federal Judge Julian W. Mack. With sufficient creditor assents on hand for the ratification of the plan

(*Continued on page 4*)

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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Advertising Manager

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Over 200 Ask Seats For Lichtman Lunch

Over 200 reservations have been received by the committee in charge of the luncheon in honor of Al Lichtman, president-elect of U. A., to be held today at the M. P. Club.

The following executives will occupy seats on the dais: Neil Agnew, Jack Alicoate, Jack Cohn, Ned Depinet, Felix Feist, Bruce Gallup, W. J. German, E. C. Grainger, J. R. Grainger, E. W. Hammons, W. Ray Johnston, C. C. Pettijohn, Martin Quigley, George Schaefer, Harry Thomas and H. J. Yates.

Liberty Outlet Changed

Republic exchanges serving upper and metropolitan New York, New Jersey and Pennsylvania have closed a deal with Liberty Pictures to handle "Dizzy Dames," "Born to Gamble," "The Old Homestead" and "Without Children," Liberty's four latest. Three additional exchanges in Pittsburgh, New England and Ohio and Kentucky will also handle these films with "Sweepstage Annie" replacing "Without Children." The Hollywood exchanges formerly distributed the films.

Yearsley at Warners

C. L. ("Bill") Yearsley on Monday joins Warners home office publicity and advertising staff to handle special work on "A Midsummer Night's Dream," which the company plans to roadshow shortly.

Purely Personal

W. G. VAN SCHMUS, J. R. McDONOUGH, NED DEPINET, JULES LEVY, HERMAN ROBBINS, SAM DEMBOW, CHARLIE PAINE, WILLARD MCKAY, HERBERT YATES, BOB and LEONARD GOLDSTEIN, BILL GERMAN, TED CURTIS, PHIL REISMAN—a few of the celluloid figures at "21" for lunch and things yesterday.

•

HARRY BUXBAUM says he eavesdropped on a conversation James Braddock held with Max Baer at the Joe Louis-Primo Carnera fight the other night. The talk had something to do with the heavyweight champion's next fight.

•

LEE GOLDBERG, First Division franchise holder in Cincinnati, Louisville and Indiana, is in town for a few days and plans to leave for his headquarters in Cincy either Saturday or Sunday. He reports Colonel FRED LEVY is back on the job again.

•

CLARENCE BROWN left for the coast by plane yesterday to confer with studio heads on "Ah, Wilderness." He had planned to look over some New England sites for background shots, but will make the tour on his return.

•

IRVING WINDISCH, exploiteer of Warners' metropolitan theatres, marries BUDDY GELLER tonight at the latter's home in Brooklyn. The couple leave Saturday for a 10-day honeymoon in Bermuda.

•

GEORGE W. WEEKS, G. B. general sales manager, left town yesterday for Buffalo and Detroit. CLINTON M. WHITE, the company's assistant sales head, is visiting Washington and Baltimore.

•

DARRYL ZANUCK and WILLIAM GOETZ strutting down Broadway yesterday afternoon and not bothered by the heat. They were hatless and in good spirits.

•

BELLE BAKER gets in today from England on the *Washington.* She's been working in London for the past nine months.

•

PRINCESS NATALIE PALEY arrives on the *Europa* today on her way to Hollywood to play in Radio's "Sylvia Scarlett."

•

DAVE CHASEN has finished his work at the Radio studios and is driving back east, due in late this week.

•

MOE STREIMER, HERB BERG and PAUL BENJAMIN huddled together at the M. P. Club for lunch yesterday.

•

MAURICE SILVERSTONE, chairman of United Artists Corp. of London, leaves for Hollywood today.

•

HARRY EGERT and JACK GOLDSTEIN of Rex Premiums have returned from the coast by plane.

•

HELEN VINSON has been signed by G. B. for a role in "Transatlantic Tunnel."

•

GEORGE SCHAEFER returned yesterday from Exeter, Mass., where he attended the graduation of his son from Phillips Exeter Academy.

•

HENRY ARMETTA is in town from Hollywood. He's at the Edison.

•

AL FRIEDLANDER is back from a flying trip to Boston.

•

SIDNEY SAMUELSON returned from Boston yesterday.

•

JERRY SAFRON in town from Los Angeles.

•

. . . London

Wardout Street is temporarily shy many of its well known personalities who are now in New York. There are, for instance, E. D. LEISHMAN and RALPH HANBURY of Radio, SAM SMITH of British Lion, ARTHUR DENT of B. I. P.; MAX MILDER and D. E. GRIFFITHS of Warner-First National.

RENE CLAIR and ROBERT DONAT giving the press cocktails and more details of their first production for London Films. Calling it "The Laying of the Glourie Ghost" and starting at Worton Hall immediately.

ERNEST W. FREDMAN poising decision about a trip to New York.

JOHN MAXWELL back on the *Majestic.*

MARTHA WILCHINSKI is visiting from New York, bringing word Roxy is turning eyes toward a theatre berth on this side of the Atlantic.

W.Va. Group Neutral On Pettengill Bill

WHITE SULPHUR SPRINGS, W. Va., June 26.—A neutral stand on the Pettengill anti-block booking bill was taken by the West Virginia Managers' Ass'n at the opening of its annual meeting at the Green Brier here today.

A committee was named to watch the Government's Ascap activities. The organization will urge enactment of a preferred playing time bill similar to Ohio's and fight for tax reductions. The majority of the State's theatres are represented at the meeting.

James C. Shanklin, Charleston, is convention chairman. Sol Hyman, Huntington, is president; William B. Hines, White Sulphur Springs, vice-president; W. H. Holt, Richwood, secretary-treasurer.

Lesser Plans Budget Of $2,225,000 for 10

HOLLYWOOD, June 26. — Sol Lesser will spend approximately $2,225,000 on a program of 10 films within the next year, he announced today. This will be his most ambitious production schedule in his 19 years in the business. Four of the 10 will be George O'Brien vehicles for Fox release. Distribution on the others will be set when they are completed.

Lesser will add four writers to his staff within the next 10 days. A new building to take care of the expansion is under construction at Pathe. Lesser is negotiating for a feminine star for two or more pictures.

Radio Officials Go West

J. R. McDonough, president of RKO Radio Pictures, Inc.; B. B. Kahane, president of RKO Studios, Inc., and Howard S. Benedict, head of the Radio studio publicity department, flew to the coast yesterday.

Seek Registration Of St. Louis Stock

By BERTRAM F. LINZ

WASHINGTON, June 26.—Application for registration on the St. Louis Stock Exchange of 21,245 shares of class A and 29,499 shares of class B stock, all issued, has been filed with the Securities and Exchange Commission by the St. Louis Amusement Co., a subsidiary of Skouras Bros. Enterprises, which owns 53 per cent of the stock, and of Warners, owners of 42 per cent.

The company, according to the application, owns seven operating and eight non-operating theatres and airdromes and operates 10 leased houses. It has as subsidiaries the Uptown Theatre Co., of which it owns 51.2 per cent; Shaw Theatre Co., 50.4 per cent, and Westport Theatre Co., 51.11 per cent.

The only holders of 10 per cent or more of any class of securities are Warners with 8,839 shares, or 41.6 per cent, of class A, and 15,060 shares, or 51.8 per cent, of class B, and Nelson Cunliff, trustee for Skouras, with 12,421 shares, or 68.48 per cent, of class A and 13,928 shares, or 47.21 per cent, of class B.

The only officers to receive salaries are Cunliff, president, $5,200 per year; Leo J. Hill, vice-president, $7,436, and G. L. Wiegand, secretary-treasurer, $4,246.32. Officers and directors of the company own in their own names one share of class B stock each.

The balance sheet of the company for the fiscal year ended Aug. 25 last, showed income of $1,036,413.25, net expenses of $949,048.63, depreciation and interest of $108,093.87 and a deficit of $20,729.25.

Fox-Clifton Cases Up for Arbitration

Two complaints against the Strand, Clifton, N. J., by Fox are scheduled for voluntary arbitration at the New York Film Board tomorrow. Reuben Pashman is operator of the house involved. One of the complaints has to do with an "N. G." check and another with breach of contract.

There is a possibility the claims will be settled before hearing. According to regulations, Pashman was to have appointed his two arbitrators five days after receiving notice of the hearing. He has failed to do this and, according to the rules, the complainant has the right to delegate the third and fourth arbitrators in addition to the first two.

Louis Nizer will represent Fox if the case goes on.

Again Heads Relief Fund

HOLLYWOOD, June 26.— Marion Davies was reelected president of the M. P. Relief Fund last night at the annual meeting of officers. Jack Warner replaces M. C. Levee as treasurer and Alex Freundlich fills the post of secretary, left vacant by the death of Francis X. Baur.

Ronald Colman, Mary Pickford, Will Hays and Samuel Goldwyn were elected vice-presidents. New trustees for three-year terms are Ralph Block, Jean Hersholt, William Koenig, Mitchell Lewis, Sol Lesser, Louis B. Mayer, Leo McCarey, Robert Montgomery, Ewell Moore, Norma Shearer and Frank Woods.



THE PICTURE OF THE WEEK

Cheered at its New York premiere as 'an unusual film which won't be stranded in any theater', Warner Bros.' **"STRANDED"**, starring **KAY FRANCIS**, easily achieves pre-eminence among the week's screen product. Frank Borzage's deft direction adds charm and color to fine performances by Miss Francis, George Brent, and an effective supporting cast including Patricia Ellis, Donald Woods, Robert Barrat. Released June 29th.

Group Named To Study New Industry Code

(Continued from page 1)

kendall, Charles L. O'Reilly, Leslie E. Thompson, Harold S. Bareford, W. C. Michel, Edward Golden and Jack Cohn. John C. Flinn will act as secretary and Tyree Dillard will be counsel.

Keough, Bareford, O'Reilly, Yamins and Dillard have been named to study the legal angles of the proposed code. This group will make a report July 8. As soon as Price, Waterhouse has completed its audit of finances, Campi will meet to act on disposition of remaining assets.

Flinn has received many telegrams and letters from exhibitor leaders recommending ideas for a setup along lines of Code Authority. Reactions of various exhibitors who have expressed their views on a voluntary code in Motion Picture Daily are being clipped for the committee file.

Two important Supreme Court decisions must be studied by the legal committee before any action can be taken. The first decision was handed down by Judge Thatcher about three years ago. In it he declared compulsory arbitration was illegal. The second verdict was handed down several months ago in the Binderup case in Omaha when clearance and zoning was declared in restraint of trade.

As soon as the committee evolves a plan for setting up an industry medium which would come within the anti-trust laws, it will be submitted to exhibitors and distributors for their reactions.

Voluntary arbitration in New York continues at a steady pace. It's the first territory which has resumed the idea. While there are on an average of five or more cases scheduled every week, most of the respondents settle the claims before hearings. Louis Nizer, secretary of the New York Film Board, started the new proceedings.

The setup at the local board calls for the designation by each disputant of two arbitrators who must be named five days after receiving notice of the hearing. In the event either party fails to designate alternates, the other side has the arbitrary right to choose the other two men. Before the hearings go on each side stipulates in writing it will agree to the decision to be rendered by the board.

Gaynor Must Rest

Hollywood, June 26.—Janet Gaynor has been ordered to rest for six or eight weeks due to a concussion of the brain she sustained in an accident last week. She will be replaced in the cast of "Way Down East" by Rochelle Hudson. Although no other changes will be made, the switch necessitates reshooting the picture, which was half finished.

Lyda Roberti Married

Hollywood, June 26.—Lyda Roberti and Bud Ernst, aviator and radio studio official, have returned here after flying to Yuma, Ariz., yesterday to be married by Justice of the Peace E. A. Freeman there.

Sentiment in Cleveland Veers to Voluntary Code

(Continued from page 1)

possible to enforce it unless there is some legal compulsion.

"I have my doubts as to what affiliated exhibitors would consent to in a code which would include clearance and zoning.

"It may be possible to establish an arbitration board provided such a board is composed of an equal number of independent and affiliated exhibitors and one absolutely impartial member. Nothing would please me more, and I am sure fair minded exhibitors will welcome arbitration with one independent exhibitor, one distributor and one impartial member, differing from the old arbitration boards, in that the new setup would arbitrate all matters pertaining to and leading up to contracts."

Maurice Kaplan, owner of six subsequent runs, disagreed with this view. He said he might favor an arbitration board composed of paid members from outside the industry. Judge Joseph Ackerman, impartial member of the defunct grievance board, said he would favor a voluntary code if unanimous agreement could be obtained.

Meyer Fischer would like to see a voluntary code, but does not consider it possible. Exhibitors seem to prefer to fight each other, he said.

"I would like a voluntary code that could function like the old Film Boards of Trade and the arbitration boards," he said. "These were satisfactory. Through these boards such problems as overbuying and overpricing were adjusted. As between going before a law court or before a board composed of members of our own industry in order to get a fair decision, it is better to have a voluntary code and control the industry from within, rather than to throw it wide open."

Benefits derived from the NRA code outnumbered the hardships, asserts W. N. Skirboll, operator of the Cameo here, and of the Rivoli and Palace, Toledo. Skirboll opposes boards of arbitration. He wants a workable and enforceable film code and gives the opinion that it must be national in scope.

Myer Fine and John Urbansky of Associated Theatres agree that "an equitable code is the best thing for the picture business," with a strict adherence to exhibition and ending of duals, two-for-ones, bank nights and giveaways.

"If a code that is fair to the small exhibitor can be worked out, and all decisions on fair trade practices by a local board be made final, I favor a voluntary code," says Morris Berkowitz, who operates a group of neighborhood houses with Oscar Stotter and Sandor Klinger.

Missouri May Coin Slugs for Sale Tax

Kansas City, June 26.—State-made aluminum slugs will probably be used for the payment of fractional amounts on the new sales tax. The plan was originally suggested by the K.M.T.A. and was discussed in detail on Monday at Jefferson City by representative exhibitors from all parts of the state and State Auditor Forrest Smith.

The same system may be applied to all businesses. The tokens would be distributed to banks by the state in denominations as low as one mill.

Among the Kansas City and western Missouri representatives present were John Stapel, president of the K.M.T.A.; R. R. Biechele, secretary; L. J. McCarthy, representing Fox Midwest, Clarence J. Schultz of Commonwealth Amusement Co. and Jay Means, I.T.O. head. The St. Louis group was headed by Fred Wehrenberg, president of the M. P. T. O. unit.

Regina Molseed Active

Omaha, June 26.—Regina Molseed, until recently code board secretary, has taken office space with the Scott-Ballantyne Supply Co. It is expected she will resume with the Omaha Film Board of Trade.

D. V. McLucas, head of the board, says he expects to make an announcement soon on the board's plans.

Collins Now Director

Hollywood, June 26.—Arthur G. Collins, dialogue director at Warners, has had his old contract torn up by the company and has been re-signed to a seven-year contract as director.

Theatre Activities Gaining in Midwest

(Continued from page 1)

opened it to prevent citizens from dashing to nearby towns Saturdays. L. B. Blackly is secretary and manager of the venture.

Warren L. Weber, operator of the Ellinwood, Ellinwood, Kan., has just finished installation of a cooling system and general improvements. Recent rains and oil activity in that area are helping business. H. C. Musgrave, operator of the Columbia, Wamego, Kan., has installed new seats. Chambers & David are remodeling a storeroom at Cameron, Mo., and will open as a theatre about Sept. 1.

F. E. Droz, with Charles Barron and Mrs. Barron, have taken over the house at Anthony, Kan. Reggie Johnson has reopened the house formerly operated by his father at Burlington Junction, Mo. He has installed sound and refurnished the house. J. M. Hobbs, who used to operate a house at Anthony, Kan., has taken over the Madison at Madison, Kan.

Final Hearing Set Today for Fox Met

(Continued from page 1)

the court is expected to give its final approval to the reorganization at the conclusion of the hearings.

The plan provides for the delivery of Fox Met's 84 theatre leaseholds and fee properties to United Artists Theatre Circuit, headed by Schenck. Skouras and Randforce will continue to operate the houses. Keith-Albee-Orpheum, RKO theatre subsidiary, will have a 10 per cent stock participation in the enterprise.

New Tax Hits Only on High Profit Scales

(Continued from page 1)

would pay a tax of 10 per cent, while incomes between $15,000 and $40,000 would pay 13 per cent. Thus all corporations with a net income of less than $40,000 would pay less than the present rate of 13¾ per cent.

Rates above the present level would apply against corporations with larger incomes and would run up to 17½ per cent on companies netting more than $20,000,000.

As regards individuals in the industry, they would continue to pay the same taxes as at present on incomes not exceeding $1,000,000. Those with an income exceeding $1,000,000 would be heavily taxed, however, the proposed rate running as high as 80 per cent on incomes in excess of $10,000,000.

Inheritances also would be more heavily taxed, the new rates running from four per cent on inheritances of $300,000 to 75 per cent on those in excess of $10,000,000.

Without change, the Senate today passed the resolution continuing the emergency nuisance taxes, including the reduced exemption of 40 cents on admissions.

The measure now goes to a conference committee for a compromise of the only difference between the House and Senate, that of the period for which the taxes shall be continued, the House having voted two years and the Senate one year.

The action of the Senate in immediately disposing of the resolution, to which it was originally planned to add the new "wealth" levies sought by the President, indicates acceptance by Congressional leaders of the impossibility of putting the latter program through this week. It is anticipated that several weeks will be required to dispose of the new corporation, income and inheritance taxes if they are to be enacted into law this session.

Fla. Walkathon Bill Upheld

Jacksonville, June 26.—The law, passed recently prohibiting walkathons and like endurance contests, had its day in Federal court here, before three judges and came out victorious.

The law was attacked by promoters of a walkathon at Daytona Beach. They contended that, as there was no such word as walkathon in the dictionary, a law prohibiting a walkathon could not be legal. The judges, however, agreed that the name was in common use, and the meaning well known, and put their official okay on the act.

Not Enforcing Ascap Tax

New Orleans, June 26.—Efforts to force Ascap out of Louisiana by means of a $5,000 annual tax in each parish seem to be falling through. Alex and Henry Schulman are said to be continuing their refusal to pay Ascap license fees until the organization can show tax receipts, but others are signing contracts, it is said.

The state is making no effort to enforce the new law and Ascap is threatening Federal prosecutions, it is said, where copyrights are disregarded.



The

JONKER DIAMOND*

(The Wonder of the World)

DISCOVERED JANUARY 16, 1934
BY JACOBUS JONKER

*** NOT A MOTION PICTURE**

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Edward Arnold

DIAMOND JIM*

(The Wonder of the World)

RELEASED SEPTEMBER 2, 1935

BY UNIVERSAL



Jean Arthur

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Binnie Barnes

See Possible British First National Plan

(Continued from page 1)

try which it created it would have been easy for three or four American executives to meet in a back parlor in Wall St. and determine a "squeeze" policy for England where the Sherman anti-trust laws are not operative.

He characterized the law as the "exhibitors' defense act" and cautioned them to beware "how you play with your defense." It was Rowson's viewpoint that the blind booking clauses are being scrupulously observed, but that the advance booking clauses are being continuously breached and demonstrated to be unenforceable. The quota had "triumphantly" realized its aim which was to establish British production and fill the gap created by the "striking" decline in foreign, including American, production and had prevented the growth of "fantastic" rentals based on monopoly, Rowson added.

He expressed it as his idea that 25 per cent of British films were low in quality because insufficient money was spent on them and suggested as a remedy a compulsory clause in the statute placing minimum negative costs of quota pictures at £10,000 or £12,000. It is impossible to contemplate the demise of the law which expires in 1938, continued Rowson, since the industry thereby created relies on a protective government policy. He did suggest amendments maintaining a ban on blind booking, a legalization of advance booking, maintenance of the peak quota levy at 20 per cent, a clause setting the minimum negative cost for the first two years of the extended law at a lower level than would prevail for the remainder of the life of the bill and abolition of the stipulation which now sets forth the scenario writer must be British.

Backs First National Idea

His paper led into the discussion of the possibility and advisability of a British First National. Rowson supported the proposal of the floor but pointed out any such scheme would have to be modified to meet the requirements of English law. He said, however, he regarded such a step as a logical development in the near future. Again touching upon the status of the quota, Rowson urged the conference to take a determined stand on reduced percentages as well as to strike out for a quality clause written into the Films Act in order to eliminate the "pound-a-foot-quickie."

British exhibitors assembled here saw a first public demonstration of full-scale television on a theatre screen. The Baird process was the one used. The demonstration suggested a great improvement was essential before television became a commercial proposition for theatres. Magnification destroyed detail and impaired definition.

Captain A. G. D. West, lecturer, frankly advised the delegates there was nothing to worry about insofar as television was concerned for four or five years. In his paper, "Television and the Cinema," West gave it as his opinion that the best results currently were obtained by telecine-scanning which uses film as an intermediary in all transmissions. The operating cost of £12 per hour is saved on repeat performances, he added.

He said it was now possible to transmit television via cable, thereby making it feasible to supply programs to a circuit of theatres through the one operation. It was his prediction also that London theatres will be using regular television items within two years and provincial theatres within three or four, getting the service from local television stations.

On Thursday, the Right Hon. E. E. Shortt, K.C., president of the British Board of Film Censors, will discuss "Problems in Censorship" and Thomas Ormiston, M.P., "Cinema Costs and Hire." In the afternoon, H. V. Davis will discuss the future of the small, independent theatre in a paper called "Little Man, What Now?"

A trade exhibit this year is an important feature of the conference. Formally opened by the Lord Mayor on Tuesday at Whitehall Rooms and Prince's Rooms, the display is as comprehensible as in former years. Civic receptions, golf, trips to West Country beauty spots and two night showings of "The Clairvoyant" and "Look Up and Laugh" are among the incidental amenities of the conference which concludes with a dance at the Angel Hotel Friday evening.

Wall Street

Columbia Gains On Big Board

	High	Low	Close	Net Change
Columbia vtc (c1)	68	65½	66½	+2½
Consolidated Film	3¾	3½	3½	.....
Eastman Kodak	146	144½	145	.....
Fox Film "A"	15	14⅝	14⅝	.....
Loew's Inc.	41¾	40⅝	40⅝	— ⅜
Paramount Publix	4⅜	4⅛	4⅛	.....
Pathe Exchange	⅝	⅝	⅝	.....
Pathe Ex. "A"	9½	9½	9½	+ ¼
RKO	2¼	2⅛	2⅛	.....
Warner Bros.	4	4	4	.....
Warner Bros. pfd	25	25	25	.....

Technicolor Off on Curb

	High	Low	Close	Net Change
Technicolor	22	21¼	21⅜	— ⅜
Trans Lux (.10K)	2¼	2¼	2¼	.....

Bond Issues Show Small Decline

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	10½	10⅛	10⅛	— ⅞
Loew's 6s '41 ww deb rights	104	103⅞	103⅞	— ⅛
Paramount B'way 5½s '51	60⅜	60⅜	60⅜	— ⅛
Paramount F. L. 6s '47	95½	94	94	—3⅛
Warner Bros. 6s '39 wd	65	63½	64	— ½

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 26)

Research Survey Delayed

HOLLYWOOD, June 26.—The Academy Research Council's survey of the acoustic and soundproofing characteristics of all types of set and construction materials gets under way Monday with a meeting of the newly appointed sub-committee. It was to have started today but heavy production at the studios forced its postponement. The new committee consists of the following construction department heads: H. V. Barry, Radio; Oscar Brodine, U. A.; Art Fields, Columbia; Fred Gabourie, M-G-M; Lewis Geib, Warners; Archie L. Hall, Universal; Joseph Stofel, Fox, and Gordon S. Mitchell, manager of the Research Council.

Empire Films Holds Toronto Convention

TORONTO, June 26.—Empire Films will hold a six-day convention at the Royal York starting tomorrow. Oscar Hanson, general sales head, will conduct the sessions. About 12 representatives from Vancouver, Calgary, Winnipeg, St. John and Montreal will attend in addition to a number of sales executives from New York.

Tomorrow will be Education Day. Jack Skirball, sales manager of Educational, and Harvey Day will outline the company's product. On Friday Arthur Dent, general manager of B. I. P., will talk on his company's output. Saturday will be Republic Day. W. Ray Johnston, Norton Ritchey and Edward Golden will represent the company's home office, while Herman Gluckman of the New York Exchange and Herman Rifkin of Boston will also be present. Herbert J. Yates also is expected.

Sunday will be given over to social activities, while on Monday and Tuesday individual meetings will be held on sales policies.

An exhibitor luncheon is planned for Saturday. Sam Smith of British Lion will attend the session. N. L. Nathanson, who is financially interested in British Lion, is in England.

Hanson was in New York yesterday conferring with Yates on contracts for product. He left for Toronto last night to open today's session. Empire handles all of the product mentioned above.

KMTA Meet Favors MPTOA Affiliation

KANSAS CITY, Mo., June 26.—The K.M.T.A. voted to affiliate with the M.P.T.O.A. at the first session of its meeting here today. A motion to leave the choice of an organization up to the directors was overridden. However, a motion that the group reconsider its choice tomorrow was voted.

Thomas Edwards of the Ozark, Eldon; Frank Cassil of the Rialto, St. Joseph, and A. J. Simmons of the Plaza, Lamar, were named as a committee to write a resolution approving the proposed plan of the state auditor to collect fractional amounts on the Missouri sales tax by means of metal tokens.

A group liability insurance plan to cut the cost to exhibitors was presented by President John Stapel. The exhibitors were warned against operating without such coverage.

Representative Frank H. McFarland of Kansas said a sales tax will probably be passed by the legislature of his state at a special session in September to raise funds to carry out the President's social security plan in the state.

FWC-Hamrick Pool Deal Is Completed

LOS ANGELES, June 26.—Charles A. Buckley, Fox West Coast legal head, returned from Portland today, having completed final legal negotiations in the Hamrick pooling deal. F.W.C. is now in full control of the circuit of 11 theatres in Portland, Tacoma and Seattle, four of which are temporarily not operating. The group will come under the jurisdiction of Evergreen Theatres, F.W.C. subsidiary.

Otterson Pact Scheduled for Signing Today

(Continued from page 1)

will accompany Otterson to Chicago for the meeting. Leon Netter, film buyer, and M. A. Gowthorpe, theatre financial officer, may also attend. Others expected at the meeting are John and Barney Balaban of B. & K., George Trendle and Walter Immerman of Detroit; E. V. Richards of New Orleans, Karl Hoblitzelle of Dallas and Ed Lucas of Lucas & Jenkins circuit.

Before his departure Otterson is expected to confirm the borrowing of H. M. Wilcox, Erpi vice president, for a general survey of Paramount operations. Wilcox will be given an indefinite leave of absence by Erpi.

Watterson R. Rothacker, new Otterson aide at Paramount, left for the coast yesterday where he will take up his duties as studio contact for the home office. Rothacker will establish temporary headquarters at the General Service Studio, when he arrives next Monday after a stop-over in Chicago. He will remain on the coast all summer and may return here about Sept. 1 to begin a European vacation.

O.K.'s Publix Enterprises Report

Federal Judge Francis G. Caffey approved the final report of the trustee of Publix Enterprises yesterday, which permits the payment of a final dividend to the creditors of the former Paramount theatre holding company. Orders asking for the discharge of the trustee in bankruptcy, Irving Trust Co., and concluding the company's affairs will be entered within the next two weeks by Referee Oscar W. Ehrhorn.

Hecht-MacArthur May Do 3

Ben Hecht and Charles MacArthur may make three instead of two for Paramount under the terms of a new contract, terms of which have not yet been settled. Under the deal now in negotiation, the contract will call for two features with an option on a third.

Julie Hayden's contract has been turned over to Paramount by Hecht and MacArthur. She is now on the coast working in a Paramount film.

Terms of the Hecht and MacArthur pact are not expected to be completed for several weeks.

Mass. Leases Up to Court

BOSTON, June 26.—Olympia Theatres' receivers will acquire Paramount leaseholds in Lynn, Haverhill and Newton and John Deery will acquire five leaseholds in Salem under a proposal worked out with Paramount which will be submitted to the Federal court here on Thursday for approval.

The proposal releases Paramount from lease obligations in Salem. If the deal is approved by the court, Charles Goldreyer, former New York independent operator, who now operates the subsequent run Rialto in Salem, may operate the houses for Deery in that city, it was reported.

Indications here are that a petition for reorganization of Olympia may be filed within the next 10 days or two weeks in Federal courts at Boston and New York.


THE FIRST
M-G-M
BOMBSHELL
OF 1935-36

June 24, 1935 THE Hollywood REPORTER

'CHINA SEAS' CINCH HIT; THRILLING ENTERTAINMENT

Gable, Harlow And Garnett The Tops

"CHINA SEAS"

(MGM)

Associate Producer.....Albert Lewin
Direction .....Tay Garnett
Novel .....Crosbie Garstin
Screen Play: Jules Furthman, James Kevin McGuinness.
Photography .....Ray June

Cast: Clark Gable, Jean Harlow, Wallace Beery, Lewis Stone, Rosalind Russell, Dudley Digges, C. Aubrey Smith, Robert Benchley, William Henry, Live deMaigret, Lilian Bond, Edward Brophy, Soo Young, Carol Ann Beery, Akim Tamiroff, Ivan Lebedeff.

"China Seas" is one of the best straight movies produced in many a day. It has everything that any audience could want and is chock full of the stuff that shoved the picture business to the top of all amusement enterprises.

Any picture that offers the combined talents of Clark Gable, Jean Harlow and Wallace Beery is destined for great box-office success, but place these three in a story that has all the thrills, chills and entertaining values of "China Seas," and you have an important picture and one that will bring out the old fans and create a lot of new ones.

Jules Furthman and James K. McGuinness have taken what was an idea by Crosbie Garstin and shaped it into a story with at least a half dozen plots, all taking place on a boat sailing the China seas, mastered by Clark Gable. On this boat are passengers from all walks of life, with entirely different destinations, plus a cargo of gold that is the bait for Wallace Beery and his conniving pirates. During the voyage you are treated to a typhoon, a great drunk by Robert Benchley, and Harlow's greatest characterization as a lady of easy virtue in love with Gable.

The yarn is packed with suspense and moves at lightning speed, with the main characters backed by as fine a cast as has ever been thrown together for any one picture, all under the masterful direction of Tay Garnett. There is never a dull moment in the picture, nor is there a moment for the audience to relax, for if it's not sitting on the edge of its seat thrilled by the plot's intrigue, it is laughing at the antics of Benchley and others or enraptured by the romance indulged in by Harlow in her winning battle for Gable.

Clark Gable plays the captain of the ship with ease and assurance that will win him many new admirers (as though he needed any new fans). The captain is a natural for Gable, a kindly fellow who hides his warm heart with gruffness. It is a grand piece of casting.

Jean Harlow takes another step forward as a dramatic actress. It is unquestionably the finest portrayal she has ever given, one that offers a wide emotional range.

Wallace Beery is swell as the undercover leader of the pirates. His work is minus any of his usual mannerisms and he plays a straight menace. Lewis Stone, too, has a greater opportunity than has fallen to his lot for some time. Rosalind Russell is again impressive. She is going far. Robert Benchley does the best drunk the screen has ever seen.

Among the others of the perfect cast, there are particularly outstanding moments by William Henry, an up and coming juvenile, Dudley Digges, C. Aubrey Smith, Akim Tamiroff, Lilian Bond, Ivan Lebedeff and Edward Brophy.

Production is ace high in every department, and the photography of Ray June tops even his usual high standard. Several of his shots, the lighting on the bridge for instance, should be framed. The storm sequence is a technical wonder. Herbert Stothart's musical score also deserves your attention.

"China Seas" is sure to ring a merry tune on every cash register. It has everything.

And watch for the Preview of "ANNA KARENINA." Soon!

Court to Approve U. A. Stock Sale

(*Continued from page 1*)

expected to be signed and filed in court by Monday. No stockholders or creditors of Art Cinema opposed the sale today.

Several days ago U. A. approved of the block, as well as of another block of 1,000 shares owned by Joseph M. Schenck. The same price is to be paid for his holdings.

Control of the corporation upon retirement of the 2,000 shares will rest with Mary Pickford, Douglas Fairbanks, Charlie Chaplin and Samuel Goldwyn, each of whom owns 1,000 shares.

Art Cinema is a dissolved corporation. William Jasie, Dennis F. O'Brien, general counsel, and William Phillips, treasurer of U. A., were appointed trustees last October by Chancery Court. The trustees sought permission to sell the stock in a petition filed here two weeks ago. The petition stated they had received an offer in behalf of U. A. from Nathan Burkan, counsel for Miss Pickford, Chaplin and Goldwyn. It provided, however, that the Elton Corp., controlled by Fairbanks, have the right to purchase the stock at the same price if desired.

RKO to Appeal Over Arbitrators' Ruling

(*Continued from page 1*)

run, or day and date with either the Academy of Music or Jefferson.

The arbitration award, it was said, is subject either to vacating or confirmation by the court before it can be enforced. RKO is prepared to carry the case to the appellate division if the application to the lower court is unsuccessful, it was said. Contesting of the award will be made on the grounds that it is regarded by RKO as too severe and not in accordance with the evidence in the case. RKO's principal objection is directed at the damages awarded. Compliance with other parts of the arbitrators' decree would not be difficult if slight modifications could be obtained, it was said.

Refuse Texas Injunction

DALLAS, June 26.—U. S. District Court Judge William H. Atwell has refused an injunction sought by Fuller, a Palestine, Tex., exhibitor to prevent R. & R. Theatres and major distributors from carrying out an alleged conspiracy to prevent him from getting product.

The court ruled no proof of conspiracy had been shown, although it admitted sympathy with Fuller.

East on FWC Moves

LOS ANGELES, June 26.—Fred L. Metzler, Fox West Coast treasurer, left here today by plane for Kansas City in conjunction with the transfer of the records of former subsidiaries of Fox Midland and Fox Rocky Mountain from Los Angeles to their respective operation headquarters. He will later go to New York.

Blumstein Joins Fox

Abe Blumstein, formerly with First Division in New York, has joined the local Fox sales force. Anthony Ricci, until recently with Hollywood exchange, has joined the same exchange to handle foreign films.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Broadway Gondolier"

(*Warners*)

HOLLYWOOD, June 26.—Dick Powell again demonstrates his magnetic talent and showmanship as a taxi driver tenor scaling the walls of a radio studio aided by a broken-down opera star (Adolphe Menjou) to become a singing sensation on a cheese hour.

As a stowaway Powell pursues Joan Blondell, secretary of Station Master Grant Mitchell. In Venice as a trilling gondolier Powell is discovered by Louise Fazenda, the widowed owner of Fliegenham cheese. Returned to America amid fanfare and publicity, and hailed as an Italian gondolier, Powell is unmasked, over the air tells the audience the truth, and becomes a sensation, marrying Miss Blondell before the mike as Miss Fazenda glows, having put romance in cheese. The tenor sings the Roquefort theme song.

Gay and hilarious, tuneful and showy, the film propels its idea with crisp freshness, the lilt of romance and laughter. While its plot details slacken the tempo in spots, this vivid, versatile production gives Powell plenty of chance to sing, love and clown. The production swings from Broadway to Venice lagoons and behind the mike of a radio station.

William Gargan, George Barbier and Hobart Cavanaugh support well. Ted Fio-Rito and his band and stooges entertain, and the Four Mills Brothers in a number with Powell are show-stoppers. Miss Fazenda's comedy as a lovesick widow is priceless.

Lloyd Bacon's direction embosses all values for audience reaction. The Warren and Dubin songs, particularly "I'm a Woman Hater," will be hummed. Sam Bischoff produced.

Powell's name in a smart comedy romance with novel backgrounds, should keep this hot and bankable at the box-office.

Production Code Seal No. 935. Running time, 95 minutes. "G."

"Lady Tubs"

(*Universal*)

HOLLYWOOD, June 26.—Rollicking farce, well played and directed, provides many laughs in this picture. Alice Brady, railroad camp cook, inherits a fortune from an English peer she befriended. Under the tutelage of Alan Mowbray she crashes the fashionable Long Island hunting set to match her niece, Anita Louise, with Douglass Montgomery. When nearly exposed as a phoney Miss Brady finds her hosts are of humble origin themselves and even planning a crooked financial deal. At a hunt dinner she receives the brush for catching the fox and all the plot angles are untangled for laughs as the lovers are united.

The smart screen play by Barry Trivers from the Homer Croy novel and Alan Crosland's direction keep things moving merrily. Hedda Hopper, Lumsden Hare and June Clayworth stand out in support, although the brunt of the picture is carried by Miss Brady and Mowbray.

The picture is Stanley Bergerman's curtain effort for the company and the production is a credit to him. An average entertainment, it should please along with a serious subject.

Production Code Seal No. 974. Running time, 67 minutes. "G."

Peggy Libbee to Marry

OMAHA, June 26.—Peggy Libbee, employed in the Vitagraph office for several years, will leave the organization to marry Lionel Wasson, advertising manager for Harry Weinberg's Central States Theatres, July 6. The marriage will take place in Des Moines where the couple will reside.

Flash Review

In Caliente—Typical Warner musical and pleasant enough, if undistinguished. Edward Everett Horton stands out in a comedy role played against a lavish and colorful production background. . . .

This film will be reviewed in full in a later issue of MOTION PICTURE DAILY.

Seigel Closes Ramsey

Arthur Seigel has closed the Ramsey, Ramsey, N. J. He is remodeling the theatre planning to reopen it in the fall.

U. S. Jury Bans 'Ecstasy'

A U. S. District Court jury yesterday found the Czecho-Slovakian film, "Ecstasy," to be obscene and unsuitable for exhibition. The verdict will be appealed to the U. S. Circuit Court of Appeals within the next 20 days, according to Henry Pearlman, attorney for Samuel Cummins, who bought two negatives for distribution in this country. The government initiated the action against Cummins to confiscate the negatives and destroy them.

The film was exhibited to the jury on Wednesday and it constituted the only exhibit introduced in the case.

Reinhardt Wed Again

RENO, Nev., June 26.—Max Reinhardt was on his way to a European honeymoon today following his marriage to Helen Kalbeck-Thimig, ex-German actress, last night, immediately after he had been divorced by his former wife.

Republic Expands List to 57 Films

(*Continued from page 1*)

Levine serials. The original lineup announced in May included five Gold Bond Specials, five Blue Ribbon Winners, eight in the Showmanship Group, eight in the Republic Entertainment Group, the same number of Wayne pictures as well as the Greater Western Series and the Levine serials.

In the new setup, however, the Gold Medal Specials correspond to the Gold Bond Specials and the Entertainment Group, Showmanship Group and Blue Ribbon Winners are placed all together under the latter title. The Fast Action Group is also changed to the Autry musicals and the titles will probably be kept.

The full program, under the new setup, follows:

Republic Gold Bond Specials

"The Leathernecks Have Landed," "Forbidden Heaven," "Legion of the Lost," "Tiger Valley," "The House of a Thousand Candles," "The Harvester," "Two Black Sheep," "Cappy Ricks Returns," "My Old Kentucky Home" and "Metropolitan Merry-Go-Round."

Republic Blue Ribbon Winners

"Sailors Forget," "The Gentleman from Louisiana," "Michael O'Halloran," "Frisco Waterfront," "The Big Show," "Man Hunters," "Laughing Irish Eyes," "Fair Grounds," "Forced Landing," "Dancing Feet," "The Leavenworth Case," "Harbor Lights," "Sitting on the Moon," "The House of the Seven Gables," "The Spanish Cape Mystery," "The Return of Jimmy Valentine," "A Thousand Dollars a Minute," "You're in the Navy Now," "Ticket to Paradise," "Twenty Fathoms Below," "Hitch-Hike Lady" and "My Brother's Keeper."

Fast Action Group

"The Crime of Dr. Crespi," with Eric von Stroheim; "Racing Luck," "Federal Agent," "Go-and-Get-It Haines" and "Burning Gold."

Wayne Westerns

"Westward Ho," "Riders of the Border," "West of God's Country," "Trail's End," "Winds of the Wastelands," "The Vanishing Rider" and "The Lonely Trail."

Autry Musical Westerns

"Partners of the Sunset," "Where the Trail Divides," "Red River Valley," "Somewhere in the West," "Riding Luck," "Where the West Begins," "Pals of the Range" and "Lost Valley."

Two More Regionals Set

Republic will hold two more regionals, one in New York and another in Philadelphia, early next month, Edward A. Golden, general sales manager, stated yesterday. The dates and place are not yet set, but will be within the next few days.

Upon his return from Denver, Cincinnati, Seattle and Los Angeles where he conferred with numerous exhibitors, Golden said that the feeling of theatre owners assures success for Republic.

Feature Cartoons On Disney Program

(*Continued from page 1*)

years and that the first of these, "Snow White and the Seven Dwarfs," has been in production for some time. The cartoon will be adapted from the fairy tale and will run slightly over 60 minutes when finished. It won't be ready for release for some time, however, since several months work is still to be done.

MOTION PICTURE DAILY revealed several months ago in an exclusive story that Walt Disney had started production on a feature length cartoon adapted from a popular fairy tale.

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 151 NEW YORK, FRIDAY, JUNE 28, 1935 TEN CENTS

English Move For Drive on Percentages

CEA Adopts Resolution As Convention Ends

CARDIFF, Wales, June 27.—A drive on distributors to reduce percentage terms, the feature of the summer conference of the Cinematograph Exhibitors' Ass'n. which closed its business sessions here tonight, is in the offing. Among steps taken was adoption of a strong resolution calling on American distributors to adhere to the letter of a promise made in 1931 to look after and to safeguard the interests of the small exhibitor. That pledge was to hold percentage pictures to 25 per cent, but with 50 per cent as top

(*Continued on page* 10)

Tax Damage Gains On Ontario Houses

TORONTO, June 27.—Apart from the damage that is being done to sports and other outdoor attractions, the heavy amusements tax increases imposed by the Ontario Government are playing havoc with theatres and complaints are pouring in.

Mayor H. E. Wilton, proprietor of

(*Continued on page* 2)

Two-Year Ticket Tax Extension Agreed On

WASHINGTON, June 27.—Continuance of the present 40 per cent exemption from the admission tax for two years was provided today when House and Senate conferees agreed on that period for the life of the resolution continuing the nuisance levies. The Senate had voted a one-year extension, to which the House refused to agree.

The measure was immediately sent to the White House for the President's signature.

By rushing the resolution through, Congress saved the Government revenues which would have been lost had there been any delay, the taxes involved being scheduled to expire automatically on June 30.

Mexicans Hope for Theatre Strike End

By JAMES LOCKHART

MEXICO CITY, June 27.—A hopeful sign of an early settlement of the walkout which early this month closed

(*Continued on page* 10)

Industry's Leaders Turn Out to Honor Al Lichtman

By J. M. JERAULD

It was one of those kind of crowds that United Artists likes to sell on a percentage basis. Al Lichtman admitted it after he had gulped a few times and partly mastered more emotion than he cared to display in public as he stood before an M. P. Club microphone yesterday.

It was something more than an Ampa tribute to a successful executive; it was an industry turnout with a half hundred or more late comers crowded in the corridors outside the dining room.

Charles C. Pettijohn epitomized the spirit of the gathering with blunt emphasis when he said: "Al Lichtman would rather be ribbed than flattered."

Lichtman seemed relieved by the break in a series of eulogies. Then

(*Continued on page* 10)

Lichtmanism

"The Motion Picture Club is the greatest in the world," remarked Al Lichtman at his Ampa luncheon yesterday. "We've been here three years without paying rent. I'm going to make the house committee the finance committee of United Artists."

Allied to Meet at A. C. During August

Eastern Allied units will hold the next regional meeting in Atlantic City either Aug. 21 or Aug. 25. Walter B. Littlefield will preside. The session at the shore will not conflict with the Allied of New Jersey convention. Early this week the eastern Allied affiliates held a session in Boston which was attended by Sidney Samuelson, president, and Abram F. Myers, general counsel.

U. S. Allows Actors Entertainment Cost

WASHINGTON, June 27.—Recognizing the necessity of entertainment expense allowances for members of the theatrical industry by insisting that they must keep accurate accounts of such expenditures, the U. S. Board of Tax Appeals today issued its findings on the appeal of Ned Wayburn from

(*Continued on page* 10)

Boston Holds Varied Views On Regulation

BOSTON, June 27.—Opinions here vary all the way from indorsement of a voluntary code to flat opposition to any kind of a code. Others declare that if there is to be a code local boards should be made up of equal representations of exhibitors and distributors.

Martin J. Mullin, member of the recent clearance and zoning board and partner of M. & P.-Publix Theatres, is opposed to any kind of a code.

"The sooner the industry gets back to running its own business, the bet-

(*Continued on page* 11)

KMTA Names Board To Hear Grievances

KANSAS CITY, June 27.—The Kansas-Missouri Theatre Ass'n. today approved the formation of a grievance board of three members to clear all

(*Continued on page* 11)

Fox Met Plan Given Court's Full Sanction

Judge Mack Denies Plan For Week's Delay

Final confirmation and approval of the Joseph M. Schenck-Fox Theatres' plan of reorganization for Fox Metropolitan Playhouses was given yesterday by Federal Judge Julian W. Mack over the plea of special counsel for the Sabath Congressional committee for real estate reorganization investigation of a week's delay to permit the committee to complete its probe of the Fox Met reorganization.

I. Alfred Levy, appearing for the Sabath committee, told the court that efforts to subpoena Schenck and A. C. Blumenthal, described as being "prime

(*Continued on page* 8)

RKO Vaudeville Cut To Two Weeks Here

With the elimination of vaudeville from the Coliseum on July 3, the RKO circuit will be left with only two weeks' playing time for stage acts in New York. The Palace on Broadway and the Tilyou in Coney Island will continue on the same policy during the

(*Continued on page* 11)

Report Rosenblatt May Probe A. T. & T.

WASHINGTON, June 27.—Rumors that Sol A. Rosenblatt, former NRA compliance director, might become chief counsel to the Federal Communications Commission for its A. T. & T. investigation were revived today following Rosenblatt's appearance on the Washington scene for a one-day visit.

A number of names have been mentioned in connection with the $10,000 a year job, among them Gen. Hugh S. Johnson, former NRA administrator, and Donald R. Richberg, former chief counsel.

Warner-RKO Pool in Los Angeles Ended

LOS ANGELES, June 27.—The Los Angeles-Hollywood theatre pool between Warners and RKO has run its course after one year of operation and the theatres involved go back to their individual circuits for operation.

The Downtown and Hollywood comprised Warners' end and the Hillstreet, RKO's.

Mid-June Takes Halt Slow Declines of Recent Weeks

Mid-June grosses in 22 key cities showed a substantial improvement over recent weeks. The total, $1,155,950, went back to late May levels, thereby halting a decline which has been steady since early last month.

The number of theatres in operation, 134, remained the same as the previous week when the total take

(*Continued on page* 8)

Tichenor Watching Tactics of Pickets

Frank Tichenor, publisher of *Outlook,* is getting a personal picture of the operator union trouble along Broadway and 42nd St. On Wednesday night he spent two hours on 42nd

(*Continued on page* 8)

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Radio Foreign Group Off for Home Ports

Luis Lezama, manager of Radio Pictures of Mexico, led the foreign delegation of executives, representatives and distributors of the company who were here to attend the Radio sales convention in Chicago homeward when he sailed yesterday for his headquarters in Vera Cruz.

Ralph Hanbury, general manager of Radio Pictures, Ltd., of London, and Joost Smit of Amsterdam, sail on the *Majestic* tomorrow. Max Bosman of Brussels, Pierre Charles Lelong of Paris and Nicholas Cazazis of Roumania depart tomorrow but on the *Ile de France.*

First Radio Foreign Sale

Max Bosman, representing Bosman and Bourland of Brussels, Belgium, is the first foreign distributor to contract for the 1935-36 Radio lineup. Harry W. Leasim, general sales manager of Radio Pictures International, Ltd., covering Belgium and her colonies closed the deal.

Yankelevich to Europe

Jaime Yankelevich, president and general manager of Compania Rio de la Plate of Buenos Aires, sails on the *Majestic* tomorrow for London and Paris. Yankelevich has been here for some time, during which he contracted for Lupe Velez, Johnny Weismuller, Conchita Montenegro and Raoul Roulian to appear in films made under his direction in South America.

Insiders' Outlook

By RED KANN

IN person, or by communication, with the personal touch much in the preponderance, the industry in New York, which is like saying headquarters, went to town yesterday for Al Lichtman. The Motion Picture Club was jammed probably as never before and with an overflow that reached into the corridors and clustered around the elevators to hear what a formidable cluster of marquee names had to say about the president-designate of United Artists. . . .

▼

In these days of banker penetration into the administrative end of the industry, the party for Al impressed as one of those "home town boy makes good" affairs. For Lichtman is part and parcel of this industry in which he has been an active figure, not always as important as now of course, for approximately twenty-five years. If congratulations are to be handed out, our inclination is to felicitate Mary Pickford, Doug Fairbanks, Charlie Chaplin and Sam Goldwyn on the perspicacity which determined them to follow Joe Schenck with Lichtman. . . .

▼

They've made no mistake. Lichtman has pronounced personal and business popularity. For years, he has been getting prices for product, good and bad, which frequently cause exhibitors to damn him and just as frequently to come back for more of the same treatment. His record on top price sales, computed over a period of seasons, is untouched by any other sales manager in the business. With Schenck allied to Fox, a United Artists without Lichtman, if that had been the producer-owners' decision, would have been a very sad company indeed. Pickford, Fairbanks, Chaplin and Goldwyn need Al far more than Lichtman needs them. . . .

▼

Of the many complimentary things said about him yesterday, one of the nicest came from Sidney R. Kent, who failed to attend only because of detail in connection with formal signaturing of the 20th Century deal. As an added, if not a new commentary, on the self-effacement which is constantly his, Kent's message was typical:

"Please extend my greetings to Al Lichtman and tell him how sorry I am that I cannot be there. I feel that I owe Al a great deal. He was my original teacher and whatever I learned of distribution I got from him. If the pupil has been anything of a credit to the teacher, then I know that Al will be satisfied."

▼

Pointing up an ironic circumstance, neatly and completely told by Martin Quigley in the current issue of *Motion Picture Herald:*

"Several months ago rumors were broadcast in the trade relative to profit-making operations of insiders connected somehow with the estate of the Paramount company, then in bankruptcy, growing out of speculation in the company bonds.

"Last week in a Federal commission hearing in Washington, it developed that certain bankers and brokers formed a bondholders' 'protective' committee, the members of which acquired ownership of bonds only after the formation of the committee and, presumably, after they had acquired inside information on the real worth and the probable future market value of the bonds.

"Here, then, is another item to be added to the already long list of instances of banks and brokers approaching the motion picture industry in a patronizing and superior manner and, immediately that the first chance presents itself, proceeding to display a brand of ethics that makes the attitude of their approach appear decidedly counterfeit."

▼

Issuing no formal statement but commenting on the reports, very closely held, that Erpi would become autonomous, E. S. Bloom, recently elected president of that company succeeding John E. Otterson, denies—and categorically, mind you—that (1) there has been any sale and (2) that any is contemplated. The report, wending its way into Times Square from the once busy canyons of Wall Street, insisted Western Electric would dispose of Erpi to independent and new management, perhaps a la Graybar Electric, once W. E.-owned but now by its employes on a participating basis. Reason for the move presumably gyrates around a well-laid plan of A. T. and T. to get itself in shape for the Federal probe into its activities. . . .

▼

Why, really, did Arthur and Dave Loew resign their directorships in Loew? You can hear almost anything you like if you care to listen, but there is republished now a very significant line from this selfsame space on Wednesday:

Dave says the reason ties in with a joint desire to relieve themselves of the responsibilities which couple with directors' jobs.

From this point on, the unraveling is yours. The answer lurks in those twenty-one words, but you'll have to look hard and dig deeply for it. . . .

Tax Damage Gains On Ontario Houses

(*Continued from page* 1)

the Strand, Hamilton, reported that the theatre recently registered a low record for a day's patronage in 16 years of operation.

Manager George Dunbar of the Kenilworth, Hamilton, said plans had been abandoned for remodeling the theatre this summer at an estimated cost of $25,000 because of decreased business due to the tax. Another Hamilton theatre called off a $2,000 decorating job for the same reason and labor unions are up in arms over the loss of employment.

Mayor P. J. Nolan of Ottawa is responsible for the statement that one exhibitor in the Canadian capital announced that he was absorbing the new tax out of regular admission returns and then reduced the wages of his employes.

Exhibitors in the border cities of Niagara Falls and Windsor have found that regular patrons are crossing over to neighboring cities in the United States for their film fare in order to escape the amusements tax which amounts to 25 per cent of low-priced admissions.

Rhoden Leaves Soon For Midwest Session

Elmer C. Rhoden, operating head and president of Fox Midwest Theatres, will leave for Kansas City on July 3 to attend a meeting the following day with four district managers on operations.

Rhoden will sign a five-year contract next week with National Theatres. Under the terms of the pact he will be president of Fox Midwest and receive a salary and percentage. He has been in New York for the past month on product deals and contract negotiations.

Republic Regional Here Opens July 6

The first local regional sales meet of Republic Pictures will be held here July 6 at the Park Central Hotel. W. Ray Johnston and Edward Golden will deliver the principal addresses. Harry Levine, Philadelphia Republic manager, and his sales force, will attend.

Henry Picker and Dave Sohmer go along with Jack Bellman and Herman Gluckman when their Majestic and Capitol Films join Republic Pictures Corp. of Greater New York and New Jersey. Sohmer will manage the local exchange.

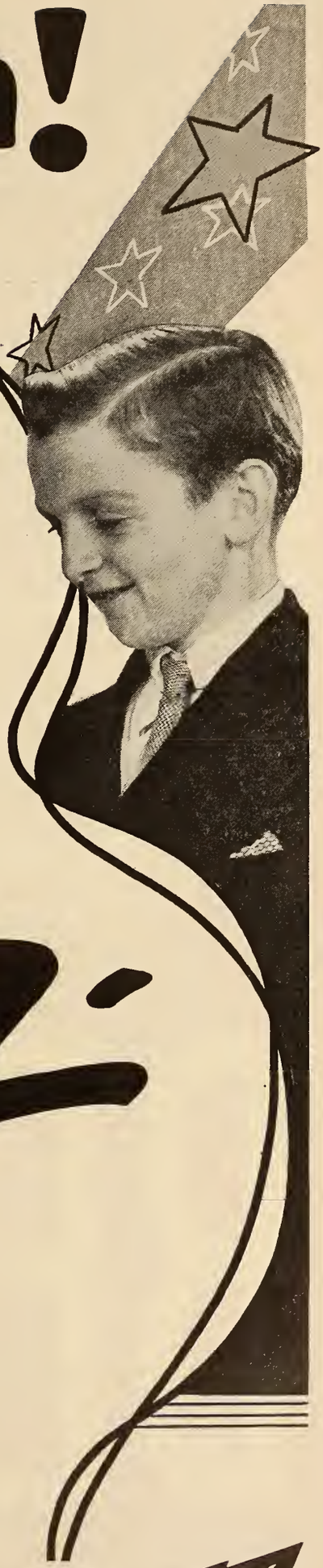
Easy Aces Are Signed

Van Beuren Corp. has just signed a five-year exclusive contract with Goodman Ace and Jane Ace, the Easy Aces of radio fame. Six of the Easy Aces series will be made this year and 13 next year, with options calling for 13 a year after that.


Surprise!
More happy news from FOX . . . studio of pleasant surprises. A picture classified as "program"..achieves greatness! Sweeping to the fore a new, important marquee personality. Take a tip from the trade reviewers . . . boost, plug, advertise, shout, exploit, work for a smash opening. Your audiences will sell it for you!


Remember
THIS YEAR'S
PROFITS
come from
THIS YEAR'S
PRODUCT!

Sensation!



Variety Daily: "Swell audience appeal and promise of important box office through certain word-of-mouth. Jane Withers is sure-fire. Her name will be a household word. Fox has fine stellar material in this youngster!" *** *Hollywood Reporter:* "Sure-fire stuff guaranteed to please one and all. Jane Withers turns in an astounding performance. Give her the largest possible play!" *** *Boxoffice:* "Go the limit to get the customers in for the opening. Word-of-mouth will take care of the balance of the week." ***The Exhibitor:* "Will more than satisfy audiences. Certain to build through word-of-mouth. Little Miss Withers steals all the scenes." ***Film Daily:* "This is one swell comedy with Jane Withers enough to put one in stitches. Give it everything."

'Ginger'

JANE WITHERS
O. P. HEGGIE
JACKIE SEARL
KATHARINE ALEXANDER

Produced by Sol M. Wurtzel

Directed by Lewis Seiler
Story and screen play by Arthur Kober

YOU HAVEN'T A SHOW WITHOUT FOX

CLEAR YOUR SCHEDULE FO

THE GREATEST EVENT IN MOTION PICTURES SINCE

welcomed by your local papers as real *NEWS* . . .

cities in which it already has opened . . . the box-office

overs in every locality . . . RADIO CITY MUSIC HALL pla

. . . BOSTON big, with business on par with "Roberta"

records . . . BALTIMORE expects to break "Roberta"

OPENING THIS WEEK IN LOS ANGELES . . . DETROIT . . . CLEVELAND . . . KANSAS CITY . . . ST. PAUL . . . NEW ORLEANS . . . SAN FRANCISCO . . . TROY . . . DAYTON . . . AND OTHER KEY SPOTS.

S. R. O. . . . CIN

the town . . . CHI

. . . ROCHESTER

ALBANY . . . BUF

unanimous! . . .

MID-SUMMER

"BECKY S



PIONEER PICTURES presents MIRIAM HOPKINS as "BECKY SHARP". . A ROUBEN MAM

Hardwicke, Billie Burke, Alison Skipworth, Nigel Bruce, Alan Mowbray . Filmed in all the beauty o

Robert Edmond Jones . . . Distributed by *RKO-RADIO PICTURES*, Incorporated . Produced by Kenneth Ma

R EXTRA TIME!

THE COMING OF SOUND will be just as it has been in the dozen key returns from which indicate hold-yed to two record Summer weeks ...WASHINGTON broke all opening record . . . SYRACUSE played to CINNATI reports picture the talk of CAGO does sensational second week tops Midwinter peak on opening . . . FALO . . . MINNEAPOLIS make it MID-WINTER BUSINESS IN

HARP"

OULIAN PRODUCTION with Frances Dee, Cedric the Newly Perfected TECHNICOLOR . . . . . Designed in color by owan.

SALVOS OF NATIONAL ACCLAIM JOIN NEW YORK IN ITS JOYOUS WELCOME TO THE NEWLY PERFECTED TECHNICOLOR

"Breath-taking! . . After you've seen it a mere black and white picture will leave you a bit unsatisfied."
—Carol Frink, Chicago Herald & Examiner

"Unreels in a blaze of glory . . . A delight to the eyes . . . Superbly acted, amusing and swift-moving."
—Doris Arden, Chicago Times

"A revelation in beauty, fidelity to life and clarity...Wonderful to behold . . . An absorbing drama perfectly executed."
—Rob Reel, Chicago American

"A sparkling, iridescent gem . . in ALL the colors of the rainbow . . . You'll love the way the novel has been merged in the movie." *—May Tinee, Chicago Tribune*

"Has everything for an epic film Dramatic story, exceptional cast, and the wondrous magic of Technicolor . . . Should make screen history." *—A. C., Boston Traveler*

"Amazing . . the most beautiful and natural color film yet produced." *—Boston Globe*

"A triumph . . Never before on the screen has color been used to such sharp advantage . . . A big spectacle."
—Gordon Hillman, Boston Daily Record

"Marks an impressive advance . . . Black and white movies, for all their speed and fluency, seem a little tame."
—E. L. H., Boston Herald

"Has something more than its distinct technical interest to recommend it . . . An excellent cast, whose performances make a reviewer wish for more space to do them justice."
—George Holland, Boston American

"Another long stride toward realism . . . Light and entertaining . . . Acted with vigor."
—Max Sien, Cincinnati Post

"Achieves the proportions of a spectacle . . . Must be seen because it is an innovation . . . Inaugurates a new era."
—Clayborne Measel, Cincinnati Enquirer

"The beauty and the novelty are so overwhelming that it is difficult to concentrate on the dramatic merits."
—William G. Steigler, Cincinnati Times Star

"An epochal achievement that was enthusiastically greeted by a capacity house—as it richly deserved to be."
—Nelson B. Bell, Washington Post

"Something spectacular in the entertainment line . . . Presages a new film fad."
—Mabelle Jennings, Washington Herald

"Amazing and fascinating . . . Proved that red lips and blue eyes are not only possible in celluloid, but welcome."
—Don Craig, Washington News

"Nothing has ever been placed upon the screen that will surpass in beauty and sweeping magnificence the Duchess of Richmond's ball, as the color artists created it for the improved cameras."
—Andrew R. Kelley, Washington Times

Purely Personal

FRED QUIMBY will launch into raves on "Lucky Beginners" without warning if you don't watch out. This is the two-reeler made by HAL ROACH with winners of the amateur contest conducted in connection with the *Daily Mirror*.

•

PHIL REGAN and WINI SHAW begin their personal appearance tour today, opening in Buffalo. From there they go to Washington and Philadelphia. They are appearing in conjunction with "In Caliente," their latest film.

•

JOE COOPER, Paramount partner in the west, left yesterday for Kansas City and from there goes to Colorado Springs. On July 7 he will open his new $100,000 theatre in Colorado Springs. COOPER is due back in New York in two weeks.

•

MILT KUSSEL returned yesterday from Buffalo after attending the regional Paramount meeting. J. J. UNGER yesterday held the final eastern regional at Boston and is due back today.

•

SAM SOLTZ of the Howard, Baltimore, left for home last night after attending the two Allied meetings in Boston and spending a few days in town with friends.

•

CHARLES KOERNER, New England division head for RKO, was in town yesterday conferring with home office executives on bookings.

•

ELIZABETH LONERGAN, American representative of *Kinematograph Weekly* of London, sails Sunday on her usual holiday abroad.

•

TYREE DILLARD, JR., sails on the *Conte Grande* on July 3 for a five-week Mediterranean cruise.

•

HOWARD and MRS. CULLMAN get in today on the *Majestic* from their European honeymoon.

•

FRANK LAWTON and his wife, EVELYN LAYE, planed to the coast yesterday.

Tichenor Watching Tactics of Pickets

(*Continued from page* 1)

St. watching the pickets. He intends to give Broadway the once over before he meets with representatives of Allied, Local 306 and Empire in an effort to arbitrate the union dispute.

Local 306 contends the trouble is not an argument between unions, but between unions and exhibitors. The I.A.T.S.E. affiliate claims that both Allied and Empire are company unions.

No pickets have been arrested within the last few days on 42nd St., indicating that the situation is under control. More than 125 of the Local 306 sandwich men have been arrested and released.

As soon as Harland Holmden, who is supervising the local union under the international's jurisdiction, returns from St. Louis where the general executive board of I.A.T.S.E. affiliates has been meeting for the past 10 days, a session of the membership will be called to act upon the two per cent assessment voted at the St. Louis conclave.

Local 1 of the stagehands' union has already adopted the assessment plan.

Mid-June Takes Halt Slow Declines of Recent Weeks

(*Continued from page* 1)

was $1,119,900. The gain was not evenly distributed, being confined to 11 key spots—Boston, Chicago, Denver, Indianapolis, Kansas City, Los Angeles, New York, Pittsburgh, Providence, Seattle and Washington.

How the two latest reports compare:

	Week Ending June 13-14		*Week Ending June 6-7*	
	No. Theatres	*Gross*	*No. Theatres*	*Gross*
Boston	6	$69,500	6	$63,500
Buffalo	5	34,400	5	37,600
Chicago	8	114,500	8	106,500
Cleveland	6	45,300	6	47,250
Denver	6	21,900	6	18,800
Detroit	6	61,200	6	67,500
Indianapolis	4	20,750	4	20,500
Kansas City	5	36,300	5	32,700
Los Angeles	9	77,100	8	65,750
Minneapolis	6	24,900	6	27,000
Montreal	5	35,000	5	36,500
New York	7	197,550	8	171,500
Oklahoma City	4	11,750	4	16,050
Omaha	3	18,200	3	28,900
Philadelphia	9	74,600	9	74,700
Pittsburgh	5	42,700	5	37,250
Portland	6	27,400	6	28,700
Providence	6	39,600	6	34,300
San Francisco	9	83,000	9	89,500
St. Paul	5	16,000	5	18,400
Seattle	6	29,700	6	24,600
Washington	8	74,600	8	72,400
	134	$1,155,950	134	$1,119,900

Comparative grosses for the last available periods:

Week Ending	*No. Theatres*	*Grosses*
Sept. 27-28	132	$1,419,815
Oct. 4-5	132	1,412,844
Oct. 11-12	132	1,344,137
Oct. 18-19	131	1,385,533
Oct. 25-26	133	1,386,935
Nov. 1-2	135	1,288,992
Nov. 8-9	134	1,386,736
Nov. 15-16	133	1,389,743
Nov. 22-23	136	1,305,450
Nov. 29-30	137	1,369,576
Dec. 6-7	136	1,401,989
Dec. 13-14	135	1,244,610
Dec. 20-21	135	1,070,800
Dec. 27-28	139	1,408,788
Jan. 3-4	141	1,719,887
Jan. 10-11	138	1,361,450
Jan. 17-18	138	1,251,130
Jan. 24-25	138	1,251,130
Jan 31-Feb. 1	137	1,354,350
Feb. 7-8	135	1,332,415
Feb. 14-15	136	1,381,960
Feb. 21-22	137	1,318,630
Feb. 18-29	140	1,405,417
March 7-8	139	1,295,650
March 14-15	137	1,358,384
March 21-22	135	1,325,360
March 28-29	137	1,334,375
April 4-5	139	1,242,487
April 11-12	140	1,205,456
April 18-19	139	1,115,386
April 25-26	142	1,421,800
May 2-3	140	1,250,132
May 9-10	145	1,417,888
May 16-17	138	1,236,100
May 23-24	137	1,235,650
May 30-31	137	1,152,200
June 6-7	134	1,119,900
June 13-14	134	1,155,950

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Wolfe Is Scenario Head

HOLLYWOOD, June 27.—Manny Wolfe today was named Paramount studio scenario editor, succeeding Bogart Rogers, now in New York on an extended leave of absence.

Fox Met Plan Given Court's Full Sanction

(*Continued from page* 1)

movers" in the Fox Met reorganization, had been unsuccessful despite repeated efforts to bring them before the committee for questioning. Levy said that if the court deferred its ruling on the plan for one week the Sabath committee believed it could complete its investigation within that time and bring its findings before the court for consideration.

Judge Mack held that it was his belief that the Sabath committee had been designated to investigate reorganizations in order to recommend to Congress the enactment of appropriate legislation to correct reorganization abuses. He refused to grant the delay in the confirmation of the plan on the grounds that the court had already conducted an exhaustive investigation of the reorganization plan before it and that a new delay might prove injurious to Fox Met creditors. He pointed out that there were grand juries and other agencies empowered to act at any time on evidence of improprieties in the Fox Met reorganization, if such evidence were uncovered by the Sabath committee.

Board Nominees Are Listed

Judge Mack, however, declared that if any improprieties were shown to have been committed by any of those proposed for membership on the new Fox Met board he would act on the right reserved for him in the reorganization plan to veto any member of the board. The proposed board membership is Schenck, Herbert B. Swope, William P. Phillips, Samuel S. Allan, Milton C. Weisman, and William Rhinelander Stewart. The court's action in denying further delay in the confirmation of the plan was influenced considerably by the large amount of creditor assents received for the plan. Holders of more than $10,900,000 of the $12,500,000 of Fox Met notes outstanding, or 87½ per cent, approved the plan, and more than $6,300,000 of the $7,735,000 of general creditors, or 81 per cent, approved the plan. Only 66 2/3 per cent of each class of creditors is required.

It was disclosed at the hearing that after disbursements to Fox Met noteholders provided for in the plan out of cash on hand there would be approximately $425,000 remaining, which will be applied to a dividend for unsecured creditors after deduction of reorganization expenses. The dividend is expected to be approximately five per cent, with lawyers' fees and other reorganization costs amounting to about $150,000 to $200,000.

A hearing date for approval of final steps in the reorganization was set for July 5. Judge Mack leaves for a European vacation shortly thereafter and will be away until Oct. 1. During his absence Federal Judge Francis G. Caffey will preside.

Strand Set for Four

Four Warner features are set for the Strand following "In Caliente." "Front Page Woman" follows the present film with "Broadway Gondolier," "The Irish in Us" and "Page Miss Glory" next in the order named.

SKOURAS AND FOX WEST COAST BUY THE 16 SOLID



SIXTEEN STAR SPANGLED SPECIALS

WILL MAKE YOUR BOX OFFICE THRIVE IN '35 . . . AND DO TRICKS IN '36

PHYSICAL DISTRIBUTION · FOX EXCHANGES · CANADA: REGAL FILMS, LTD.

English Move to Get Cut in Percentages

(Continued from page 1)

when the gross exceeded a previously determined figure. The C. E. A. attitude is that, while some distributors have consistently adhered to their promises, others have just as consistently ignored it. United Artists was specifically mentioned as one company which allegedly had walked out on its word.

To handle the general situation, there were several suggestions. One included a three months' booking embargo on those distributors who refused to stand by the agreement of four years ago.

The rental problem, which is looming more and more importantly in British exhibition circles, was picked up from another angle by Thomas Ormiston, M. P., who read a paper titled "Cinema Costs and Hire" at today's session. Pre-war theatres, he declared, had earned 15 per cent on their capital investments because rentals then ran only from 20 to 25 per cent of the receipts. He said the only chance for a survival of the small man was to persuade distributors to hold their prices to 20 per cent for the average programmer with an absolute top of 33 1-3 per cent on specials. Smaller theatres should be permitted to band together in booking combinations without incurring the displeasure of the Kinematograph Renters' Society of which all distributors are members, Ormiston held.

Presents Exhibition Statistics

Interesting statistics on the English exhibition business were divulged in "Little Man, What Now?", a paper read by H. V. Davis. Sixty-nine per cent of the 4,287 theatres are small houses with an average seating capacity of 660 while jointly their seats run to 51 per cent of the nation's total, he said. In 1,250 theatres, the average weekly gross is $250 or less. He too, charged the 1931 agreement with the K.R.S. on the percentage limitation governing deals with smaller theatres had not been respected by many distributors.

Ormiston, as a remedy, urged that C.E.A. pressure be brought to bear on distributors individually to adopt their own association's agreement on percentage terms covering the little man. He also made the point that specials should not be used to force bad pictures.

"The British Board of Film Censors today is looked upon as the mother of censorship, and censors from all parts of the world without exception affirm the system in this country as the best that could be devised," declared the Right Hon. E. E. Shortt, K.C., president of the board.

Referring to the one-time flow of undesirable films from America, he added he was convinced there was no sinister move behind them as he said some had imagined but that they merely represented a passing phase of life which Hollywood had recorded. He did, however, deprecate the increase of horror films and said licensing authorities were disturbed about their frequency.

He also criticized the new type of American films showing punitive Federal methods. "In a new variation, the whole gangster gamut is as prominently displayed as of yore. I trust we shall not have a recrudescence of these subjects. Their influence is unwholesome," he concluded.

The Camera Was Candid



The old and the new shake hands. Joseph M. Schenck, former president of United Artists, wishing Al Lichtman, president-designate, well. The profile between them belongs to Martin Quigley, while on the left is a glimpse, just that, of Darryl F. Zanuck. Photographed at the Ampa luncheon for Lichtman at the M. P. Club yesterday.

Industry's Leaders Turn Out to Honor Al Lichtman

(Continued from page 1)

an uncomfortable look returned to his face as Pettijohn went on:

"Some men can get to the top on their own fighting efforts, but to stay there they need the affection and support of the rank and file of their fellow-workers"—and he turned toward the guest of honor—"and I want to say to you, Al, that you have that as few men have."

The lineup on the dais was a roster of industry figures: Joseph M. Schenck, Earle W. Hammons, Darryl F. Zanuck, H. M. Goetz, Maury Silverstone, Martin Quigley, Jack Alicoate, Jack Cohn, Louis Nizer, Nate Spingold, Arthur Dent, E. C. Grainger, Pettijohn, Abe Montague, Harry Thomas, Arthur Lee, Arthur Stebbins, Bill Goetz, Bill German, Phil Reisman, Bruce Gallup and James Loughborough of the Federal Housing Administration. Others were scattered through the crowd.

The speeches might have lasted all day if somebody hadn't originated the idea of blowing a whistle when these called upon had a half minute to go on a three-minute limit. A gong cut them short 30 seconds later. No gongs were sounded for Bob Howard, colored radio singer, or for Armida and Mary Osborne, singers.

Hammons said Lichtman had told him shorts were the best part of a program, so he made his talk well inside the whistle limit. Zanuck got the whistle, but was inside the gong.

Zanuck gave Lichtman credit for "great leadership and valuable assistance" in making 20th Century a success, and told the new United Artists president with some feeling that he "would miss him."

"I think I express what is in the hearts of everyone of us," said Quigley, "when I tell you, Al, that we have a high regard and affection for you. I know that you are a top line executive and that you will always be a top line executive."

Schenck's talk was a blend of quiet humor and deep seriousness. "I've known Al Lichtman for 20 years," he said. "He has all the elements needed for success in this business. He's a good gambler; he likes the girls, and he knows how to get the money from exhibitors.

"While I was president of United Artists he did my work and his, too, and now I know he will do the work of both of us without me as well as he did with me. There is a spot in this industry for United Artists, and he will see that the company fills it successfully."

Arthur Dent praised Lichtman as a man who had proved that British pictures could be sold profitably in this country along with American pictures. He was just getting into another phase of his talk when the whistle blew. He smiled and finished his sentence, and was just starting to say: "I want to tell you a story—" when the gong sounded. Dent gave up. It was a technical knockout. Dash it all!

Alicoate got up to introduce the next speaker. "I want to tell you a story," he began. The whistle and gong sounded simultaneously. He looked down and discovered his brother, Charles, had done it. "All right, you mugg," he flashed. Then he introduced Nizer who praised Lichtman for his good nature under stress, his philosophy and adherence to ideals, and his balanced judgment.

"You take the presidency of United Artists with the best wishes of all these united friends of yours," he said.

Lichtman began by saying that when he came in the heavy attendance made him feel it might be a protest meeting because of the selection of the club's team in the last *Film Daily* golf tournament. His efforts to speak lightly masked an obvious emotion. During his talk he expressed his gratitude to Schenck for having "given me an opportunity when I needed it, when a lot of people in this industry were ready to count me out."

"My work with him (Schenck) has been a labor of love," he went on.

Lichtman said that unlike some historic partings in the industry the parting of United Artists and 20th Century had been most friendly. He said 20th Century wanted to expand on a scale that did not fit with the U. A. policy of selling a limited number of pictures on their individual merits.

At the close of the speechmaking the assemblage stood for a half minute in silent tribute to Lee A. Ochs.

It was announced that John E. Otterson would be the guest of honor at the first fall Ampa meeting on Sept. 15.

U. S. Allows Actors Entertainment Cost

(Continued from page 1)

a deficiency of $2,526 and a fraud penalty of $1,263 imposed by the Commissioner of Internal Revenue on his 1930 return.

Wayburn claimed a deduction of some $22,000 for which he had no records. Much of the entertaining was done at his home, and the board, unable to secure any separation of entertainment and household expenses, compromised by allowing him $12,000 and tacking the rest on his income.

Two other items were involved in the case, one of $6,400 and the other of $3,762, which Wayburn accepted as income because he could not prove otherwise.

The board dismissed the charge of fraud, declaring that his faults were those of omission and that the commissioner had not proven any desire or attempt to evade tax.

Mexicans Hope for Theatre Strike End

(Continued from page 1)

six large neighborhood houses is seen in the calling off of a sympathy strike against a circuit controlling eight theatres under a truce between the Cinematographic Employes' Union and employers.

The Federal board of conciliation and arbitration is trying to bring peace between the union and the operators of the six closed houses. It is estimated that up to June 25 the strike, called to enforce demands for increased salaries and reinstatement of 25 doormen allegedly dismissed without justification, although the employers give poor business as the reason for the dismissals, cost the theatre operators upward of $25,000.

Sidney Hackford Rites

DETROIT, June 27.—Funeral services for Sidney Hackford, 49, veteran in local film circles, who died early Tuesday after an illness of five years, will be held Friday. Hackford was born in Alabama, but had lived here for 20 years. He was for many years local manager for Universal and had been connected with other exchanges. He served in the World War as a second lieutenant and was a Shriner. He is survived by his widow and three sons.

RKO Vaudeville Cut To Two Weeks Here

(Continued from page 1)

summer as they have been during the winter months.

Coincident with the abandonment of vaudeville, the Coliseum will play single features the last half of the week and duals the first three days.

Sol Schwartz, manager of the Fordham, has been transferred to the Albee, Brooklyn. This house recently dropped vaudeville.

Irwin Gold, assistant manager of the Fordham, takes over the reins. George Baldwin, formerly assistant manager at the Palace, has been placed in charge of the Midtown on Broadway and 100th St.

Boston Holds Varied Views on Regulation

(Continued from page 1)

ter off it will be," he says. "The code gave our company no advantages, but plenty of disadvantages."

"If Code Authority is to be made up equally of buyers and sellers, yes," said Frank Lydon, also a former member of the clearance and zoning board. "Otherwise I am opposed to a voluntary code. I believe a voluntary code should be along the lines proposed by Allied. There should be some place to go to straighten out difficulties."

Lydon operates the Hamilton in Dorchester.

"We should have a voluntary code," declared William McLaughlin, operator of the Stoneham at Stoneham, "but there should be balanced power in the code board setups."

Don Martin, operator of the Park, was another who said he was opposed to any code.

Some of those questioned wanted some form of regulation guaranteeing cancellations, but had no interest in any other phase of industry control.

Court Demands Bond For Impounded Film

SAN FRANCISCO, June 27.—Warners today won a point in a copyright infringement suit when the U. S. Circuit Court of Appeals ruled that a lower court could not impound a film unless the plaintiff posted a bond adequate to pay the defendant in case he should lose the case.

The decision was on an appeal brought by Warners in a suit by M. P. Echevarria, who charged that Warners used his story, "Milias Pilias," as the basis of an old silent picture, "Across the Pacific," starrng Monte Blue.

DuWorld to Dispute Ban

The decision of the New York State Education Department banning the showing of "Spring Shower" will be appealed to the courts by DuWorld Pictures, distributors of the film in this country, the company stated yesterday. The film was produced in Hungary by Paul Fejos and has been shown in several countries as "Marie."

Show French Sea Film

"Villes Flottantes" ("Floating Cities"), a French picture produced by J. C. Bernard, was shown last night on the *Ile de France* by John E. Tapernoux. The film shows the workings of a liner.

Looking 'Em Over

"In Caliente"

(*First National*)

Fun in Mexico is the idea here. Never strong in story content, "In Caliente" is a pleasant enough, if undistinguished, melange of merry goings on and love under a tropical moon. It is a typical Warner musical which is to say it has tinkling music, a long array of good-looking chorines, sumptuous settings, a colorful background and Edward Everett Horton, who stands out in a comedy role which gives the attraction virtually all of its many laughs.

In it you get Pat O'Brien as a likable, but harum-scarum, hard-drinking magazine publisher whose love life precipitates him rapidly into one scrape after another. It appears to be Horton's job to get him out of New York in order to get him away from Glenda Farrell. They go to Caliente.

There O'Brien meets and falls with a thud for Dolores Del Rio, who is photographed in a manner most adequately and correctly described as breath-taking. Horton gets himself mixed up, as usual, and employs Miss Del Rio to distract O'Brien's thoughts from Miss Farrell, blondes and New York. Dolores goes through with it when she learns it was O'Brien who put her on a critical hot spot at her last dancing engagement in the big town. It straightens out and O'Brien gets his Del Rio.

"The Lady in Red," already frequently sung and played over the radio, is a lavish and well-handled number with Wini Shaw doing the warbling. "Muchacha," the second big production number, also clicks, although the song lyrics are rather juvenile.

A highlight is a crackerjack dance number by the De Marcos.

Lloyd Bacon directed in workmanlike manner. His cast, all good, included Leo Carrillo, Phil Regan, William Davidson, Harry Holman, Herman Bing (funny in a bit), Olive Jones and Judy Canova.

Production Code Seal No. 729. Running time, 84 minutes. "G."

K.

Plans Are Set for Jamaica Production

H. William Fitelson of the law firm of Fitelson and Mayer has completed plans for the formation of a British producing company to be located in Jamaica and it is expected these plans will be accepted shortly by Audley Morais and H. G. DeLisser, who are behind the project.

Both Morais and DeLisser are native Jamaicans, the former owning all of the theatres on the island and the latter a well known author and newspaper publisher, all of whose papers are in Jamaica.

No name has been picked for the company as yet and it is expected the capitalization of the new organization will be about $1,000,000.

Present plans call for the construction of studios on the island and the first picture, on which work is expected to start shortly, will be "The White Witch," from the novel of the same name by DeLisser. American and British actors and actresses will be engaged, and deals are under way now for the picture to be handled both here and in England by the same company.

Para. Board Meets; No Statement Made

Paramount yesterday declined to issue any statement following meetings of the board and executive committee.

Among the business which was on schedule for the meetings was consideration of John E. Otterson's five-year contract as president of Paramount at $100,000 per year. The board was also slated to act on the nomination of R. E. Anderson, treasurer of Erpi, for the post of financial vice president of Paramount.

Wall Street

Most Gain on Big Board

	High	Low	Close	Net Change
Columbia vtc (c1)	68	67	67	+ ½
Consolidated	3¾	3¾	3¾	+ ¼
Cons. pfd (1¼v)	14⅞	14⅞	14⅞	+ ¼
Eastman	146½	144⅞	145	.....
Eastman, pfd	158¾	158¾	158¾	—2¼
Fox Film "A"	14¾	14¾	14¾	+ ⅛
Loew's	41¼	40⅝	40¾	+ ⅛
Loew's, pfd	107	107	107	+ ¼
Paramount	4¼	4⅛	4¼	+ ⅛
Pathe	⅝	⅝	⅝	.....
RKO	2½	2	2	— ⅛
Warner	4	3⅞	4	.....
Warner, pfd	23¾	23¾	23¾	—1¼

Technicolor Off on Curb

	High	Low	Close	Net Change
Technicolor	21⅝	20⅛	20½	— ⅞
Trans-Lux (.10K)	2¼	2¼	2¼	.....

Small Losses Mark Bonds

	High	Low	Close	Net Change
Paramount F. L. 6s '47	94¼	94	94	.....
Paramount Publix 5½s '50	95⅝	95⅜	95⅞	—2⅞
RKO 6s '41 pp	39½	39½	39½	—1½
Warner Bros. 6s '39 wd	64¼	61½	63½	— ½

(*c*) *Plus stock extras.* (*K and v*) *Paid this year.*

(Quotations as at close of June 27)

Flash Reviews

Accent on Youth— . . . should rate nicely as adult entertainment. . . .

The Man on the Flying Trapeze— . . . not always a happy one in point of entertainment content except when Fields is on the screen. . . .

She— . . . ought to be box-office, with the same appeal that "King Kong" had. . . .

Mad Love— . . . Audiences liking horror should go for this. . . .

These films will be reviewed in full in a later issue of MOTION PICTURE DAILY.

KMTA Names Board To Hear Grievances

(Continued from page 1)

complaints filed by organization members. The action was taken at the suggestion of Frank Cassil of St. Joseph.

The grievance board will sift for facts any grievance case brought before it and pressure will be brought to bear through the organization on those found to be responsible for situations arising out of unfair trade practices. At the suggestion of C. A. Schultz of Commonwealth Theatres all exhibitors will be apprised of the board's findings in every case.

Exhibitors at the meeting were enthusiastic about the plan. One said it would increase the membership of the organization 100 per cent immediately. Another said it would do much to clear "the fog of suspicion and mutual distrust" between exhibitors and distributors.

John Stapel was reelected president of the organization at the meeting. R. R. Biechele was reelected secretary-treasurer, and E. B. Danielson was elected vice-president for the Kansas unit. Thomas Edwards was elected chairman of the board and A. J. Simmons, a board member for Missouri. Kansas directors are Danielson, Homer Strowig, E. O. Briles, C. L. McVey and Biechele. Other Missouri directors are Cassil, Stapel, Edwards and Simmons.

On reconsideration of a move for the organization's affiliation with a national exhibitor organization, the meeting today voted an alliance with M. P. T. O. A. No heat developed during a discussion of advertising in films, exhibitors present regarding the matter as of no moment even though instances of some shorts and newsreels which contained advertising matter were cited.

Promotion of giveaways was not brought before the meeting because of the exhibitor attitude that the subject was a matter for individual or local decision. A plan of district meetings for the K. M. T. A. is to be worked out by the directors to stimulate interest in the organization and, in particular, to handle legislative matters.

W.Va. Body Holds Hyman

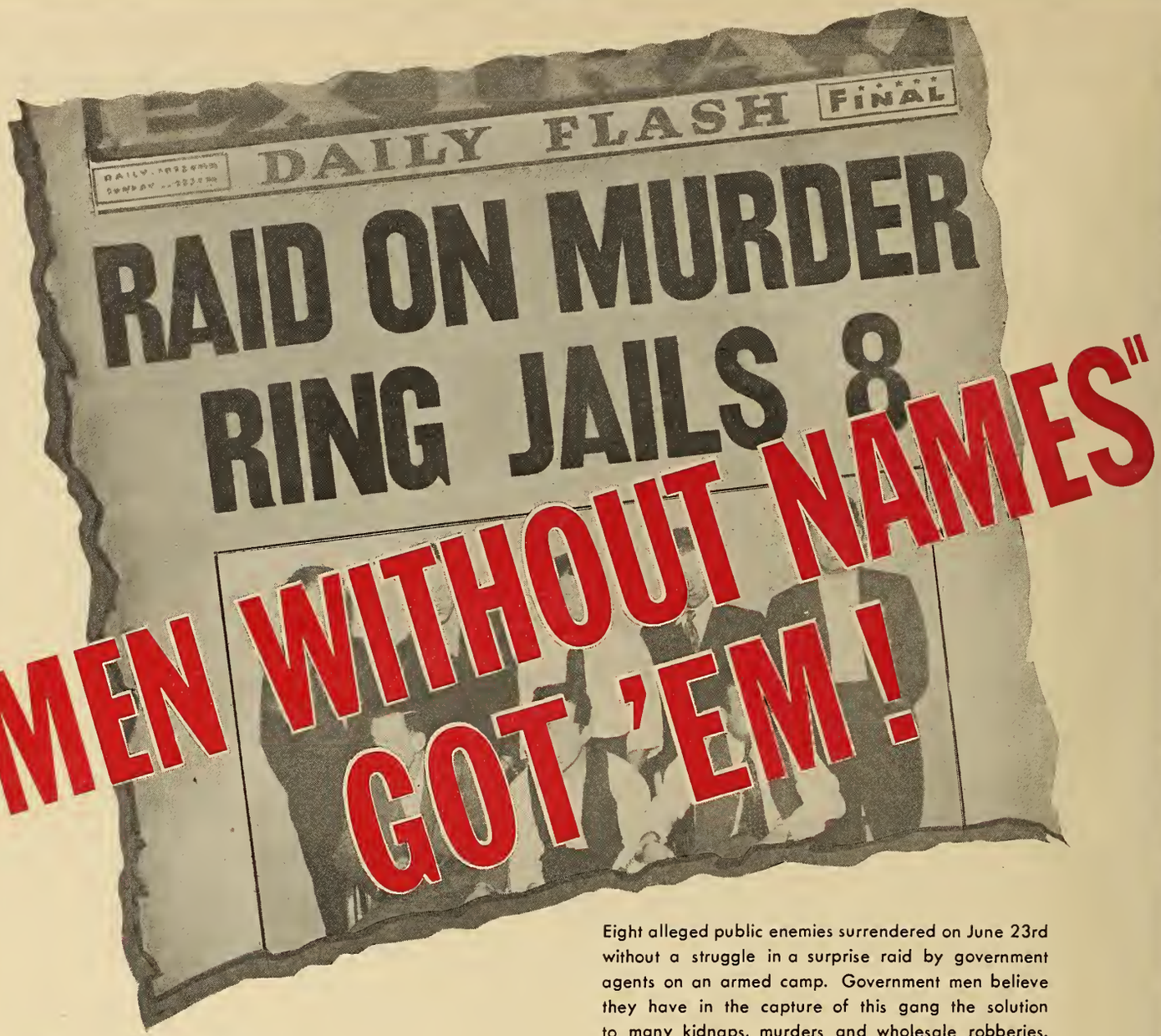
WHITE SULPHUR SPRINGS, W. Va., June 27.—S. J. Hyman, Huntington, was reelected head of the West Virginia Theatre Managers' Ass'n at the final session of its convention here today. James C. Shanklin, Charleston, succeeds William B. Hines as vice president. W. H. Holt, Richwood, continues as secretary-treasurer. The annual banquet was held tonight following a showing of "Becky Sharp."

Charges Denied by RCA

WILMINGTON, June 27.—An answer denying charges made in the injunction suit brought by the Philadelphia Storage Battery Co. to enjoin RCA from cancelling its license agreement was filed in Chancery Court here today. RCA was directed to show cause why a preliminary injunction should not be issued.

Columbia Meet July 1

Columbia opens its national sales convention at the Medina Club, Chicago, July 1. It will run a week.



Eight alleged public enemies surrendered on June 23rd without a struggle in a surprise raid by government agents on an armed camp. Government men believe they have in the capture of this gang the solution to many kidnaps, murders and wholesale robberies.

Mr. Exhibitor...

PARAMOUNT'S "MEN WITHOUT NAMES"

with Fred MacMurray • Madge Evans • A Paramount Picture • Directed by Ralph Murphy

will get you, too! . . . It will get you plenty of dough and thrilling action at the box-office! . . . It will get your audiences with its gripping and romantic story of a Government Agent in a dangerous game with America's dangerous public enemies! . . . It will get you the thanks of your community for bringing to your screen the details of an inside story that never reached the headlines!

"MEN WITHOUT NAMES" is a *hot money* picture

Paramount Pictures

The Leading Daily Newspaper of the Motion Picture Industry

MOTION PICTURE DAILY

Alert, Intelligent and Faithful Service to the Industry in All Branches

VOL. 37. NO. 152 NEW YORK, SATURDAY, JUNE 29, 1935 TEN CENTS

Contract Let For New Coast Radio Station

Will Adjoin RKO Studio; Aylesworth's Idea

Plans for a broadcasting station in the center of production, promised by M. H. Aylesworth almost two years ago, began to crystallize yesterday with the awarding of a contract to Herbert J. Yates, president of Consolidated Film Industries, Inc., to build it on a lot adjacent to the Radio plant in Hollywood.

The move ties in directly with Aylesworth's oft-expressed ideas about the potentialities of a working arrangement between the industry and radio. He has felt for some time that the industry would do well to shake off what appears to be its inherent

(*Continued on page 2*)

N. O. Not Interested In Any Kind of Code

NEW ORLEANS, June 28.—Exhibitors here are not interested in a code, voluntary or otherwise. In fact, the only suggestion from any source is that some kind of a board be set up with five members from Allied and five from the G.S.T.O.A., with an impartial chairman and no exchange representatives.

E. V. Richards of the Saenger interests declined to comment when asked his opinion of the code situation. Manny Jacobs, controlling

(*Continued on page 3*)

Fox Pushes Foreign Films for the U. S.

Fox is releasing 50 foreign versions in the domestic market, 35 of which are Spanish talkers, six Italian, four German and five French. Harry Reinhart is in charge of the selling.

A concentrated campaign is under way to poll all possible outlets for the foreign product with domestic salesmen in various parts of the coun-

(*Continued on page 3*)

Funeral of Lauste To Be Held Monday

Eugene Lauste, one of the earliest experimenters in photography of sound on film, who died of a stomach ailment at the Montclair Community Hospital, Montclair, N. J., on Thursday, will be cremated after services on Monday morning. The body will be

(*Continued on page 2*)

"No More Ladies" $47,000 1st Week

"No More Ladies" garnered a nice $47,000 at the Capitol during its first week and will approximate about $35,000 for its second stanza. The second week of "Becky Sharp" ended with $67,750 at the Music Hall. This is about $18,000 off from the first week's take.

The Roxy, with "Charlie Chan in Egypt," grossed a profitable $25,000, and the Palace, with "Goin' to Town," was weak at $8,000. The Paramount wound up the second week of "The Glass Key" with $16,000, showing a profit for the house. "Paris in Spring" follows "Men Without Names," now current. "Accent on Youth" goes in July 12 for what is expected to be a four-week run.

Some time in October, Warners will reopen the Hollywood with "A Midsummer Night's Dream" on a two-a-day basis.

Jersey Allied Meet Will Start Aug. 22

Allied of New Jersey will hold its annual convention at the Ritz Carlton, Atlantic City, for three days starting Aug. 22. Sidney Samuelson, president, will preside. A number of officers and directors of the national organization are expected to attend.

In addition to the New Jersey meeting, Allied's eastern regional group will hold a session. The date for this meeting isn't set, but will be either a day before or a day after the convention.

Independents' Pool Now Up to the ITOA

Plans for pooling independent theatres into one large circuit in the local area are now ready for ratification by the I. T. O. A. board of directors, Milton C. Weisman, attorney for the unit, stated yesterday.

Following approval by the the board, the proposals will be put before the membership at the next session at the Astor on Wednesday.

New Edison Co.

Henry Monahan, general counsel to Thomas A. Edison, Inc., of West Orange, N. J., yesterday wired *Motion Picture Daily* as follows:

"We have no connection with Edison Film Corp. reported by you as incorporated in Delaware yesterday."

Chicago Film Case Is Continued Again

CHICAGO, June 28.—Judge Woodward has continued to July 8 the Astor Theatre case charging distributors with conspiracy to withhold film service.

The court urged litigants to make a settlement out of court. He said that if this were not done he would issue a temporary injunction July 8 restraining distributors from continuing any restrictions against 10-cent admissions. A settlement has been imminent several times.

Rosenblatt Silent On New Federal Job

Sol A. Rosenblatt yesterday would not comment on reports from Washington that he might become chief counsel to the Federal Communications Commission for its A. T. & T. investigation.

The former NRA administrator said he was "doing all right and had no kicks, squawks or complaints." Rosenblatt said he plans to stay in New York for some time and does not intend to return to Washington.

Comerford, Fay and RKO Pool About Set

Papers concluding pooling arrangements between M. E. Comerford, Ed Fay and RKO in Providence will be signed next week. The deal will not become effective until Sept. 1.

Involved in the pool are the Albee, Victory, Fay's, Majestic and Carlton.

Here's How to Film a Ban

Although Mike Jacobs, promoter of the Joe Louis-Primo Carnera fight officially banned film cameramen from making a record of the fracas, pictures were taken anyway and now are being shown on the Loew circuit. Here's how it happened.

Sam Fried and Jack Dietz of Ronny Pictures Corp. placed a cameraman in one of the boxes at the Yankee Stadium and he photographed each of the six rounds without being noticed. After the films were developed Dietz showed the pictures to Promoter

(*Continued on page 4*)

Anderson to Assume Para. Post Monday

Fred B. Foster Becomes Treasurer of Erpi

R. E. Anderson, former treasurer of Erpi, who was elected financial vice-president of Paramount on Thursday, assumes his new post on Monday. Anderson resigned his Erpi connections immediately. Fred B. Foster, assistant treasurer of Erpi, was named treasurer succeeding Anderson.

H. M. Wilcox, an Erpi vice-president, who was borrowed by John E. Otterson, Paramount president, to make a complete organizational survey of Paramount, left for the coast yesterday to begin the new assignment. Wilcox was given a two months' leave of absence by Erpi, which will be extended if necessary.

Otterson, whose five-year contract

(*Continued on page 2*)

Selig Contemplates Return to Producing

LOS ANGELES, June 28.—William Selig, pioneer producer, who has been in retirement for a number of years, contemplates reentry into production. He has six features lined up for fall production and is now working on arrangements for financing and release.

Subjects he has lined up, he says, include: "I Am the Law," from David Belasco's and Edward Elsner's stage play; "The Dragnet," stage play by Willard Mack; "Irish Eyes," play by Edward Rose; "Yosemite," play by Charles A. Taylor; "Bachelors Must Marry," play by Dorothy Doyle, and "Going Straight," play by Edward Rose.

Massachusetts Cuts Nine of 166 Films

BOSTON, June 28.—Censor cuts have been made in only nine of 166 films submitted from May 20 to the middle of this month. These cuts were made by Commissioner Paul G. Kirk and his Department of Public Safety for Sunday showings.

In "Camille" one sentence—"I'd give my life for one hour of happiness"—was taken out. In "Nell Gwyn" the word "trollop" was eliminated twice, and in "Escape Me Never" the words "She's your mistress" were eliminated. One cut was made in "Goin' to Town." It was reference to a map.

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Funeral of Lauste To Be Held Monday

(*Cantinued fram page* 1)

taken from the Gorny Funeral Home, Bloomfield, to the Rosehill Crematory at Linden.

For several years Lauste, who was a native of France and was 78 years old, had lived at 12 Howard St., Bloomfield, N. J. For many years he had been connected with the Bell Telephone Laboratories.

His first efforts to photograph sound dated back to 1888. He worked on this idea for a long time at Thomas A. Edison's West Orange plant. His experiments were interrupted by the war after he had obtained a number of patents, and before he could obtain new capital in the twenties Lee De Forest and others had produced the first sound films.

His widow, Mrs. Melaine Lauste; a son, Emile Lauste, a technician for Eastman Kodak in London, and two stepsons, Clement LeRoy and Harry LeRoy of Bloomfield, survive.

Rites for Mrs. Neilson

PERTH AMBOY, N. J., June 28.—Funeral services will be held here tomorrow at St. Peter's Episcopal Church for Louise Chapman Neilson, 70, who died yesterday at her home, 10 Park View Drive, Millburn, N. J., after a long illness.

She is survived by her husband, Anthony Rutgers Neilson, a daughter, Helen Neilson Bent, and a son, Rutgers Neilson of Radio Pictures.

Purely Personal

MAX REINHARDT and his bride, HELENE THIMIG; Dr. MARCEL ABRIBAT, official of the Eastman Co.; THE BOSWELL SISTERS, ARTHUR TRACY, LORETTA YOUNG and her mother, MRS. LORETTA WITHERS, FELIX FERRY, ARCHIE ANDREWS, JANET COHN, JAKE WILK and D. E. GRIFFITHS of Warners, MAX MILDER, London representative of Warners, and R. SCHLESS, French representative of Warners, all sail today for Europe on the *Ile de France.*

•

HERBERT J. YATES was host at a farewell luncheon for RKO's foreign legion at "21" yesterday. NED E. DEPINET, president of RKO Distributing Corp.; PHIL REISMAN, vice-president of RKO Export Corp., were there as well as a large group which included E. D. ("DOUG") LEISHMAN, RALPH HANBURY, MAX BOSMAN, JOOST SMIT and others.

•

WARD SCOTT, midwest division manager for Fox, is in town conferring with ELMER C. RHODEN, Fox Midwest head, and WILLIAM KUPPER, western division manager for Fox, on a product deal.

•

LOUIS PHILLIPS, general counsel of Paramount, will be a bachelor this summer. His wife, HELEN K., sails July 2 on the *Volendam* for a two-months' cruise in foreign waters.

•

LOU OSTROW, coast producer, took to the air lanes for Hollywood yesterday. He's been around New York for weeks fraternizing with BOB GOLDSTEIN and JOE MOSKOWITZ.

•

IRVING WINDISCH, publicity head of the Strand, was given a party last night at the Edison Maple Room in celebration of his recent marriage.

•

WILLIAM DANZIGER is on sick leave from the M-G-M publicity department. He was recently in an auto crash and suffered head injuries.

•

MAY ROBSON, who has been here for a brief visit with her family at Bayside, L. I., returns to the coast today on the *Pennsylvania.*

•

RICK RICKETSON of Denver and ELMER C. RHODEN of Kansas City have put off their return trips until next Wednesday.

•

JOE E. BROWN was around the Warner home office yesterday and he and GRAD SEARS re-fought the recent Carnera-Louis fight.

•

AL LICHTMAN and HAL HORNE leave by plane for the coast tomorrow, changing their original plans to go by rail.

•

CHARLES KOERNER, RKO New England district head, returned to Boston last night after home office conferences.

•

HAROLD N. EVENS, manager of Loew's, St. Louis, is visiting here and plans to leave for home early next week.

•

HENRY ARMETTA takes the air over Station WMCA Monday evening, when he will be featured on SAM TAYLOR'S screen revue period.

•

E. GOUDREAU has finally decided to take a plane for the coast today for a four-day technical survey of the studios.

•

M. H. ("Deac") AYLESWORTH, Major LESLIE E. THOMPSON and REX COLE did their lunching together yesterday.

•

JOE PENNER leaves for Hollywood Monday to begin work on "Collegiate," his next for Paramount.

•

SIGMUND SPAETH sails today on the *Rotterdam* for a cruise to the North Cape and Russia.

•

JOHN D. CLARK, general sales manager of Fox, is due back from the coast next week.

•

HOWARD BURKHART, manager of Loew's, Providence, is in town for a few days.

•

CONCHITA MONTENEGRO is at the Warwick from Hollywood for a vacation.

•

WILLARD MCKAY spent the noon repast hour at his usual haunt yesterday.

•

LARRY KENT is off to Hollywood.

•

. . . *Omaha*

C. A. BROWN, manager of the Dundee, is on a six weeks' tour of the northwest to be climaxed by a visit to the exposition at San Diego.

CHARLES LIEB, former assistant M-G-M booker, has replaced ROBERT WENNIG, salesman, the latter going to Milwaukee.

Wall Street

Slight Gains Mark Big Board

	High	Low	Close	Net Change
Columbia vtc (c1)	68¾	67	67⅞	+ ⅞
Consolidated	4¼	3⅞	4	+ ¼
Cons. pfd (1¼v)	16¼	15	16¼	+1⅜
Eastman	145¾	145	145⅜	+ ¾
Eastman, pfd	157	157	157	—1¾
Fox Film "A"	14⅝	14⅜	14⅞	— ⅜
Loew's	41⅝	41⅛	41¼	+ ½
Paramount	4½	4⅜	4⅜	+ ⅛
Pathe	⅝	⅝	⅝	.....
Pathe "A"	9⅞	9⅝	9⅝	+ ⅛
RKO	2¼	2	2	.....
Warner	4	3⅞	3⅞	— ⅛

Trans Lux Off on Curb

	High	Low	Close	Net Change
Technicolor	20¾	20⅛	20¾	.....
Trans-Lux (.10K)	2¼	2⅛	2⅛	— ⅛

Fractional Gains on Bonds

	High	Low	Close	Net Change
General Theatre Equip. 6s '40 ctf	11	10⅞	11	+ ⅞
Loew's 6s '41 ww deb rights	104	103⅞	104	+ ⅛
Paramount B'way 5½s '51	60⅜	60⅜	60⅜	.....
Paramount F. L. 6s '47	95	93⅞	94½	+ ½
Paramount Publix 5½s '50	96½	95	96½	+1⅜
Warner Bros. 6s '39 wd	64¾	64⅛	64⅛	+ ⅝

(c) Plus stock extras. (K and v) Paid this year.

(Quotations as at close of June 28)

Boston Keith Cuts Loss

A net loss of $149,392 was reported yesterday by Keith Memorial Theatre Corp., Boston, an RKO subsidiary, for the year 1934. The report compares with a loss of $209,225 for 1933.

Contract Let For New Coast Radio Station

(*Cantinued from page* 1)

fear of radio and cooperate with ether broadcasting to its own advantage.

The plan for the Hollywood broadcasting center has been broached by the NBC president several times. The contract let to Yates, therefore, marks the inception of the first definite step toward consummation of an idea which apparently Aylesworth has had in mind since he first announced his intention in Hollywood about two years ago.

The new studio will center in the one plant the activities of NBC. From it, radio stars engaged for pictures will do their broadcasting. From it, as well, film stars will conduct their programs in what Aylesworth yesterday repeated he hoped would be a definite coalition between radio and films.

The construction job is scheduled to be completed Oct. 1.

Anderson to Start Para. Job Monday

(*Continued fram page* 1)

was ratified by the Paramount board at its regular meeting Thursday, leaves for Chicago tomorrow where he will meet on Monday with Paramount theatre operating partners from all sections of the country. The meeting will last for one day only and was described as having no other purpose than to provide an opportunity for the theatre partners to meet and discuss operations with the new Paramount head.

At the Chicago session, in addition to Otterson, will be George J. Schaefer, Y. Frank Freeman, M. A. Gowthorpe and Leon Netter from the home office; John and Barney Balaban of B. & K.; Martin Mullins and Sam Pinanski of M. & P. Theatres, New England; Samuel and Nate Goldstein of New England; George Trendle and Willard Patterson of Detroit; Karl Hoblitzelle of Dallas, A. H. Blank of Des Moines, E. V. Richards of New Orleans, Hunter Perry and E. J. Sparks of Florida, and R. B. Wilby and H. F. Kincey of Alabama.

Otterson will continue on to the coast for a stay of four to six weeks. The other home office executives will return to New York.

Sturgess Joins G. B.

DETROIT, June 28.—Fred Sturgess, for several years shorts subject booker for Universal, has resigned to become city salesman for G. B. He succeeds Eddie Canty, who has been transferred to the Fox exchange at Des Moines. Sturgess' successor has not been named.

Selznick Transfers Now

HOLLYWOOD, June 28.—David O. Selznick has completed negotiations with M-G-M that will enable him to resign immediately and start work for United Artists. He will produce under the firm name of David O. Selznick Prod., Inc.

Republic Heads Go To Toronto Session

Oscar Hanson, W. Ray Johnston, Edward Golden, Norton V. Ritchey, Sam W. Smith, Arthur Lee and Ralph Poucher left yesterday for Toronto to attend the Empire Films convention at the Royal York.

Today is Republic and Gaumont British Day. The Republic party will return Monday. Arthur Dent of B. I. P. left Thursday for Toronto.

Attending the convention are: A. W. Perry, Toronto manager; Harold Buckley, Alberta head; M. A. Davis, Quebec manager; S. Jacobs, New Brunswick manager; J. E. Archer, head of the British Columbia branch, and I. H. Allen, manager of the Manitoba office.

After the meeting, all conventionites will visit the "Circle M" ranch.

Republic Meet Here July 6

About 25 sales representatives from the Philadelphia and New York offices of Republic will attend the last regional to be held at the Park Central on July 6, Edward Golden, general sales manager, states.

W. Ray Johnston, president, will conduct the meeting and outline the pictures and sales policies for the 57 features. The company will not handle shorts this season.

Fox Pushes Foreign Films for the U. S.

(*Continued from page* 1)

try contacting exhibitors, schools, universities and colleges for playing time between seasons.

The Spanish talkers have been in demand in Dallas, Los Angeles, San Francisco, Chicago, Atlanta and New York, while the French, Italian and German versions have had a fair draw in Greater New York. The Italian films are somewhat popular in New York and New Jersey. "Liliom," which has Charles Boyer and Madeline Ozeray in the cast, recently completed a run at the Cameo and will open at the Acme sometime in July. This is the French-made picture with English sub-titles. "Pech-Marie," the all-German talker with Jenny Jugo, has had one local showing.

Anthony Ricci, who was with Fox for a number of years as New Jersey salesman before he joined the local Hollywood exchange, is back with Fox at the local branch handling the foreign films in Greater New York. He has already closed a number of deals for Italian and Spanish subjects.

In the fall, the company plans to add to the special sales staff at important key spots.

Singer Takes 2 in Iowa

Mort Singer Theatres Corp., which operates 10 theatres in the middle west and west, has taken over two Marshalltown, Ia., houses. They are the Family and Strand.

The new houses will be booked by RKO Film Booking Offices in New York along with the other Singer units.

Edwards in a New House

KANSAS CITY, June 28.—Tommy Edwards, who operated the Ozark, at Eldon, Mo., and who is a member of the board of directors of the K.M.T.A., has moved into a new house.

MOTION PICTURE DAILY'S HOLLYWOOD PREVIEW

"Mad Love"

(*M-G-M*)

HOLLYWOOD, June 28.—Peter Lorre's first American role as a surgeon vacillating between irresistible impulses to harm and heal reveals him as potentially a big box-office bet. The rather heavy, horror plot, however, is based on a premise fantastic enough to fascinate but not convince.

Frances Drake, star of a theatre specializing in horror plays, is the object of Lorre's psychopathic passion, although she is the bride of Colin Clive, concert pianist. Clive's hands are crushed in an accident. Miss Drake banishes her repulsion for Lorre and begs his aid. Lorre grafts the hands of a guillotined knife thrower on Clive. The hands retain the murderous impulse to fling knives as Lorre's power of suggestion traps Clive into the conviction of insanity.

The impact of the first part of the film is terrific due to the superb acting, direction, photography and eerie incident. May Beatty is outstanding as a tipsy slattern. Sarah Haden scores as a loyal maid. Miss Drake, Clive, Edward Brophy as the knife thrower and Ted Healy as a comic reporter are all excellent.

Henry Kolker, Isabel Jewell, Keye Luke, Murray Kinnell and Rollo Lloyd support well. Production by John W. Considine, Jr., is handsome. Karl Freund's direction is brilliant, but arty. Guy Endore adapted with the screen play by P. J. Wolfson and John L. Balderston. Chester Lyon's photography enhances the macabre mood.

The film will undoubtedly be trimmed. Audiences liking horror should go for this with Lorre sticking in the memory for the future. Reviewed without production code seal. Running time, 82 minutes. "A."

"Accent on Youth"

(*Paramount*)

HOLLYWOOD, June 28.—Sophistication keynotes this comedy-drama of love between a middle-aged playwright and his youthful secretary.

Herbert Marshall, successful and debonair, suddenly discovers Sylvia Sidney loves him. Her love expressed on the eve of his departure abroad is the exact situation he needs for a play. Abandoning plans for the foreign jaunt with Astrid Allwyn, he produces the play and casts Miss Sidney in the lead. About to marry her when the show closes, he finds Phillip Reed, juvenile in his play, also loves her. Stepping aside graciously he encourages marriage between the pair. After a honeymoon highlighted by Reed's fondness for athletics, Miss Sidney decides life with him is too strenuous and returns to Marshall.

Claude Binyon's and Herbert Field's screen play develops the picture as delightfully as Samson Raphaelson's stage original of the same title.

Marshall gives charm to his character and arouses constant audience sympathy. Miss Sidney makes her part believable. Direction by Wesley Ruggles extracts the most from the situations and dialogue. Douglas McLean's production is first rate.

In support, Ernest Cossart as a butler and Holmes Herbert as an actor are particularly good.

The picture should please nicely as adult entertainment. Production Code Seal No. 861. Running time, 83 minutes. "A."

"The Man on the Flying Trapeze"

(*Paramount*)

HOLLYWOOD, June 28.—W. C. Fields, that grand comic, plays an applejack-swigging memory expert henpecked by his wife and in-laws.

Burglars in the cellar discover his private stock. Fields joins them in a tipsy serenade and ends in the hoosegow.

To get away from the office for the big wrestling match Fields announces his mother-in-law's purely fictitious death. The rest of the film details his struggle with the family, cops, flat tires and other grim circumstances conspiring to detain him from the match. No love story is evident.

Mary Brian, Kathleen Howard, Grady Sutton, Lucien Littlefield, Vera Lewis, Oscar Apfel, David Clyde, Tammany Young, Walter Brennan, Arthur Aylesworth and "Man Mountain" Dean support. The story, by Charles Bogle (Fields himself) and Sam Hardy, has been directed by Clyde Bruckman as a William LeBaron production. The picture is not always a happy one in point of entertainment content except when Fields is on the screen.

Production Code Seal No. 945. Running time, 65 minutes. "G."

(*Additional review on page* 4)

N. O. Not Interested In Any Kind of Code

(*Continued from page* 1)

United Theatres' 18 neighborhood houses, also was silent.

Henry Lazarus was voluble, however. He said: "It was a godsend that the NRA code was found unconstitutional. This code, controlled by the big interests, was right up their alley. Without molestation from the government, they went right along, getting stronger and stronger.

"In my opinion the farther the independent theatre owner stays away from codes, the better off he will be. Experience proves that what we need is teeth in the Sherman anti-trust law."

Pass Ban on Labor Stays

BOSTON, June 28.—The House today passed by a three to one vote a bill prohibiting the granting of temporary or permanent injunctions in labor troubles until after a finding on the facts has been made by a court.

The bill also exempts labor organizations from responsibility for the acts of their agents unless it can be proved that the organization specifically authorized the act.

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"Ladies" Is Sensational Detroit Hit

DETROIT, June 28.—"No More Ladies" was a sensation at the Michigan last week. It piled up $25,600, over normal by $5,600, with five acts of vaudeville.

In the face of this surprising business "Hooray for Love" reached $17,200, over the line by $2,200, at the Fox, but all other houses suffered.

Total first run business was $61,700. Average is $60,000.

Estimated takings for the week ending June 21:

"CHINATOWN SQUAD" (Univ.)
"THE NITWITS" (Radio)
ADAMS—(1,770), 10c-40c, 7 days. **Gross:** $4,100. (Average, $5,000.)

"HOORAY FOR LOVE" (Radio)
FOX—(5,100), 15c-55c, 7 days. Stage, 5 acts vaude. **Gross:** $17,200. (Average, $15,000.)

"STOLEN HARMONY" (Para.)
"HOLD 'EM YALE" (Para.)
(Second Run)
FISHER—(2,975), 10c-40c, 7 days. **Gross:** $3,300. (Average, $5,000.)

"NO MORE LADIES" (M-G-M)
MICHIGAN — (4,100), 15c-55c, 7 days. Stage, 5 acts vaude. **Gross:** $25,600. (Average, $20,000.)

"THE DEVIL IS A WOMAN" (Para.)
"PEOPLE WILL TALK" (Para.)
STATE—(3,000), 10c-40c, 7 days. **Gross:** $4,200. (Average, $5,000.)

"OIL FOR THE LAMPS OF CHINA" (F. N.)
UNITED ARTISTS—(2,070), 15c-55c, 7 days. **Gross:** $7,300. (Average, $10,000.)

Wanger Will Finish Three in Two Weeks

HOLLYWOOD, June 28.—Walter Wanger will have the last three pictures on his current schedule for Paramount release finished within two weeks.

Aubrey Scotto finished shooting "Smart Girl" on a 14-day schedule, and now is cutting preparatory to a preview early next week. The release date is set tentatively for July 26. Raoul Walsh is cutting "Every Night at Eight," which will be released about Aug. 9. "Shanghai," featuring Loretta Young and Charles Boyer, is ready for release about July 19.

Wanger still is dickering over the terms of his new schedule of six for Paramount release. If he signs with Paramount, he will work at General Service Studios, and will take Jack Daily of the Paramount advertising department with him to head his own press department.

It is understood that if Paramount does not meet his terms, Wanger will move to United Artists and produce for Mary Pickford.

Dave Prince Married

ATLANTA, June 28.—Dave Prince for more than a decade branch manager for Paramount, was married to Jeannette McKinney, of Chattanooga, on Tuesday. The couple went to Charleston, S. C., to board ship for an unnamed honeymoon voyage. They will return in about two weeks.

Seattle to Get "Call"

SEATTLE, June 28.—United Artists' "Call of the Wild" will open at Hamrick's Music Box July 18.

Looking 'Em Over

"She"

(Radio)

An impressive mixture of horror-thriller, mystery story and spectacle has been compounded of H. Rider Haggard's story. It is staged on a magnificent scale.

The story proceeds at a measured pace for about three quarters of its course and then builds to a startling climax when Randolph Scott saves Helen Mack from death in a mystic ceremony.

The picture is a triumph of set construction. The impossible begins to seem real after a time. Scott, who resembles an ancestor who had lived 500 years before, goes off into the Arctic with Nigel Bruce looking for a mysterious volcanic fire that insures immortality. They get the help of a Siberian hermit and his daughter (Helen Mack). The first spectacle comes when they start an ice avalanche that uncovers an entrance into a vast cave heated by volcanic gases.

After a fantastic attack by unclad natives they are ushered into the palace of Helen Gahagan, who has tested the fire of immortality and has ruled for 500 years. She mistakes Scott for his ancestor and thinks he is her lover returned. She is jealous of Miss Mack, of course, and almost accomplishes her purpose of having her sacrificed.

In the big escape scene Scott, Miss Mack and Bruce leap across a chasm that makes spectators squirm in their seats. Women utter mild screams when the pursuers begin to fall.

It ought to be box-office, with the same basic appeal that "King Kong" had. Merian C. Cooper, who produced "Kong," also produced this one.

Production Code Seal 985. Running time, 102 minutes. "G."

Cut 30 from Studio Correspondent List

HOLLYWOOD, June 28.—Thirty names were stricken from the studio press correspondent list by publicity executives at a meeting in the Hays office. This reduces the total from 280 to 250.

Those eliminated were judged on their degree of activity, importance of publication and circulation which, as announced previously, must exceed 25,000. The committee also decided to withhold all stills showing outer rims of sets, thus destroying illusion. Stills showing equipment on sets were okayed.

Action against *Modern Screen* for printing stories regarded as detrimental was withheld following receipt of a letter from the editor, Mary Burgman, promising future cooperation.

Cincy Praises "Sharp"

CINCINNATI, June 28.—Critics were lavish in their praise of "Becky Sharp" at the RKO Palace, the dailies devoting columns of space to the color effects.

The picture is doing a nice business, and building. It will be held a second week, the first holdover at this house for the past two or three years.

Flint's Auditorium Is Put on Tax Roll

FLINT, MICH., June 28.—Exhibitors here won another skirmish in the battle with the I. M. A., an association composed of automotive workers, when they succeeded in having the auditorium placed on the tax rolls for a personal property assessment of $50,000. Heretofore, the building has been tax free, being listed as a charitable organization.

The I. M. A. case became a city issue when theatre men appealed from the Board of Review decision, because the I. M. A. staged a walkathon in the large auditorium, where the association has given film shows—which have been a thorn in the side of local exhibitors for years.

Reid Albee Gains

LARCHMONT, N. Y., June 28.—Reid Albee, who is successfully fighting a serious streptococci condition, is still seriously ill. Since his return from Chicago about a week ago, his general condition has responded to medical treatment. While his complete recovery is viewed by his doctors as assured, it will be some time before his health is again normal.

Here's How to Film a Ban

(Continued from page 1)

Jacobs and a deal was negotiated for the film rights. Contracts were signed Thursday afternoon and late that night a deal was entered into with Loew's.

Because of the racial question, Loew's is not showing the films in its southern theatres. Because of censorship problem in Ohio, Loew had to submit a print which showed up there despite the Federal law against out-of-state shipments to the censor board before it could be exhibited in Columbus and Cleveland.

The showing of the fight films in Loew houses locally is regarded as a clean beat over RKO which, up to this fight, has been exhibiting pictures of all the big fistic contests exclusively.

Crawford Film Hits $24,000, Frisco's Top

SAN FRANCISCO, June 28. — "No More Ladies" ran away with the big money here last week by getting $24,000 at the Warfield. This was over normal by $4,000 and was outstanding in an otherwise dull week.

Total first run business was $81,000. Average is $81,000.

Estimated takings:

Week Ending June 18:
"MARK OF THE VAMPIRE" (M-G-M)
GOLDEN GATE—(2,800), 25c-40c, 7 days. **Gross:** $14,000. (Average, $13,000)

Week Ending June 19:
"CHARLIE CHAN IN EGYPT" (Fox)
"MEN OF THE HOUR" (Col.)
FOX—(4,600), 15c-40c, 7 days. **Gross:** $7,000. (Average, $9,000)

Week Ending June 20:
"UNFINISHED SYMPHONY" (G. B.)
EMBASSY — (1,200), 25c-55c, 7 days. **Gross:** $4,000. (Average, $5,000)

"THE VIRGINIAN" (Para.)
"HEADLINE WOMAN" (Mascot)
ORPHEUM — (3,000), 15c-40c, 7 days. **Gross:** $6,000. (Average, $8,000)

"OIL FOR LAMPS OF CHINA" (F. N.)
ST. FRANCIS—(1,400), 15c-40c, 7 days. **Gross:** $7,000. (Average, $7,000)

"LES MISERABLES" (U. A.)
UNITED ARTISTS—(1,200), 15c-40c, 3rd week, 7 days. **Gross:** $8,000. (Average, $8,000)

"GLASS KEY" (Para.)
"BLACK SHEEP" (Fox)
PARAMOUNT—(2,670), 25c-40c, 7 days. **Gross:** $11,000. (Average, $11,000)

"NO MORE LADIES" (M-G-M)
WARFIELD — (2,700), 25c-55c, 7 days. **Gross:** $24,000. (Average, $20,000)

Sol Lesser Expands New Season Lineup

HOLLYWOOD, June 28.—Sol Lesser has augmented his program for the new season, which will include four George O'Brien films for Fox release; two Harold Bell Wright stories, "The Calling of Dan Mathews" and "The Mine with the Iron Door"; two with Bobby Breen and two others, one of which will be Rupert Hughes' "Celluloid."

Have Dinner for Dooley

PROVIDENCE, June 28.—Members of the Friars Club of Boston threw a bang-up dinner at the Biltmore here for Judge James E. Dooley, well known sportsman, during which he was given his commission as a Kentucky Colonel. More than 500 guests attended, comprising theatre men and sportsmen of the Hub and this city.

Maurice N. Wolf, branch manager for M-G-M in Boston, was master of ceremonies. Edward M. Fay and Sam Kaufman staged an attractive floor show.

Penn. Bans "Maxim"

PHILADELPHIA, June 28.—The Pennsylvania Censor Board has barred "Youth of Maxim," listed for the Europa. The only comment of Chairman L. Howell Davis was a reference to the morals clause of the censor code.

Farnsworth Keeps Post

WASHINGTON, June 28.—William P. Farnsworth, formerly deputy administrator of the film code, is continuing with the government temporarily on the skeleton NRA force.

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